CITY OF CLERMONT
PLANNING AND ZONING COMMISSION AGENDA
7:00 PM, Tuesday, November 4, 2014
City Hall – 685 W. Montrose Street, Clermont, FL

CALL TO ORDER

INVOCATION AND PLEDGE OF ALLEGIANCE

MINUTES

Approval of the October 7, 2014 Planning and Zoning meeting minutes

REPORTS

UNFINISHED BUSINESS

Item 1 - Heritage Hills Conditional Use Permit	Request to amend conditional use permit to allow an adjustment to the roadway connection points and to allow for a non-age restricted portion of the site.

NEW BUSINESS

Item 2 - East Ridge Village Apartments Conditional Use Permit	Request to allow high-density multi-family in Hills of Clermont PUD.
Item 3 - Walmart Conditional Use Permit	Request to allow an amendment to a Conditional Use Permit (Resolution 1316) to allow for an expansion to the existing Walmart building.
Item 4 - Ordinance No. 2014-37 Land Development Code Amendment	Request to amend the Land Development Code to provide zoning and restrictions for medical marijuana dispensaries.

Discussion of Non-Agenda Items

ADJOURN

Any person wishing to appeal any decision made by the Planning and Zoning Commission 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 as defined by the ADA needs special accommodation to participate in this proceeding, then not later than two (2) business days prior to the proceeding, he or she should contact the Planning and Zoning Department at 352-241-7302.

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 Recording Clerk for the City's records.

CITY OF CLERMONT
PLANNING AND ZONING COMMISSION AGENDA
7:00 PM, Tuesday, November 4, 2014
City Hall – 685 W. Montrose Street, Clermont, FL

City of Clermont
MINUTES
PLANNING AND ZONING COMMISSION
October 7, 2014

The meeting of the Planning & Zoning Commission was called to order Tuesday October 7, 2014 at 7:00 p.m. by Chairman Nick Jones. Other members present were Carlos Solis, Herb Smith, Bernadette Dubuss, Harry Mason, Judy Proli, and Tony Hubbard. Also in attendance were Barbara Hollerand, Development Services Director, Curt Henschel, Planning Manager, John Kruse, Senior Planner, Dan Mantzaris, City Attorney, and Rae Chidlow, Planning Specialist.

MINUTES of the Planning and Zoning Commission meeting held September 2, 2014 were approved as written.

REPORTS

Chairman Nick Jones stated that the 10th season for the Florida Lakes Symphony will open Friday, November 14, 2014.

Commissioner Carlos Solis stated that the CD release concert for his band will be on October 25 at the Clermont Arts and Recreation Center.

1. REQUEST FOR SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT

DEVELOPMENT NAME: 1107 W. Minneola Avenue
APPLICANT: Richard Lemley

Senior Planner John Kruse presented the staff report as follows:

The owner is requesting a future land use amendment to change from Medium Density Residential to Downtown Mixed Use land use category. The 0.4 +/- acre parcel is located along the south side of W. Minneola Ave. and west of 11th Street. The subject property is entirely contained within the city limits and utilities are available.

The proposed Downtown Mixed Use future land use fits the character of the surrounding community and is compatible with the area. The parcel has the Downtown Mixed Use designation adjoining to the north and east of the site. The current underlying zoning of R-3 Residential/Professional is not in conflict with the proposed Downtown Mixed land use and allows the owner the opportunity to develop it into a four unit townhome project. The City of Clermont's comprehensive plan policies support this request.

Based upon the above information, staff recommends approval of the future land use map amendment from Medium Density Residential to Downtown Mixed Use land use category.

Richard Lemley, 221 N. Highway 27, stated that they plan to build a modest 4-unit townhome. He stated that they have recently built a duplex at the corner of Third Street and Osceola Avenue that is aesthetically pleasing. He stated that they keep all their properties maintained.

Commissioner Carlos Solis asked if it is the city's plan is to change the land use on the surrounding properties next to this property.

Mr. Kruse stated that it is not the city's plan to change the land use at this time; however the City will be looking at some parcels in the near future.

Commissioner Harry Mason suggested this would be spot zoning.

Mr. Kruse stated that the properties across the street are the same zoning as being requested.

Chairman Nick Jones stated that this is not considered spot zoning when there is comparable zoning there.

Commissioner Bernadette Dubuss moved to recommend approval of the small-scale comprehensive plan amendment; seconded by Commissioner Carlos Solis. The vote was unanimous to recommend approval for the small-scale comprehensive plan amendment.

2. REQUEST FOR SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT

DEVELOPMENT NAME: Silver Fox
APPLICANT: Dale Ladd

Senior planner John Kruse presented the staff report as follows:

The owner is requesting a future land use amendment to change from Office to Commercial future land use category. The 1+/- acre parcel is located along the north side of SR 50, between 4th and 2nd Street. The subject property is entirely contained within the city limits and utilities are available.

The proposed Commercial future land use may not be contiguous with other Commercial future land use, but it fits the character of the surrounding community and is compatible with the area. The current underlying zoning of C-1 Light Commercial is not in conflict with the proposed Commercial land use and allows the owner the opportunity to develop it for C-1 uses. The City of Clermont's comprehensive plan policies support this request.

Based upon the above information, staff recommends approval of the future land use map amendment from Office to Commercial future land use category.

Dale Ladd, 1135 East Ave., stated that he wants a land use change so that he can have commercial as opposed to office use on this parcel.

Commissioner Carlos Solis moved to recommend approval of the small-scale comprehensive plan amendment; seconded by Commissioner Bernadette Dubuss. The vote was unanimous to recommend approval for the small-scale comprehensive plan amendment.

3. REQUEST FOR REZONING

REQUEST: Silver Fox
APPLICANT: Dale Ladd

Senior planner John Kruse presented the staff report as follows:

The owner is requesting a rezoning change from C-1 Light Commercial to C-2 General Commercial. The owner has indicated on the application that the zoning change request is due to the property being developed and operated as a used car sales lot. The current C-1 zoning district does not allow this type of use, even with a conditional use permit. The C-2 zoning district permits this type of use. The 1+/- acre parcel is located along the north side of SR 50, between 4th and 2nd Street. The subject property is entirely contained within the city limits and utilities are available.

The purpose of the C-1 district is to provide light retail sales and services. The C-2 district is intended for full-scale retail sales and service needs of the community. The C-2 zoning district allows more intensive commercial uses, including, but not limited to: lounges, laundries, hotels and motels, convenience stores and gas stations. In addition, conditional uses in the C-2 zoning district offers a larger variety of uses that are not applicable in the C-1 zoning district with conditional uses. The zoning change from C-1 to C-2 provides the applicant with a larger range of options to develop the site, including the used car sales lot. However, staff believes the C-2 zoning district does not fit the character of the surrounding community and is not compatible with the area. The majority of this area along SR 50 has the C-1 zoning designation. Very few parcels in the area have the C-2 zoning designation and uses, and many are on parcels that have had these uses prior to adoption of the Land Development Code. In addition, the traffic volume of the C-2 related uses is generally more demanding and the site is located on a main arterial roadway, SR 50. The site does not appear to have any other ingress/egress options, such as a local road or side street, and the only access point is SR 50.

Based upon the above information, staff recommends denial of the rezoning change from C-1 Light Commercial to C-2 General Commercial.

Harold Graham, 639 Groves End Lane, Winter Garden, stated that he is the lead consultant. He stated that they are a unique themed small 25 to 30 car lot. He stated that this is a family friendly sales experience in purchasing affordable reliable pre-owned vehicles in the $3000 to $5000 range with on site financing, regardless of credit history. He stated that they have determined that this type of themed family friendly purchasing experience was unavailable to distressed credit customers in the Orlando market. He stated that they have received feedback from the local dealerships who have stated that they wish they had a family friendly place that they can send

customers who were turned down for traditional credit. He stated that their business hours would not exceed the hours in the vicinity and they would never be open on Sunday. He stated that they are looking to add value to the local economy and providing Clermont residents an opportunity to own reliable pre-owned vehicles at a reasonable cost. He stated that there would be an auto reconditioning facility on site, but that would only be used for vehicles in house.

Commissioner Carlos Solis asked if they checked the sign code.

Mr. Graham stated they have not looked at the sign code.

Commissioner Herb Smith asked what square footage the building is.

Mr. Graham stated that it is 3000 square foot.

Commissioner Herb Smith asked if they could fit the building, cars, and parking on this lot and does the lot drop down.

Mr. Graham stated that it does, and that they will be using new technology that will allow the parking lot to drain under the building.

Commissioner Harry Mason stated that this is considered a boutique lot but they are going to be serving those who are denied credit.

Mr. Graham stated not entirely, but that is the market they are looking to serve because it is underserved in the area.

Commissioner Bernadette Dubuss asked about the ingress and egress.

Mr. Graham stated that that the driveway would be at the far west end of the property and would be wide enough for two vehicles to enter and exit from that entrance.

Chairman Nick Jones asked if the applicant would have to come back for a conditional use permit.

Mr. Kruse stated that if the property kept the C-1 zoning then the applicant would need to request a conditional use permit, however with the C-2 zoning they would not need a conditional use permit.

Commissioner Tony Hubbard asked if the right-of-way for Broome Street was still open.

Mr. Kruse stated that he believes that section is vacated and owned by Florida Department of Transportation.

Commissioner Carlos Solis stated that he is concerned about noise.

Commissioner Harry Mason moved to recommend denial of the rezoning; seconded by Commissioner Judy Proli. The vote was unanimous to recommend denial for the rezoning.

4. REQUEST FOR LARGE-SCALE COMPREHENSIVE PLAN AMENDMENT

DEVELOPMENT NAME: Hartwood Marsh Subdivision
APPLICANT: D.R. Horton

Senior planner John Kruse presented the staff report as follows:

The applicant is requesting a future land use amendment to change from Lake County Urban Low Density to the City's Low Density Residential land use category. The subject parcel is located on the south side of Hartwood Marsh Road approximately ¾ mile east of the Hancock Road and Hartwood Marsh Road intersection. The property is currently in planted pines. The property has been previously included in the Wellness Way Sector Plan. However, the applicant would like to move forward on this request due to timing of the market. The applicant is proposing to develop the eastern half of the overall site, or 19.94 +/- acres. The applicant has submitted several applications in regards to this property. These include annexation, large scale comprehensive plan, and rezoning.

The subject parcel is surrounded by the City of Clermont and is adjoined on two sides by the City. The existing future land use in this area is predominantly City of Clermont Low Density Residential. Under Lake County's Urban Low Density future land use designation, the maximum density allowable is 4 dwelling units per acre. The city's Low Density Residential land use is 3 dwelling units per acre. The city's future land use caps density at a lower level. The density proposed by the applicant is 2.66 units per acre. The property has city utilities available and would be developed to city standards. The City of Clermont's comprehensive plan policies support this request.

Staff recommends approval of the future land use map amendment from Lake County Urban Low to City of Clermont's Low Density Residential future land use category.

Matt Young, 2300 Maitland Center Blvd., Maitland, stated that he agrees with staff's recommendation.

Commissioner Bernadette Dubuss moved to recommend approval of the large-scale comprehensive plan amendment; seconded by Commissioner Herb Smith. The vote was unanimous to recommend approval for the large-scale comprehensive plan amendment.

5. REQUEST FOR REZONING

REQUEST: Hartwood Marsh Subdivision
APPLICANT: D. R. Horton

Senior planner John Kruse presented the staff report as follows:

The applicant is proposing a single-family residential development consisting of 53 lots on 19.94 +/- acres. The subject parcel is located on the south side of Hartwood Marsh Road approximately ¾ mile east of the Hancock Road and Hartwood Marsh Road intersection. The property is currently in planted pines and is in Lake County. The applicant is proposing to develop the eastern half of the site. The applicant has submitted several applications in regards to this property. These include annexation, large scale comprehensive plan amendment, and rezoning.

The subject parcel has existing developments to the west, south, and east. The single-family development to the west is called Regency Hills Subdivision and the lot sizes consist of 85 foot wide lots. The single-family development to the south and east is called Southern Fields and consist of 75 foot wide lots. The surrounding zoning is R-1 Single-Family Medium Density Residential. The applicant would like to develop the property with 75 foot wide lots to be consistent with the existing development to the south and east. However, R-1 zoning requires 85 foot wide lots. Therefore, the applicant is requesting R-2 Medium Density Residential zoning in order to accomplish the 75 foot wide lots. The Southern Fields development was annexed into the city with the approved lot sizes in place. The density proposed is 2.66 units per acre. The property has city utilities available.

Staff feels that the proposed R-2 zoning would be consistent with the existing development pattern that surrounds the property to the east and south and would provide infill to the existing development. Based upon the above information, staff recommends approval of the rezoning change from UE Urban Estate Low Density Residential to R-2 Medium Density Residential district.

Chairman Nick Jones asked if the applicant would be coming back with conditional use permit.

Mr. Kruse stated that they requested R-2 Medium Density Residential was to have the 85 foot wide lots. He stated that there are no variance requests at this time.

Commissioner Carlos Solis asked what the density would be for R-2 zoning.

Mr. Kruse stated that based on the future land use it would be three units per acre.

Commissioner Harry Mason asked if the applicant would be willing to change their request to R-1 zoning.

Mr. Young stated that they will not change the zoning request to R-1. He stated that the R-2 allows them a more intense use, but they will still be governed by future land use category, and they want to restrict themselves to what is consistent with the surrounding properties.

Commissioner Harry Mason asked where the two entrances to the subdivision were going to be.

Mr. Young showed the Commission where the entrances were going to be. He stated that the main entrance will have a wider right-of-way with a median and the second emergency entrance would consist of a 20 foot right-of-way with a stabilized access and would not be accessible for the public.

Commissioner Harry Mason said that he reads the code to state that two public road accesses are required.

Planning Manager Curt Henschel stated that staff has not interpreted the code to be that the second entrance has to be a public access entrance. He stated that this is a fire department requirement to have a secondary access.

Commissioner Harry Mason asked for the opinion of the City Attorney.

City Attorney Dan Mantzaris stated that the code has been interpreted as Mr. Henschel presented.

Commissioner Harry Mason stated that he does not interpret the code that way.

Mr. Mantzaris stated that this would be a site review issue. He stated that this is a zoning application for the property and they are not talking about the design of the property and it will have to meet the code.

Commissioner Harry Mason stated that he believes the code states that it requires two public accesses.

Mr. Mantzaris stated that it has been interpreted by the city that the second access for emergency access meets the city code.

Commissioner Harry Mason moved to recommend denial of the rezoning; seconded by Commissioner Judy Proli. The vote failed with 2-5 to recommend denial for the rezoning, with Commissioners Carlos Solis, Herb Smith, Bernadette Dubuss, Tony Hubbard, and Chairman Nick Jones opposing.

Commissioner Bernadette Dubuss moved to recommend approval of the rezoning; seconded by Commissioner Carlos Solis. The vote passed with 5-2 to recommend approval for the rezoning, with Commissioners Harry Mason and Judy Proli opposing.

6. REQUEST FOR CONDITIONAL USE PERMITS

REQUEST: Heritage Hills Subdivision
APPLICANT: Lennar

Planning Manager Curt Henschel presented the staff report as follows:

The applicant is requesting to amend the existing conditional use permit (Resolution #2013-10) to allow for adjustments to the roadway connection points and to allow for a non-age restricted phase.

The existing resolution depicts road way connection points that connect the internal right-of-way to the proposed Hartle Road extension, which is currently undeveloped. Because Hartle Road is undeveloped and not programmed for construction, the applicant/developer is left with altering the connection points to the right-of-way. Currently, the site plan shows access to Hartle Road north of Hartwood Marsh Road. The new proposed plan shows the eastern portion on the project accessing directly to Hartwood Marsh Rd.

The applicant is also requesting to create a non-age-restricted portion of the project on Phase 7. Currently, all of Heritage Hills is designated as age-restricted by the original approved Conditional Use Permit. Heritage Hills is also part of the Kings Ridge Development of Regional Impact (DRI), which also includes Kings Ridge, Legends, and their associated office, commercial and institutional use properties. Within this DRI development order, an equivalency matrix was created and approved by the state that allows for substitutions of uses within the DRI without further state and regional agency approval. This matrix allows for non-age-restricted homes to be substituted for previously approved commercial and age-restricted homes. The applicant wishes to exercise the use of the equivalency matrix to eliminate 8,400 square feet of remaining commercial development within the DRI as well as 94 of the approved 1,223 age-restricted homes in exchange for up to 67 non-age-restricted homes to develop in Phase 7 of the project.

The applicant stated that the request is based on three physical site characteristics that make it impractical for Phase 7 to be included in the age-restricted, gated community. These include a 200-foot-wide Duke Energy easement, Hartle Road, and two isolated wetlands all located between Phase 6 and Phase 7. The applicant stated that these barriers create 220 feet to 550 feet of separation between the two phases and make a connection by an internal roadway system impossible to design.

The applicant has also included an updated “Exhibit B” for the conditional use permit, which depicts the actual development phases and boulevard alignment, the changes to the roadway connections in the new request, and all the previously approved changes from the conditional use permit amendments in 2009 and 2013.

Staff recommends approval of the conditional use permit amendment.

Duane Booth, 209 Sinclair Ave., Tavares, stated that they had a meeting with the homeowner's association. He stated that there was a great turn out and they had several questions and concerns from the homeowners. He stated that the request for Phase 7 to be non-age-restricted is similar to the situation they had with Kings Ridge subdivision and the Somerset Estates subdivision where a road was dividing the properties.

Regina Anderson, 3636 Solana Circle, Unit D, stated that Phase 7 has been part of Heritage Hills subdivision from the beginning as well as the power line easement and the wetlands. She stated that Lennar knew there were separations when they bought the property. She stated that she chose to live there because she does not want to live in a mixed-age community.

Eric Sorkin, 3948 Sanibel Street, stated that there was a lot of discussion at the Monday evening meeting. He stated that there was discussion of the cost and maintenance of Phase 7, the extra gates, and they explained that there would be no access to the club. He stated that there was discussion of a solid wall to separate the age-restricted from the non-age-restricted. He stated that he asked that this is part of the conditions for the conditional use permit amendment.

Ed Barnhill, 3743 Sanibel Street, stated that he was also at the meeting the prior night. He stated that most residents enjoy Heritage Hills and want to maintain the lifestyle they have there. He stated he personally does not have an issue with Phase 7 being non-age-restricted. He stated that taking away a number of homes out of the totals for homeowner's association fees would make their dues go up. He stated that the numbers are not accurate, because they keep getting told different number of homes that would be affected. He stated that Lennar said they would put lights up at the entrance of Heritage Hills Boulevard and Hartwood Marsh Road, and he wants to see this and the wall included in the conditional use permit. He stated that Lennar needs to provide the correct financials before this conditional use permit is approved.

Milton Andrade, Land Development Manager for Lennar, stated that the total lots for Phase 7 on the conceptual site plan shows 34 homes. He stated that the total number of homes for the homeowner's association will be 1,117. He stated that they will put the wall up, however they cannot go all the way along Hartle Road due to two wetlands. He stated that Lennar will be putting up street lights up at the Heritage Hills Boulevard and Hartwood Marsh Road entrance.

Gail Ash, 3365 Saloman Lane, asked if the wall was going to have gaps in it. She stated that if there is going to be a four-lane road, there is going to be noise issues. She stated that if there are gaps in the wall then the noise issues will be worse.

Mr. Andrade stated that there will be gaps because they cannot put the wall through the wetlands.

Commissioner Harry Mason stated that more information is needed, and he feels they should table this agenda item and allow Lennar to come back with a revised plan.

Commissioner Herb Smith stated that he agrees.

Commissioner Harry Mason moved to table the condition use permit to November 4, 2014; seconded by Commissioner Judy Proli. The vote was unanimous to table the conditional use permit to November 4, 2014.

7. REQUEST FOR LAND DEVELOPMENT CODE

REQUEST: Amend Chapter 118, Section 118-35
APPLICANT: Staff

Planning Manager Curt Henschel presented the staff report as follows:

Staff is proposing language to the landscape code to clarify issues with required canopy trees. The existing code is not clear regarding what shall happen to existing canopy trees that have been damaged by severe pruning. If the lot has additional canopy trees above and beyond the minimum code requirement, the removal of a severely pruned tree would not be required under the amended language. An example of this situation would be when a homeowner has three canopy trees on their lot, and they are only required to maintain two of them. The homeowner decides to create topiary out of the third canopy tree and to maintain that tree as a sub-standard tree that is not part of the minimum code requirement. This proposal would allow the sub-standard tree to remain, provided all other tree requirements on the lot are met.

City Attorney Dan Mantzaris stated that from a code enforcement perspective, if a property owner severely prunes a tree and they still have enough required trees by code, then code enforcement will not need to require the homeowner to remove the severely pruned tree.

Commissioner Bernadette Dubuss moved to recommend approval of the land development code amendment; seconded by Commissioner Judy Proli. The vote was unanimous to recommend approval for the land development code amendment.

There being no further business, the meeting was adjourned at 8:41 pm.

_____
Nick Jones, Chairman

ATTEST:

_____
Rae Chidlow – Planning Specialist

CITY OF CLERMONT

AGENDA ITEM

Meeting Date
Tuesday, November 4, 2014
Agenda Item Name
Heritage Hills Conditional Use Permit
Requested Action
Motion to recommend approval to the City Council of Resolution 2014-35
Staff Report

The applicant is requesting to amend the existing conditional use permit (Resolution #2013-10) to allow for adjustments to the roadway connection points and to allow for a non-age restricted phase.
The existing resolution depicts roadway connection points that connect the internal right-of-way to the proposed Hartle Road extension, which is currently undeveloped. Because Hartle Road is undeveloped and not programmed for construction, the applicant/developer is left with altering the connection points to the right-of-way. Currently, the site plan shows access to Hartle Road north of Hartwood Marsh Road. The new proposed plan shows the eastern portion on the project accessing directly to Hartwood Marsh Rd.

The applicant is also requesting to create a separate non-age-restricted portion of the project with 67 units. Currently, Heritage Hills is designated as age-restricted by the original approved Conditional Use Permit. Heritage Hills is also part of the Kings Ridge Development of Regional Impact (DRI), which also includes Kings Ridge, Legends, and their associated office, commercial and institutional use properties. Within this DRI development order, an equivalency matrix was created and approved by the state that allows for substitutions of uses within the DRI without further state and regional agency approval. This matrix allows for non-age-restricted homes to be substituted for previously approved commercial and age-restricted homes.

Lennar has 106 approved age-restricted units remaining of the 1,223 CUP maximum allowable units. Using the equivalency matrix table, Lennar proposes to convert 106 age-restricted units to 29 single family residential (SFR) units. In order to obtain a total of 67 SFR units, they need an additional 38 SFR units which can be obtained from 4,700 square feet of unused retail space.

Applying the conversion/equivalency matrix to achieve 67 single family residential non-age restricted homes will be achieved as follows:

Existing Approval	**Conversion Rate/Equivalency**	**Requested**
106 DU age-restricted homes	0.28	29 DU Single-Family Residential
4,700 Square Feet Retail	8.11	38 DU Single-Family Residential
TOTAL		**67 DU Single-Family Residential**

This conversion and modification of the CUP will allow Lennar to develop the former Phase 7 of Heritage Hills as a stand-alone community that is separated from Heritage Hills. Lennar has reassured the residents of Heritage Hills that it does not plan to grant any access from the proposed community to the existing amenities of Heritage Hills. The site plans and related approvals have been revised in "Exhibit B and C" to eliminate any connections from Hartle Road to Heritage Hills. All previously approved changes from the conditional use permit amendments in 2009 and 2013 are included in the current proposed CUP amendment.
The applicant has stated the request is based on three physical site characteristics that make it impractical for the new community area to be included in the age-restricted, gated community. These include a 200-foot-wide Duke Energy easement, Hartle Road, and two isolated wetlands all located between Phase 6 and the new community area. The applicant stated that these barriers create 220 feet to 550 feet of separation between the

two developments and make a connection by an internal roadway system impractical to design.

Lennar held a community meeting with the residents on Monday, October 6, 2014 to address questions and concerns raised by the residents.

Legal Impact

Additional Analysis

Fiscal Impact Summary

Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)	
1. Resolution	CUP RES 2014-35.docx
2. Exhibit	Heritage Hills Exhibit non age restricted.doc
3. CUP Conditions	CUP CONDITIONS.doc
4. Site plan	2014 site plan.pdf
5. School impact	Heritage Hills School Board comments.pdf
6. Application	2014 application.pdf
7. Legal ad	2014 CUP legal ad.docx

CITY OF CLERMONT
RESOLUTION NO. 2014-35

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING AN AMENDMENT TO A CONDITIONAL USE PERMIT TO ALLOW AN ADJUSTMENT TO THE ROAD-WAY CONNECTION POINTS AND TO ALLOW FOR A NON-AGE RESTRICTED PORTION OF THE SITE.

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held November 4, 2014 recommended approval of this amendment to the Conditional Use Permit to allow an adjustment to the road-way connection points and to allow for a non-age restricted portion of the site; at the following location:

LOCATION:

East of Hancock Road, north of Hartwood Marsh Road,
and south of Highway 50

The City Council deems it advisable in the interest of the general welfare of the City of Clermont, Lake County, Florida to grant this Conditional Use Permit.

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

This application for an amendment to the Conditional Use Permit to allow an adjustment to the road-way connection points and to allow for a non-age restricted portion of the site; be granted subject to the following conditions:

CONDITIONAL USE PERMIT CONDITIONS:

Section 1 – General Conditions

1. The conditions as set forth in this Conditional Use Permit shall be legally binding upon any heirs, assigns and successors in title or interest.

2. Upon approval of this Resolution, the property shall only be used for the purposes described herein. No expansion of the use(s) or any additional uses shall be permitted except as approved by another Conditional Use Permit.

3. The property described in "Exhibit A" shall be developed in substantial accordance with the Conceptual Site Plan, Center Lake Properties Limited/Vista Royale, modified October 2014, by BESH INC., as shown in "Exhibit B," and Map H (Master Development Plan for Kings Ridge DRI), dated November 2005, prepared by Glatting Jackson Kercher Anglin Lopez Rinehart, as shown in "Exhibit C," incorporating all conditions of this Conditional Use Permit.

4. 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 Planned Unit Development without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits from the City and other applicable jurisdictional entities.

5. Prior to the issuance of any permits, the applicant shall be required to submit formal site plans for review and approval by the City of Clermont Site Review Committee. The site plans shall meet all submittal requirements and comply with the conditions of this Resolution, applicable City Codes, Regulations, Ordinances, and provide compliance with the adopted City Comprehensive Plan, as amended.

6. Any specific references in this Resolution to the Florida Statutes, Florida Administrative Code, City of Clermont Land Development Regulations, City of Clermont Comprehensive Plan, shall include any future amendments to the Statutes, Code, Regulations and or Plan.

7. A Certificate of Occupancy shall not be issued until each of the stated conditions has been met.

8. If any of the stated conditions are violated, the applicant understands and agrees that the City Council may revoke this Conditional Use Permit by resolution as prescribed in the City Code.

9. The Conditional Use Permit must be executed and filed in the office of the City Clerk within 90 days of the date of grant by the City Council or the permit shall become null and void.

10. This permit shall become null and void if substantial construction work has not begun within two (2) years of the date this Conditional Use Permit is executed and signed by the permittee. "Substantial construction work" means the commencement and continuous prosecution of construction of required improvements ultimately finalized at completion.

11. The subject property shall be an independent development and shall not become part of the Kings Ridge Planned Unit Development as an addition or extension of the Kings Ridge Community Association, Incorporated.

Section 2 – Land Use

The parcel shall be developed as a residential Planned Unit Development. The community shall be owner occupied ~~and age restricted~~. The project shall be developed in accordance with the UD-7 Mixed-Use Classification I Land Use District.

1. *Number and Type of Residential Units* - There are 1,223 dwelling units approved for "Parcel H," a density 2.77 dwelling units per acre. All land used to calculate density must be useable land. Floodplains, wetlands, natural bodies of water, and power line easements are not useable land for density calculations.

2. *Lot Sizes* – Residential construction shall be permitted on lots that are a minimum of 50 feet x 100 feet (5,000 square feet); however, cul-de-sac or unique configured corner lots may be permitted less than 50 foot frontage as long as the lot meets the 50 foot required width at the building setback line and meets the minimum square footage. Within the gated community, residential attached construction shall be permitted on lots that are a minimum of 20 feet x 100 feet (2,000 square feet). Setbacks shall be as provided in Exhibit "B."

3. *Structure Setbacks* – Minimum setbacks shall be twenty (20) feet for front yards, fifteen (15) feet for rear yards for the principal dwelling unit, and a ten (10) foot separation between buildings. Accessory structures such as pools, decks and screened enclosures shall be constructed a minimum of five (5') feet from the rear yard property line.

4. *Impervious Surfaces Limitations* – A maximum impervious surface ratio shall not be calculated on individual lots for permitting purposes.

5. *Total Open Space* – A minimum of 45 percent of the useable land shall be open space. This may include common open space (including trails), yards, landscape buffers and power line easements. Floodplain areas, wetland areas, natural water bodies, rights-of-way, and dry water retention areas shall not be calculated as open space or common space.

6. *Common Open Space* – A minimum of 50 acres of land shall be designated as Common Open Space. Common Open Space shall be defined as land set aside, dedicated, designated, or reserved for public use or the use of owners and occupants of the development. Common Open Space includes parks and recreation areas. It does not include the perimeter landscape buffer described in Section 7, Condition 3.

7. A clubhouse and recreation facilities will be provided for the benefit of the owners of property within the Planned Unit Development.

8. In order to provide neighborhood continuity, all residential areas shall access internally to recreational and other passive public areas through design and implementation of pedestrian ways and bicycle paths.

9. The project shall have an on-site sales and model center.

Section 3 – Physical Site Development and Environmental Issues

1. A dust abatement, soil erosion, and ground stabilization plan shall be submitted to the City detailing measures to be taken to eliminate the migration of dust particles and soil erosion. All disturbed areas that are not to be developed within 30 days after grading is completed shall be seeded and mulched or sodded unless an alternative plan is submitted to and approved by the City.

2. Any and all areas of the parcel shall be in compliance by June 4, 2004 with the agreement with Lake County titled "Developer's Agreement for Reclamation Activities Related to the Center Lake Sand Mine" dated December 17, 2002. The permittee agrees to execute a document that allows the City to enforce all terms and conditions of the development agreement with Lake County following the annexation of property described in Exhibit "A".

3. Parcels shall be developed with maximum slopes limited to 3:1 with the exception of Parcel #9, identified as a park site on the conceptual development plan, where special design features such as overlook plazas may be provided. Here, slopes of 2:1 may be allowed with review and approval by the City Engineer.

4. Stormwater Management: A comprehensive stormwater management system will be provided consistent with all regulatory requirements of the City and the Water Management District.

5. Due to extreme grades existing on the site from the former sand mining operation, previously disturbed areas of the project will be exempt from Code limitations regarding the extent of grade changes allowed. Initial reclamation and grading is exempt from City Code; however, after the initial grading has been completed future grading will conform to the City's grading code.

6. The Floodplain Administrator has determined that the proposed development plans require issuance of a Floodplain Development Permit in accordance with Section 94-50 of the City Code. As part of this Conditional Use Permit, the Floodplain Permit is approved for the construction of a stormwater retention area described on sheet 1 dated August 2014 prepared by BESH INC. The stormwater retention area will retain a minimum volume equal to the post-development minus pre-development runoff volume from the 25-year 96-hour storm over the contributing basin plus a volume equal to the fill proposed in the floodplain so that no change in the base flood elevation will result from the proposed construction. No impacts to the wetland fringe of Johns Lake will result from construction of the stormwater retention pond, subject to compliance with St. Johns River Water Management District regulations and all other applicable laws.

Section 4 – DRI Development Order Issues and Impact Mitigation

1. Prior to obtaining a preliminary plat of the property, the owner shall comply with the requirements of Chapter 380.06, Florida Statutes, which governs Developments of Regional Impact. If the property is governed by the provisions of Chapter 380.06, Florida Statutes and proceeds through the Development of Regional Impact process, then the terms and conditions of this permit may be modified so as to conform to the terms and conditions of the development order issued by the City.

Section 5 – Utilities

1. The project shall be plumbed for reclaimed water use. In order to prevent potential cross connection of potable water supply and reuse water lines, all reuse lines shall be installed in purple colored pipe. Irrigation water shall be supplied by a private irrigation well and system permitted and constructed by the owner to serve the residents and common areas until reuse water is available. The City shall operate and maintain the well and distribution mains up to and including the irrigation meters.

2. A 100 foot by 100 foot well site shall be dedicated to the City; the location of which to be determined by the City Engineer.

3. The City will provide water and wastewater services for the project described in the Planned Unit Development.

4. The permittee will be responsible for extending utility lines to the project.

5. The permittee shall not place more than thirty-six (36) inches of overburden on utility lines. Where landscape may be located over such line, the City shall receive indemnification in the event of necessary operation and/or maintenance of the utility. Repair and/or replacement of landscape shall be the responsibility of the permittee.

6. The City may construct a liner in any or all of the retention ponds within the development to be used for bulk reclaimed water storage. The City will construct the liner at its own expense and restore the area to a condition equal to the conditions prior to liner construction. The City may construct at its own expense a pump station and filtration system for the reclaimed water to be constructed along the banks of the pond. The construction of the facilities will mimic a residential-style structure to blend in with the surroundings. The owner shall dedicate access easements over the pond areas to facilitate this use.

Section 6 – Transportation Improvements

1. The permittee shall dedicate right-of-way necessary for the proposed realignment of Hartwood Marsh Road as determined by Lake County. In the event development of the project reached a stage where access from Hartwood Marsh Road is necessary and the planned improvements to Hartwood Marsh Road have not been made, there may be a requirement for improvements to the existing roadway such as turn lanes. The developer shall dedicate right-of-way of eighty (80) feet in width for the extension of Hartle Road through the property so as to connect with Hartwood Marsh Road.

2. The developer shall meet the required access management standards of Lake County and the Florida Department of Transportation (FDOT) consistent with jurisdictional roadway classifications as it relates to identified jurisdictional facilities.

3. To provide safe access and preserve operational capacity, the developer shall fund on-site and immediate area improvements consistent with impacts of the specific access being requested. Immediate improvements necessitated by construction of ingress/egress roadways to the project shall be provided, consistent with the impact of the facility constructed. The City of Clermont and Lake County shall jointly review and determine approval of access facilities. Plans and specifications for any proposed access shall be provided for review, evaluation and approval prior to physical construction. Such improvements may include, but not be limited to, acceleration lanes, deceleration lanes, turn lanes, tapers, signalization, and signage, widening, and resurfacing of the impacted roadway consistent with the specific land utilization for the access being requested.

4. If in the future it is determined by the City that a signal is warranted at the intersection of Hancock Road and Kings Ridge Boulevard, the permittee shall pay a pro rata share of the cost of engineering, equipment and installation of the signal.

5. A sidewalk shall be provided along Hartwood Marsh Road the length of the subject property unless Lake County constructs a trail in lieu of the sidewalk.

6. In order to provide neighborhood continuity, all residential areas shall access internally to recreational and other passive public areas through design and implementation of road networks, pedestrian ways and bicycle paths. Main roads through the project shall have cart paths on both sides of the road and have a six (6) foot wide sidewalk on one side of the roadway. A sidewalk will be required on both sides of the roadway where parcels are not served by community walking trails. Neighborhood roads will have a cart path on one side of the road and will not be required to have sidewalks.

7. The roads within the Planned Unit Development shall be private and the roads shall be owned and maintained by a duly appointed and authorized Homeowners Association.

8. The roadway surface may be designed and constructed in two ¾ inch lifts of asphalt for a total of 1 ½ inch asphalt surface.

9. "F" type vertical curbs are to be provided throughout the community.

10. Ingress and egress to the site for construction shall be as approved by the City Site Review Committee.

12. A second entrance to the development will be required prior to August 31, 2013 and a connection will be made to Hartle Road prior to the development of Parcels #4 and #8 if Hartle Road is constructed. Should the entrance road not be completed by August 31st, 2013 no further certificates of occupancy will be issued until the road is complete.

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Section 7 – Landscaping

1. The project shall be landscaped in accordance with the City Landscape Ordinance with the exception that required trees shall be three inches caliper in size.

2. Landscape buffers along rights-of-way shall be constructed per Code. Walls or fences shall be located on inside perimeter of the buffers and the landscape material shall be planted on the outside of the wall or fence. Chain link and vinyl or plastic fencing will not be allowed along public rights-of-way.

3. A minimum twenty (20) foot wide perimeter landscape buffer shall be provided between abutting property boundaries. The buffer shall be landscaped and irrigated according to code.

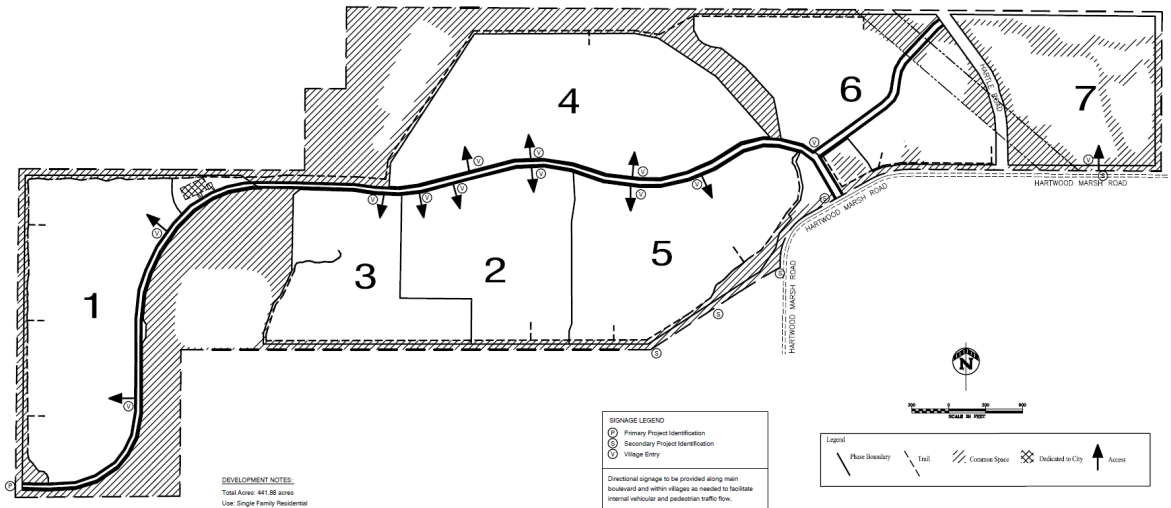
4. All signage shall be constructed according to the current City sign code.

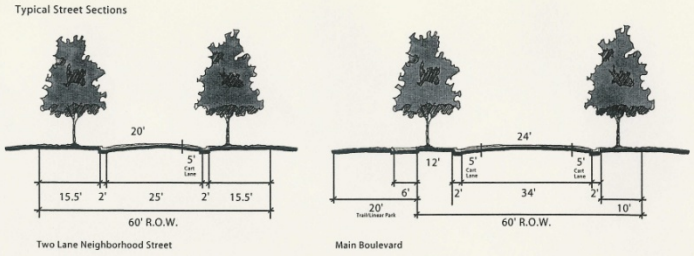
Exhibit A

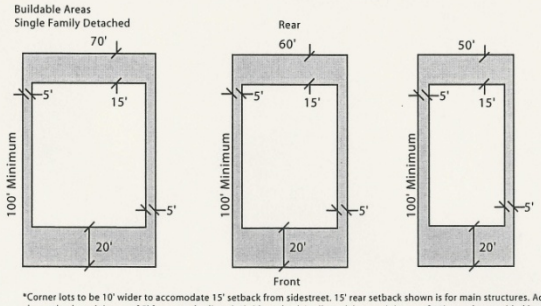
Legal Description of 442-acre property, Center Lake PUD

A tract of land lying in Section 2 and 3, Township 23 South, Range 26 East, Lake County, Florida being more particularly described as follows:
Commence at the North ¼ corner of Section 2, thence S 00° 17'01" W along the West line of the Northeast ¼ of Section 2 for a distance of 1318.96 feet to the Point of Beginning; thence S 89° 38'50" East along the North line of the S ½ of the Northeasterly ¼ of Section 2 for a distance of 2647.84 feet thence S 00° 22'14" W along the East line of the Northeasterly ¼ of Section 2 for a distance of 1288.41 feet to the Northerly right of way of Hartwood Marsh Road; (An 80.00 feet right of way per Official Record Book 1299, Page 1952) thence N 89° 33'05" W along said right of way for a distance of 2031.70 feet to the point of curvature of a curve concave southerly having a radius of 676.00 feet; thence along said curve through a central angle of 29° 37'34" for a distance of 349.54 feet to the point of tangency; thence S 60° 49'22" W for a distance of 581.58 feet to the point of curvature of a curve concave Southeasterly having a radius of 422.00 feet; thence along the arc of said curve through a central angle of 60° 07'10" for a distance of 442.80 feet to the point of tangency; thence S 00° 42'12" W for a distance of 59.22 feet; to a point on a non-tangent curve concave Southeasterly and having a radius of 6222.73 feet; thence departing said right of way from a tangent bearing of South 60°40'56"West, run southwesterly along the arc of said curve through a central angle of 03°37'29" for a distance of 393.66 feet to the point of tangency; thence South 57°03'27" West for a distance of 851.32 feet; thence South 89°59'59" West for a distance of 3811.20 feet to the West line of the Southeast ¼ of Section 3; thence South 00°23'05"West along the East line of said Southwest ¼ of Section 3 for a distance of 1183.99 feet; thence South 89°33'57"West along the South line of said Southwest ¼ for a distance of 1335.49 thence North 00°38'49" thence North 00°38'19" East along the West line of the East ½ of the Southwest ¼ of Section 3 for a distance of 2655.36 feet; thence South 89°40'41" East along the North line of the South ½ of Section 3 for a distance of 2315.53 feet; thence North 00°25'11" East for a distance of 661.05 feet; thence South 89°39'45" East for a distance of 330.78 feet; thence North 00°25'53" East along the West line of the East ½ of the Northeast ¼ of Section 3 for a distance of 660.96 feet; thence South 89°38'49" East along the North line of the Southeast ¼ of the Northeast ¼ of Section 3 for a distance of 1323.66 feet; thence South 89°43'10" East along the North line of the South ½ of the Northwest ¼ of Section 2 for a distance of 2648.47 feet to the POINT OF BEGINNING.
Containing 19248275 Square Feet or 441.88 Acres, more of less.

Exhibit B







*Corner lots to be 10' wider to accomodate 15' setback from sidestreet. 15' rear setback shown is for main structures. Accessory structures and screened enclosures may be set back a minimum of 5' from rear lot line. A 0' side setback is allowed, but a minimum of 10' must be provided between single family detached units.

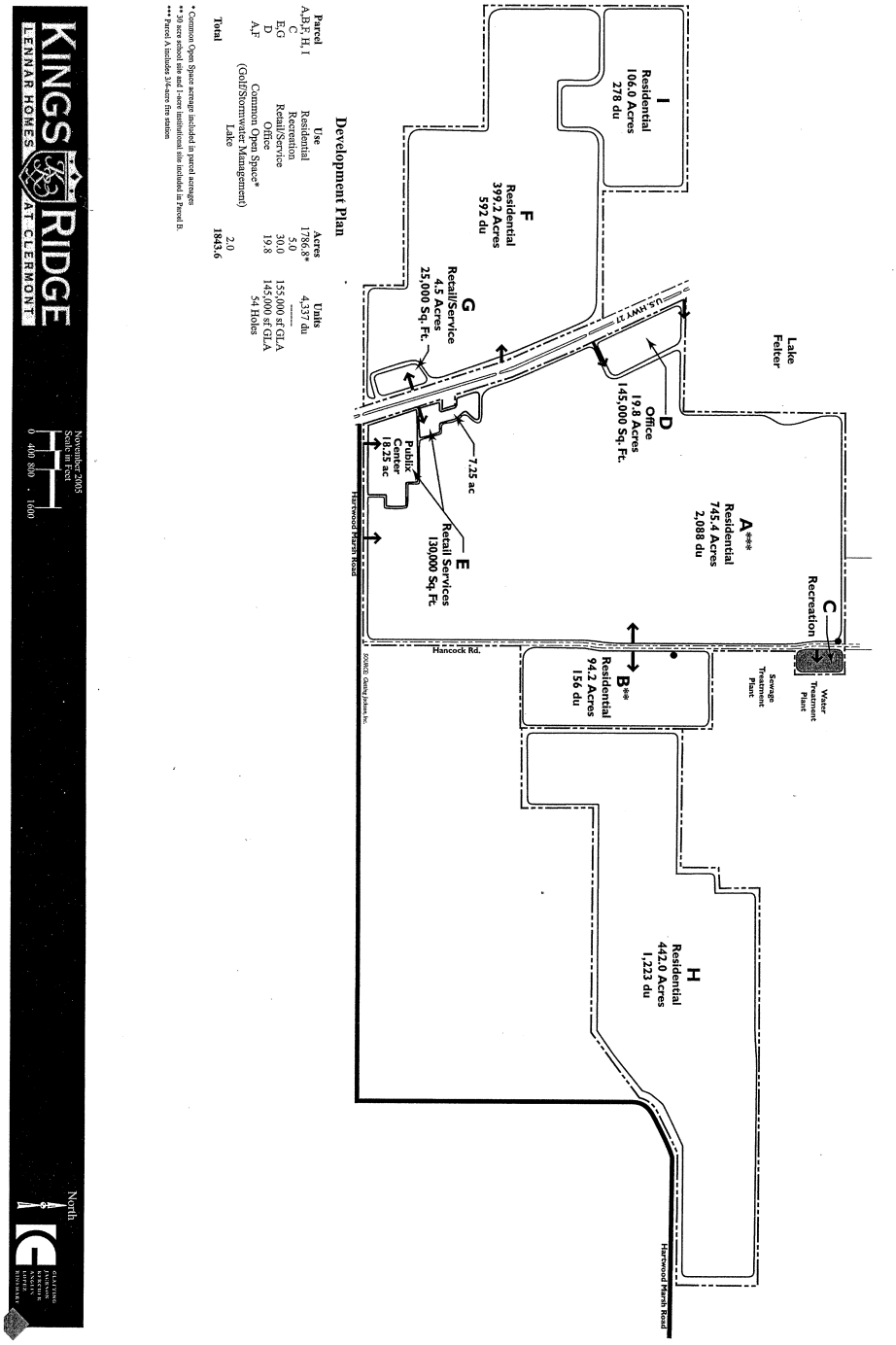
Source: Glatting Jackso

Center Lake Properties, Ltd.

10.20.03

Conceptual Development Plan
Vista Royale
Sheet 2 of 3

Exhibit C



Development Plan

Parcel	Use	Acres	Units
A,B,F,H,I	Residential	1,686.8*	4,337 du
C	Recreation	51.0	
E,G	Retail/Service	30.0	155,000 sf GLA
D	Office	19.8	145,000 sf GLA
A,F	Common Open Space*		54 Holes
	(Golf/Stormwater Management)		
	Lake	2.0	
Total		**1843.6**	

* Common Open Space acreage included in parcel acreages
** 30 acre school site and 1 acre institutional site included in Parcel B.
*** Parcel A includes 3/4-acre fire station

KINGS RIDGE
LENNAR HOMES AT CLERMONT

November 2005
Scale in Feet
0 400 800 1600

North

CITY OF CLERMONT
RESOLUTION NO. 2014-35

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 9th day of December, 2014.

CITY OF CLERMONT

_____
Harold S. Turville, Jr., Mayor

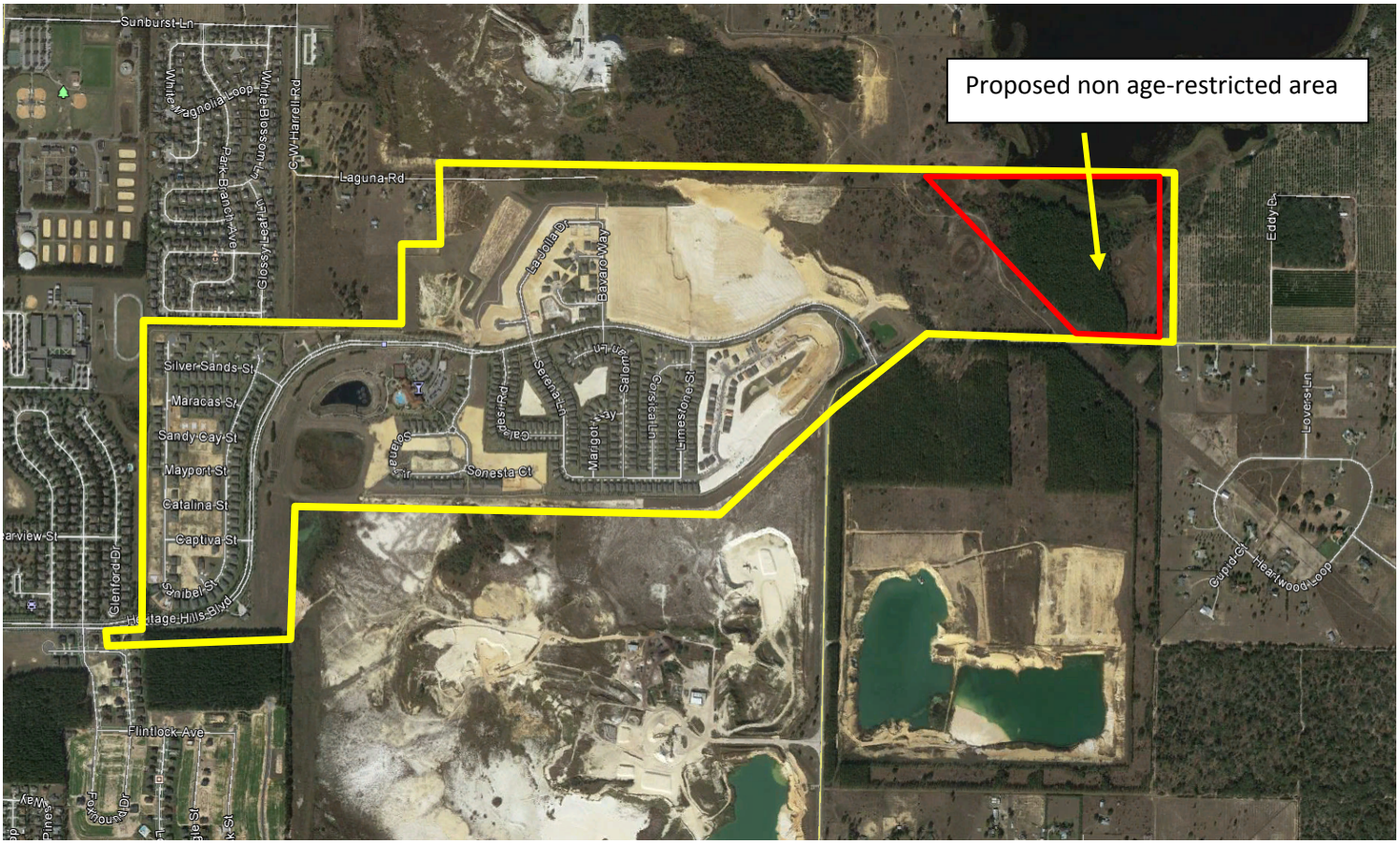
ATTEST:

_____
Tracy Ackroyd, City Clerk

Approved as to form and legality:

_____
Daniel F. Mantzaris, City Attorney

Aerial map:


Proposed non age-restricted area
Sunburst Ln
White Magnolia Loop
Park Branch Ave
Whitefield Ln
Glossy Leaf Ln
Parker Rd
Laguna Rd
La Jolla Dr
Bavaro Way
Eddy Dr
Silver Sands St
Maracas St
Sandy Cay St
Mayport St
Catalina St
Captiva St
Sonesta Ct
Serena Ln
Marigold Way
Coral Reef Ln
Limestone St
Lovers Ln
Cupid Ct
Heartwood Loop
Glenford Dr
Heritage Hills Blvd
Flintlock Ave

CUP CONDITIONS:

Section 1 – General Conditions

1. The conditions as set forth in this Conditional Use Permit shall be legally binding upon any heirs, assigns and successors in title or interest.

2. Upon approval of this Resolution, the property shall only be used for the purposes described herein. No expansion of the use(s) or any additional uses shall be permitted except as approved by another Conditional Use Permit.

3. The property described in "Exhibit A" shall be developed in substantial accordance with the Conceptual Site Plan, Center Lake Properties Limited/Vista Royale, modified October 2014, by BESH INC., as shown in "Exhibits B and C" and Map H (Master Development Plan for Kings Ridge DRI), dated November 2005, prepared by Glatting Jackson Kercher Anglin Lopez Rinehart, as shown in "Exhibit D," incorporating all conditions of this Conditional Use Permit.

4. 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 Planned Unit Development without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits from the City and other applicable jurisdictional entities.

5. Prior to the issuance of any permits, the applicant shall be required to submit formal site plans for review and approval by the City of Clermont Site Review Committee. The site plans shall meet all submittal requirements and comply with the conditions of this Resolution, applicable City Codes, Regulations, Ordinances, and provide compliance with the adopted City Comprehensive Plan, as amended.

6. Any specific references in this Resolution to the Florida Statutes, Florida Administrative Code, City of Clermont Land Development Regulations, City of Clermont Comprehensive Plan, shall include any future amendments to the Statutes, Code, Regulations and or Plan.

7. A Certificate of Occupancy shall not be issued until each of the stated conditions has been met.

8. If any of the stated conditions are violated, the applicant understands and agrees that the City Council may revoke this Conditional Use Permit by resolution as prescribed in the City Code.

9. The Conditional Use Permit must be executed and filed in the office of the City Clerk within 90 days of the date of grant by the City Council or the permit shall become null and void.

10. This permit shall become null and void if substantial construction work has not begun within two (2) years of the date this Conditional Use Permit is executed and signed by the permittee. "Substantial construction work" means the commencement and continuous prosecution of construction of required improvements ultimately finalized at completion.

11. The subject property shall be an independent development and shall not become part of the Kings Ridge Planned Unit Development as an addition or extension of the Kings Ridge Community Association, Incorporated.

Section 2 – Land Use

The parcel shall be developed as a residential Planned Unit Development. The community shall be owner occupied ~~and age restricted~~. The project shall be developed in accordance with the UD-7 Mixed-Use Classification I Land Use District.

1. *Number and Type of Residential Units* - There are 1,223 dwelling units approved for "Parcel H," a density 2.77 dwelling units per acre. All land used to calculate density must be useable land. Floodplains, wetlands, natural bodies of water, and power line easements are not useable land for density calculations.

2. *Lot Sizes* – Residential construction shall be permitted on lots that are a minimum of 50 feet x 100 feet (5,000 square feet); however, cul-de-sac or unique configured corner lots may be permitted less than 50 foot frontage as long as the lot meets the 50 foot required width at the building setback line and meets the minimum square footage. Within the gated community, residential attached construction shall be permitted on lots that are a minimum of 20 feet x 100 feet (2,000 square feet). Setbacks shall be as provided in Exhibits "B" and "C."

3. *Structure Setbacks* – Minimum setbacks shall be twenty (20) feet for front yards, fifteen (15) feet for rear yards for the principal dwelling unit, and a ten (10) foot separation between buildings. Accessory structures such as pools, decks and screened enclosures shall be constructed a minimum of five (5') feet from the rear yard property line.

4. *Impervious Surfaces Limitations* – A maximum impervious surface ratio shall not be calculated on individual lots for permitting purposes.

5. *Total Open Space* – A minimum of 45 percent of the useable land shall be open space. This may include common open space (including trails), yards, landscape buffers and power line easements. Floodplain areas, wetland areas, natural water bodies, rights-of-way, and dry water retention areas shall not be calculated as open space or common space.

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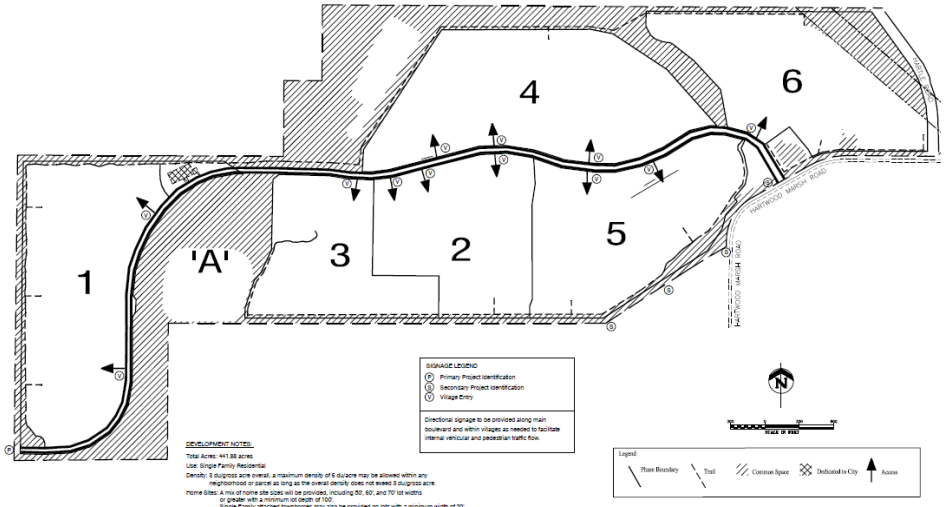
Legal Description of 442-acre property, Center Lake PUD

A tract of land lying in Section 2 and 3, Township 23 South, Range 26 East, Lake County, Florida being more particularly described as follows:

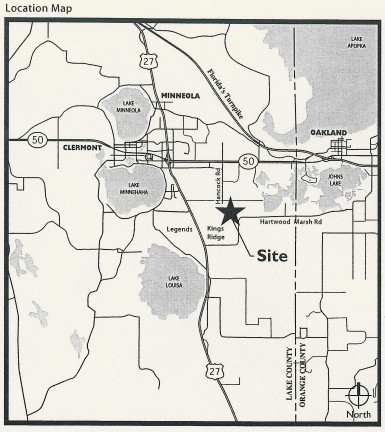
Commence at the North ¼ corner of Section 2, thence S 00° 17'01" W along the West line of the Northeast ¼ of Section 2 for a distance of 1318.96 feet to the Point of Beginning; thence S 89° 38'50" East along the North line of the S ½ of the Northeasterly ¼ of Section 2 for a distance of 2647.84 feet thence S 00° 22'14" W along the East line of the Northeasterly ¼ of Section 2 for a distance of 1288.41 feet to the Northerly right of way of Hartwood Marsh Road; (An 80.00 feet right of way per Official Record Book 1299, Page 1952) thence N 89° 33'05" W along said right of way for a distance of 2031.70 feet to the point of curvature of a curve concave southerly having a radius of 676.00 feet; thence along said curve through a central angle of 29° 37'34" for a distance of 349.54 feet to the point of tangency; thence S 60° 49'22" W for a distance of 581.58 feet to the point of curvature of a curve concave Southeasterly having a radius of 422.00 feet; thence along the arc of said curve through a central angle of 60° 07'10" for a distance of 442.80 feet to the point of tangency; thence S 00° 42'12" W for a distance of 59.22 feet; to a point on a non-tangent curve concave Southeasterly and having a radius of 6222.73 feet; thence departing said right of way from a tangent bearing of South 60°40'56"West, run southwesterly along the arc of said curve through a central angle of 03°37'29" for a distance of 393.66 feet to the point of tangency; thence South 57°03'27" West for a distance of 851.32 feet; thence South 89°59'59" West for a distance of 3811.20 feet to the West line of the Southeast ¼ of Section 3; thence South 00°23'05"West along the East line of said Southwest ¼ of Section 3 for a distance of 1183.99 feet; thence South 89°33'57"West along the South line of said Southwest ¼ for a distance of 1335.49 thence North 00°38'49" thence North 00°38'19" East along the West line of the East ½ of the Southwest ¼ of Section 3 for a distance of 2655.36 feet; thence South 89°40'41" East along the North line of the South ½ of Section 3 for a distance of 2315.53 feet; thence North 00°25'11" East for a distance of 661.05 feet; thence South 89°39'45" East for a distance of 330.78 feet; thence North 00°25'53" East along the West line of the East ½ of the Northeast ¼ of Section 3 for a distance of 660.96 feet; thence South 89°38'49" East along the North line of the Southeast ¼ of the Northeast ¼ of Section 3 for a distance of 1323.66 feet; thence South 89°43'10" East along the North line of the South ½ of the Northwest ¼ of Section 2 for a distance of 2648.47 feet to the POINT OF BEGINNING.

Containing 19248275 Square Feet or 441.88 Acres, more of less.

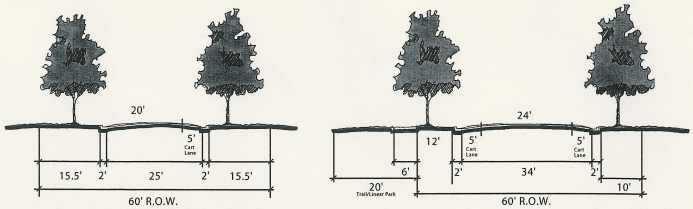
Exhibit B



Location Map



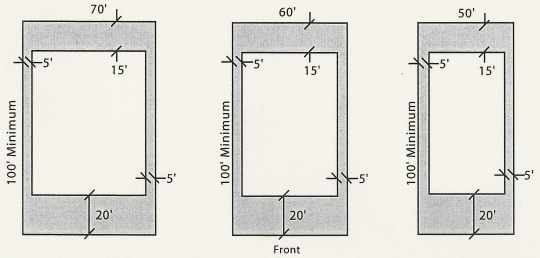
Typical Street Sections



Two Lane Neighborhood Street

Main Boulevard

Buildable Areas
Single Family Detached



*Corner lots to be 10' wider to accomodate 15' setback from sidestreet. 15' rear setback shown is for main structures. Accessory structures and screened enclosures may be set back a minimum of 5' from rear lot line. A 0' side setback is allowed, but a minimum of 10' must be provided between single family detached units.

Source: Glatting Jackso

Center Lake Properties, Ltd.

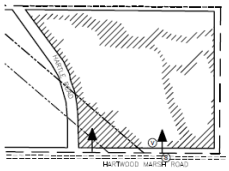
GLATTING JACKSON KERCHER ANGLIN LOPEZ RINEHART

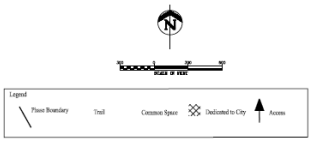
10.20.03

Conceptual Development Plan
Vista Royale
Sheet 2 of 3

Exhibit C

New Community





DEVELOPMENT NOTES:

Total Acres: 441.88 acres

Use: Single Family Residential

Density: 3 du/gross acre overall, a maximum density of 6 du/acre may be allowed within any neighborhood or parcel as long as the overall density does not exeed 3 du/gross acre.

Home Sites: A mix of home site sizes will be provided, including 50', 60', and 70' lot widths or greater with a minimum lot depth of 100'.
Single Family attached townhomes may also be provided on lots with a minimum width of 20'.

SIGNAGE LEGEND

- (P) Primary Project Identification
- (S) Secondary Project Identification
- (V) Village Entry

Directional signage to be provided along main boulevard and within villages as needed to facilitate internal vehicular and pedestrian traffic flow.

BOOTH, RUSSELL & HULL, INC.
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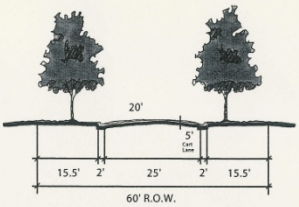
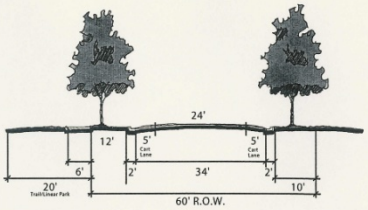
Location Map

Typical Street Sections

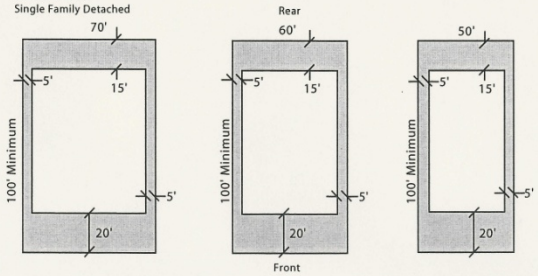


Two Lane Neighborhood Street



Main Boulevard

Buildable Areas
Single Family Detached



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Source: Glatting Jackso

Center Lake Properties, Ltd.

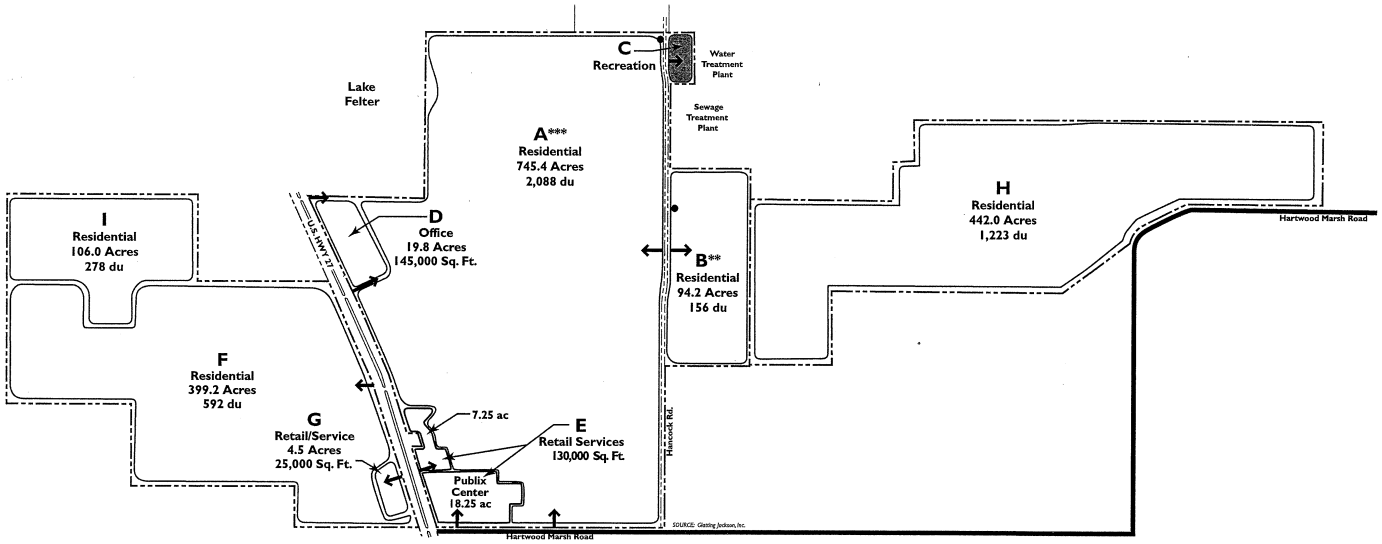
GLATTING JACKSON KERCHER ANGLIN LOPEZ RINEHART

10.20.03

Conceptual Development Plan
Vista Royale
Sheet 2 of 3

Map H

Master Development Plan



Development Plan

Parcel	Use	Acres	Units
A,B,F, H, I	Residential	1786.8*	4,337 du
C	Recreation	5.0	-------
E,G	Retail/Service	30.0	155,000 sf GLA
D	Office	19.8	145,000 sf GLA
A,F	Common Open Space* (Golf/Stormwater Management)		54 Holes
	Lake	2.0	
Total		**1843.6**	

* Common Open Space acreage included in parcel acreages

** 30 acre school site and 1-acre institutional site included in Parcel B.

*** Parcel A includes 3/4-acre fire station

Exhibit D

KINGS RIDGE
LENNAR HOMES AT CLERMONT

November 2005
Scale in Feet
0 400 800 1600

North

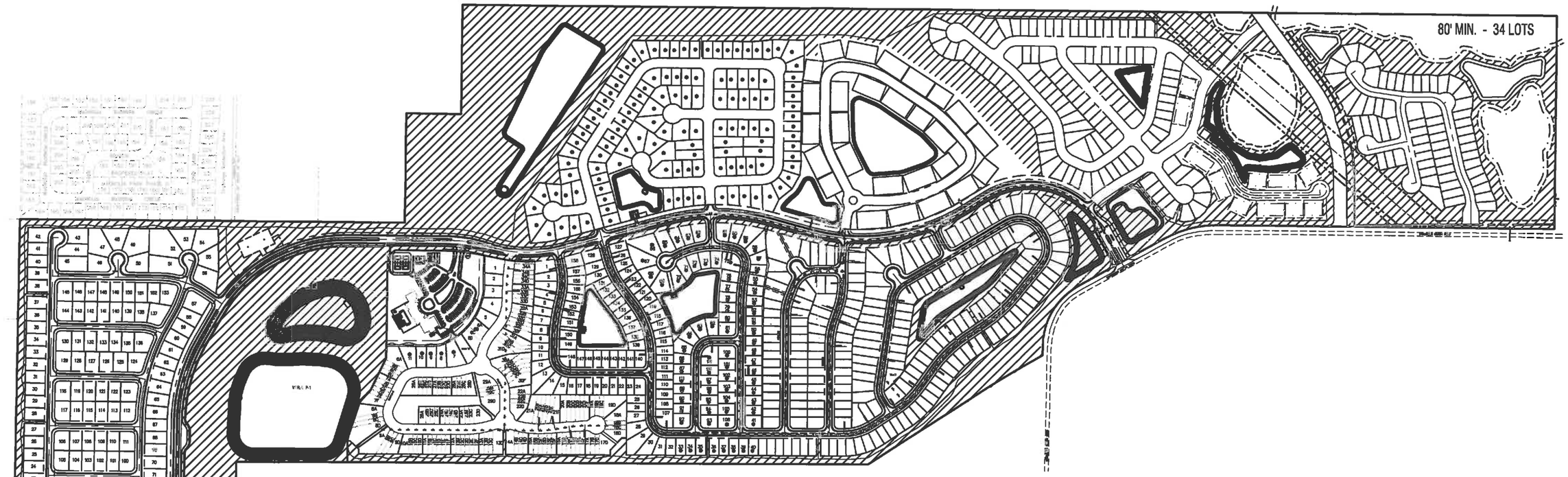
GLATTING JACKSON KERCHER ANGLIN LOPEZ RINEHART

HERITAGE HILLS

Scale: 1"= 300'

300 0 300 600

SCALE IN FEET



PROJECT DENSITY:

NUMBER AND TYPE OF RESIDENTIAL UNITS-
Single family residential dwelling unit density shall not exceed 3 dwelling units per useable acre. A maximum density of six (6) dwelling units per acre may be designed provided the overall density of the project does not exceed 3 dwelling units per useable acre.

TOTAL NUMBER OF UNITS ALLOWED = 3 X 426.85 = 1,280 UNITS

TOTAL NUMBER OF UNITS PROVIDED = 1,184 UNITS

REQUIRED COMMON OPEN SPACE PER P.U.D.

COMMON OPEN SPACE
A minimum of 50 acres of land shall be designated as Common Open Space. Common Open Space shall be defined as land set aside, dedicated, designated or reserved for public use or the use of owners and occupants of the development. Common Open Space included parks and recreation areas. It does not include the perimeter landscape buffer described in Section 7, Condition #3.

TOTAL OPEN SPACE = 110.17 AC.

PERIMETER LANDSCAPE BUFFER = 9.65 AC.

TOTAL COMMON OPEN SPACE = 100.52 AC.
(TOTAL OPEN SPACE - PER LANDSCAPE BUFFER)

COMMON OPEN SPACE =

REQUIRED TOTAL OPEN SPACE PER P.U.D.

TOTAL OPEN SPACE
A minimum of 45% of the useable land shall be open space. This may include common open space (including trails), yards, landscape buffers and power line easements. Flood plain areas, wetland areas, natural water bodies, rights-of-way, and dry water retention areas shall not be calculated as open space or common space.

TOTAL PROJECT AREA = 442.09 AC.

TOTAL USEABLE LAND = 426.85 AC. (LESS POWER LINE AND WETLANDS)

PROJECT AREA TO POWER LINE = 394.60 AC.
USEABLE LAND = 392.93 AC. (LESS WETLAND AREA)

TOTAL RESIDENTIAL AREAS = 192.66 AC.
TOTAL RESIDENTIAL IMPERVIOUS AREAS = 86.90 AC.
TOTAL RESIDENTIAL PERVIOUS AREAS = 105.78 AC.

TOTAL CLUBHOUSE SITE AREA = 7.03 AC.
TOTAL IMPERVIOUS AREAS = 5.62 AC. (80%)
TOTAL PERVIOUS AREAS = 1.41 AC. (20%)

TOTAL OPEN SPACE = 103.91 AC.
OPEN SPACE ALONG BOULEVARD TRACT = 6.26 (25' TRACT)
TOTAL = 110.17 AC.

TOTAL WETLAND AREA = 1.67 AC. (TO POWER LINE)
TOTAL WETLAND AREA = 12.20 AC. (ENTIRE PROJECT)
TOTAL BOULEVARD AREA = 14.62 AC.
POWER LINE EASEMENT AREA = 3.04 AC.

TOTAL OPEN SPACE = 217.09 AC.
TOTAL AREA = 426.85 AC. (USEABLE LAND)
TOTAL = 50.90% OPEN SPACE

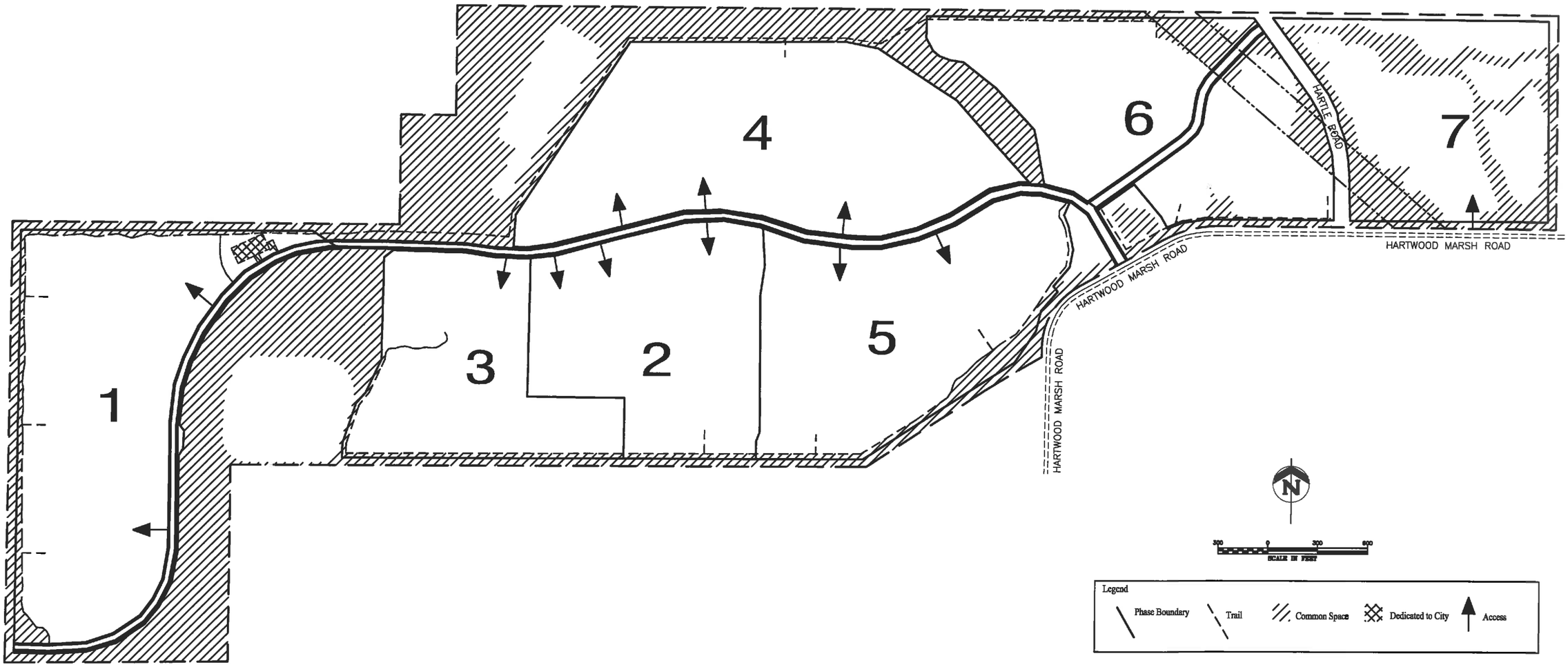
UNITS	PHASE 1	PHASE 2	PHASE 3	PHASE 4	PHASE 5A	PHASE 5B	PHASE 5C	PHASE 6	PHASE 7	TOTAL
50' WIDE LOTS	x	84	x	x	89	47	73	122	67	482
60' WIDE LOTS	x	74	5	125	x	x	x	x	x	204
70' & WIDER LOTS	153	x	5	x	x	x	x	x	x	158
80 & WIDER LOTS	x	x	x	x	x	x	x	x	x	x
TOWNHOMES 4-PLEX	x	x	84	28	x	x	x	24	x	136
TOWNHOMES 6-PLEX	x	x	54	120	x	x	x	30	x	204
TOTAL	153	158	148	273	89	47	73	176	67	1184

* DESIGNATES 60 ' LOTS

REVISED 8-26-2014

BESH
BOOTH GEN STRAUGHAN HOTT, INC
ENGINEERS • SURVEYORS • LAND PLANNERS
902 North Sinclair Ave.
Tavares, Florida 32778
www.bc-lands.com
Office: 352.343.8481
Fax: 352.343.8496
Certificate of Authorization Number: 27626

Exhibit B



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LAKE COUNTY SCHOOLS

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Superintendent:
Susan Moxley, Ed.D.

School Board Members:
District 1
Bill Mathias
District 2
Rosanne Brandeburg
District 3
Tod Howard
District 4
Debbie Stivender
District 5
Kyleen Fischer

September 23, 2014

Ms. Barbara Hollerand, Planning & Zoning Director
Community Development Department
City of Clermont
685 West Montrose Street
Clermont, Florida 34711

RE: City of Clermont Heritage Hills Conditional Use Permit (CUP) Request

Dear Ms. Hollerand:

The City is currently reviewing an applicant's request for a CUP to allow 94 single-family dwelling units. As the School Board of Lake County's authorized representative, I am forwarding the School Board's comments to your attention so they can be included with your planning report.

The School Board of Lake County Florida believes the CUP request will have an adverse impact on Lake County Public Schools. The following School Board comments reflect projected enrollment data from the District's Five-Year Facilities Master Plan, FY 2014-2018, and student generation rates from the Impact Fee Study.

The proposed CUP request has the potential to add 94 new single-family dwelling units that will contribute 23 new students to the Lake County School system. Based on current school attendance zones, schools that will be adversely affected by the CUP request and their projected five-year capacity status are as follows:

- **Lost Lake Elementary School** **8%** Under Capacity
- **Windy Hill Middle School** **13%** Over Capacity
- **East Ridge High School** **12%** Under Capacity

Please see the attached District Growth Impact Report, which indicates the potential impact of the proposed CUP request on the public schools which currently serve the area under consideration. Should you have any questions or need additional information please contact me at (352) 253-6694.

Sincerely,

Dawn McDonald, Senior Planner
Growth Planning Department

Enclosure

REVIEWING AUTHORITY **City of Clermont Community Development Department, Planning & Zoning Division**

NAME / CASE NUMBER **Heritage Hills (Kings Ridge) / Conditional Use Permit Request**

DEVELOPER/OWNER **Lennar Homes, LLC**

ITEM DESCRIPTION The applicant proposes a Conditional Use Permit (CUP) to allow 94 single-family dwelling units.

LOCATION Sections 4&5, Township 23S, Range 26E
North of Hartwood Marsh Road, south of State Road 50, east of Hancock Road, and west of U.S. Highway 27

CURRENT LAND USE City of Clermont Master Planned Development (12 dwelling units/1 acre)

CURRENT ZONING City of Clermont Planned Unit Development

	SF-DU	MF-DU	Mobile	SF Impacts	
NEW DU IMPACT				**94**	**Dwelling Units**
STUDENT GENERATION	0.374	0.235	0.126	23	
Elementary School	0.172	0.133	0.065	13	
Middle School	0.085	0.051	0.029	5	
High School	0.117	0.051	0.032	5	

SCHOOL NAME	Projected Enrollment 2017-2018*	Permanent Student Capacity*	Projected Five-Year Capacity %	Student Enrollment w/ Impact	% of Perm. Capacity w/ Impact	Planned Capacity On Site
Lost Lake Elementary	1,008	1,112	91%	1,021	92%	No
Windy Hill Middle	1,295	1,149	113%	1,300	113%	No
East Ridge High	2,332	2,648	88%	2,337	88%	No

Lake County School District Five-Year Facilities Master Plan, Fiscal Year 2014-2018

CSA 14

	Student Enrollment 2017-2018*	Permanent Student Capacity*	% of Permanent Capacity
Elementary School	1,291	1,420	91%
Middle School	1,295	1,149	113%
High School	0	0	0%

Lake County School District Five-Year Facilities Master Plan, Fiscal Year 2014-2018

COMMENTS: The proposed CUP will add 94 single-family units, which will adversely impact area schools. Note: The applicant is proposing 94 single-dwelling units for all ages within the Kings Ridge Development of Regional Impact, an age restricted community.

School Concurrency became effective in Lake County on June 1, 2008. Subsequent development orders, including but not limited to, site plans and subdivisions are subject to the school concurrency process. This Growth Impact Report (adequate public facilities analysis) is not intended to be an approval of, or an exemption from, any school concurrency regulations, including the school concurrency requirements in the Lake County School Concurrency Interlocal Agreement.

Prepared By: Dawn McDonald, Senior Planner, Lake County School District **Date:** 9/23/2014

CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
APPLICATION

DATE: _____ FEE: $1,500.00

PROJECT NAME (if applicable): Heritage Hills

APPLICANT: Lennar Homes, LLC

CONTACT PERSON: Rob Bonin, Division Manager, Land Entitlements & Development

Address: 8390 Champions Gate Boulevard, Suite 110

City: Champions Gate State: FL Zip: 33896

Phone: 407-744-0047 Fax: 407-448-3361

E-Mail: rob.bonin@lennar.com

OWNER: Lennar Homes, LLC

Address: 8390 Champions Gate Boulevard, Suite 110

City: Champions Gate State: FL Zip: 33896

Phone: 407-744-0047 Fax: 407-448-3361

Address of Subject Property: N/A

General Location: East of Hancock Road, north of Hartwood Marsh Road, and south of Hwy. 50.

Legal Description (include copy of survey): See attached.

Land Use (City verification required): Master Planned Development

Zoning (City verification required): PUD

CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
APPLICATION
Page 2

Detailed Description of request (What are you proposing to do and why is it appropriate for this location? Attach additional page is necessary.

Modify Heritage Hills CUP per following: 1) Revise Exhibit "B" attachment in CUP to reflect road connection to Harwood Marsh Road and future connection to Hartle Road and build out. 2) Modify CUP language to allow non-age restricted community within Phase 7. Phase 7 is bisected from main community by Duke Power Easement and future Hartle Road tract that has been dedicated to Lake County. Allow 50' wide lots per Heritage Hills CUP. 3) Allow development within floodplain for Phase 7. Compensating storage will be provided for any fill within 100 year floodplain and retention will be designated to provide pre vs post storage of stormwater runoff for 100 year - 24 hour storm event resulting in no loss of flood storage, no increase of flood elevation and no impact to surrounding properties.

Rob Bonin
Applicant Name (print)

X _____
Applicant Name (*signature*)

Rob Bonin
Owner Name (print)

X _____
Owner Name (*signature*)

*** * * * * * NOTICE * * * * * ***

IF THIS APPLICATION IS SUBMITTED INCOMPLETE OR INACCURATE, IT WILL BE SUBJECT TO A DELAY ON PROCESSING AND WILL NOT BE SCHEDULED UNTIL CORRECTIONS ARE MADE.

City of Clermont
Planning & Zoning Department
685 W. Montrose St.
P.O. Box 120219
Clermont, FL. 34712-021 9
(352) 394-4083 Fax: (352) 394-3542

Littlejohn

Memorandum

DATE: 7/14/2014 **PROJECT NO.:** 20140557

TO: Barbara Hollerand

FROM: Stephanie Shealey, PE

CC: Brent Lacy, AICP; Milton Andrade, EI

SUBJECT: Kings Ridge DRI Land Use Conversion

The Kings Ridge Development of Regional Impact (DRI) was approved in January 1998 with the adoption of the development order (DO). The DRI covered 1,295.6 acres of property located south of SR 50 on both sides of US 27. In November 2005, the DO was amended to increase the size of the DRI by approximately 548 acres of residential and to modify the development program. At the time of this amendment, the results of the monitoring and modeling study were incorporated into the DO and an equivalency matrix was added to allow future conversions between land uses which do not increase the PM peak hour, peak direction trip total. In order to provide additional single-family residential development, the Kings Ridge DRI would like to convert a portion of the remaining retail and all of the remaining retirement land use development intensities to single-family residential. There are currently 94 planned lots in the 'Heritage Hills' portion of the development which were originally planned as 94 retirement dwelling units. In order to retain the use of all 94 lots as single-family dwelling units, a conversion of all 94 retirement dwelling units and 8.4 KSF of retail is proposed. This memorandum serves as the letter of intent to exercise the equivalency matrix in this manner.

A comparison of the original and modified development program is shown in **Table 1**. The first amendment to the DO, while only increasing the total residential by 247 dwelling units, shifted the residential component from being approximately 25% age-restricted to approximately 75% age-restricted.

Table 1
Original and Amended Development Program

Land Use	Intensity				Change	
	Original DO		Amended DO			
Single-Family	2,459	DU	1,026	DU	-1,433	DU
Multi-Family	512	DU	0	DU	-512	DU
Retirement	1,119	DU	3,311	DU	2,192	DU
Total Residential	***4,090***	***DU***	***4,337***	***DU***	***247***	***DU***
Golf Course	45	Holes	54	Holes	9	Holes
Retail	212,500	SF GSF	212,500	SF GSF	0	SF GSF
Office	150,000	SF GLA	145,000	SF GSF	-5,000	SF GSF

Within the amended DO, an equivalency matrix was added to provide a method for future conversions between land uses. The equivalency matrix is shown in **Table 2**. The equivalency matrix uses the PM peak-hour peak-direction trip generation to make conversions between land uses, which results in conversions between land use which do not change the overall trip generation for the DRI, and thus

1615 EDGEWATER DRIVE, SUITE 180, ORLANDO, FLORIDA 32804
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have little to no impact on the transportation analysis conducted for the DRI. The equivalency matrix is able to be used without requiring a Notice of Proposed Change (NOPC) and amendment to the DO with the following conditions:

- Change must result in intensity within the minimum and maximum threshold set for each land use.
- Any particular land use may only be changed up to 25% of the original intensity in the DO.
- No conversions of land designated as golf course, open space, conservation, or preservation.

Table 2
Equivalency Matrix

From: / To:	Single Family (DU)	Retirement (DU)	ALF (Unit)	Retail (0-50 KSF)	Office (0-49 KSF)	Office (50-99 KSF)
Single Family (DU)		3.59	6.79	0.12	0.18	0.36
Retirement (DU)	0.28		1.89	0.03	0.05	0.10
ALF (Unit)	0.15	0.53		0.02	0.03	0.05
Retail (0-50 KSF)	8.11	29.12	55.04		1.47	2.90
Office (0-49 KSF)	5.51	19.79	37.39	0.68		1.97
Office (50-99 KSF)	2.80	10.06	19.01	0.35	0.51	

Source: First Amendment to Development Order for the Kings Ridge DRI

A large portion of the Kings Ridge DRI is built-out. The remaining parcels available for development are Parcel D (office) and Parcel H (residential). Based on the current allocation of land use and intensity per parcel, there are 94 remaining retirement dwelling units left on Parcel H. It is these 94 potential lots that the developer is proposing to convert to single-family residential. At the rate of 0.28 Single Family dwelling units per Retirement dwelling unit, only 26 Single Family dwelling units can be recovered, leaving 68 potential lots without any available development "trips". In order to convert all 94 lots to Single Family, other land uses will need to be converted to single-family as well. The current development progress is shown in Table 3 along with the allowable changes per the conditions in the DO. Based on research of the entitlements sold to developers of individual parcels and those which are still maintained by Lennar, approximately 45,301 square feet of unused retail development for Parcel E may be available for conversion.

In order to generate 94 Single-Family dwelling units, the following conversions will be made using the equivalency matrix:

94 DU Retirement	*	0.28	=	26 DU Single Family
8.4 KSF Retail	*	8.11	=	68 DU Single Family
Total				**94 DU Single Family**

This would leave approximately 36,901 square feet of unused retail development for Parcel E, while providing the requested 94 single family dwelling units. Thus, this conversion is allowable and in compliance with the equivalency matrix approved in the first amended development order.

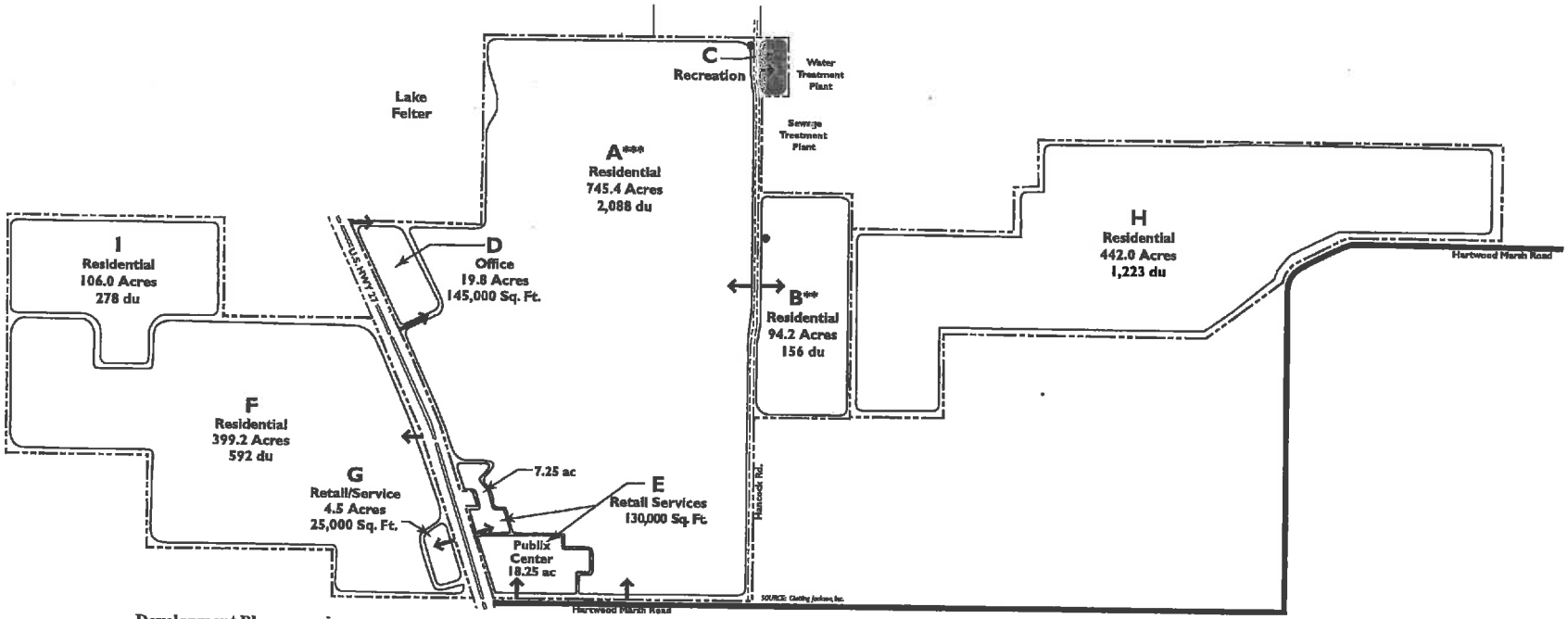
Table 3
Existing Development and Allowable Change

Land Use	Units	Minimum Threshold	Maximum Threshold	Development Program	Existing Development/ Sold Entitlements	Remaining Intensity	Allowable Change[1]
Single Family	DU	1,000	2,500	1,026	1,026	0	+256
Senior Adult	DU	2,000	4,500	3,311	3,217	94	-94
Retail	SF GLA	90,000	250,000	212,500	167,199	45,301	-44,875
Office	SF GLA	0	200,000	145,000	145,000	0	0

[1] Allowable change is the minimum of the following, and shown for an increase in single-family and a decrease in the remaining land uses:
-25% of the current development program,
-Difference between current development program and threshold
-Remaining Intensity (for decreases only)

Map H

Master Development Plan



Development Plan

Parcel	Use	Acres	Units
A,B,F, H, I	Residential	1786.8*	4,337 du
C	Recreation	5.0	—
E,G	Retail/Service	30.0	155,000 sf GLA
D	Office	19.8	145,000 sf GLA
A,F	Common Open Space* (Golf/Stormwater Management)		54 Holes
	Lake	2.0	
Total		1843.6	

* Common Open Space acreage included in parcel acreages

** 30 acre school site and 1-acre institutional site included in Parcel B.

*** Parcel A includes 3/4-acre fire station

KINGS RIDGE
LENNAR HOMES AT CLERMONT

November 2005
Scale in Feet
0 400 800 1600

North

BESH
BOOTH ERN STRAUGHAN HIOTT

Memorandum

Date: September 2, 2014
To: Barbara Hollerand
From: Duane K. Booth, PE
CC: Milton Andrade, EI, Lennar
File
Subject: Heritage Hills CUP

The Heritage Hills CUP was originally approved in February 2006 with minor amendments in March 2009 and July 2013.

The main purpose of this application is to request a change to Section 2 – Land Use to allow up to 94 Single Family homes to be developed on Phase 7 and shown the updated Exhibit 'B' enclosed. This request is based upon 3 physical site characteristics that make it impractical for Phase 7 to be included in the age restricted gated community. The 3 physical barriers are as follows: A 200ft wide Duke Energy Easement, Hartle Road, and 2 Isolated wetland systems all lying between phases 6 & 7. As a result, these barriers create 220 ft to 550 ft of separation between the two phases and connection by an internal roadway system is impossible. The request to convert 94 home sites to single family non-age restricted is allowable and in compliance with the equivalency matrix approved in the first amended development order for Kings Ridge DRI, see attached memorandum from Littlejohn engineering dated 7/14/2014.

The second part of this request is to simply modify Exhibit 'B' as requested by Staff to show the actual development phases and Boulevard alignment as compared to the original Exhibit 'B' provided within the 2006 CUP. This updated Exhibit 'B' is still in compliance with all previously approved conditions and sections of the 2006 CUP and 2009 & 2013 CUP amendments.

ENGINEERS ♦ SURVEYORS ♦ LAND PLANNERS
902 North Sinclair Avenue ♦ Tavares, Florida 32778
Phone: 352.343.8481 ♦ Fax: 352.343.8495
E-Mail: Info@besandh.com ♦ www.besandh.com

LEGAL NOTICE

Notice is hereby given that the City of Clermont will consider a request for a Conditional Use Permit amendment to allow an adjustment to the road-way connection points and to allow for a non-age restricted portion of the site.

LOCATION
East of Hancock Road, north of Hartwood Marsh Road,
and south of Highway 50

A complete legal description may be obtained in the Development Services Department located at 685 W. Montrose Street, Clermont, FL 34711.

This request will be considered by the Planning & Zoning Commission on Tuesday, October 7, 2014 at 7:00pm.

A public meeting to consider the request will be held before the City Council on Tuesday, October 28, 2014 at 7:00pm.

All meetings will be held in City Hall located at 685 West Montrose Street.

All interested parties will be given an opportunity to express their views on this matter.

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

Tracy Ackroyd, MMC
City Clerk

Daily Commercial
September 30, 2014 and October 21, 2014

CITY OF CLERMONT

AGENDA ITEM

Meeting Date
Tuesday, November 4, 2014
Agenda Item Name
East Ridge Village Apartments Conditional Use Permit
Requested Action
Motion to recommend approval to the City Council of Resolution 2014-36
Staff Report
The East Ridge Village Apartments project is a proposed multi-family development consisting of 103 apartments located north of Hooks Street and just west of Hancock Road. The 11.5-acre parcel is part of the Hills of Clermont Planned Unit Development (Parcel #3) that was originally approved in 2001. Since then, several parcels have had conditional use permit amendments approved, but many have never been built. The existing conditional use permit Resolution 1208 allowed for this parcel to be converted from Single Family Residential to Commercial in July 2001. The existing Resolution 1208 specifically prohibits the use of multi-family on this parcel, along with several other prohibited uses. The 11.5-acre parcel has had two parcels develop, one as a church facility on the corner of Hooks and Hancock, and the other parcel originally as a bank. This has left a 7-acre parcel in the middle that has been undeveloped. The applicant is proposing to change the allowable uses to include multifamily on this remaining 7-acre parcel. In the original Hills of Clermont CUP, densities were given to individual parcels. For example, the original multi-family that was approved to the south (Parcel #4) had a maximum density of 6.5 units per acre. This parcel never developed as multi-family and was instead developed as single family units (South Ridge subdivision) equaling 2 dwelling units per acre. Parcel #2 was given a maximum density of 6 units per acre and remains undeveloped. Since several parcels remain undeveloped and others were developed well under the maximum densities, the applicant is requesting a higher density for the proposed parcel. Calculated alone, 103 units on 7 acres equates to 14.7 units per acre. However, if calculated into the overall Hills of Clermont Planned Unit Development (including open spaces and retention area), the total acreage would equal 8.6 acres, and the density would fall to 12 units per acre, thereby meeting the maximum allowable density as defined by the Commercial future land use.
Legal Impact
Additional Analysis
Fiscal Impact Summary

Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)	
1. Resolution	CUP RES 2014-36.docx
2. CUP Conditions	Conditions.doc
3. Aerial Map	Aerial Map.doc
4. School impact	Eastridge Village GIR and LET 09232014.pdf
5. Application	CUP application.pdf
6. Legal ad	2014 CUP legal ad.docx

CITY OF CLERMONT
RESOLUTION NO. 2014-36

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR A MULTI-FAMILY COMPLEX WITH MORE THAN 12 UNITS.

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held November 4, 2014 recommended approval of this Conditional Use Permit to allow for a multi-family complex with more than 12 units; at the following location:

LOCATION:

Vacant property (Alt. Key 3860800) 2440 Hooks Street

The City Council deems it advisable in the interest of the general welfare of the City of Clermont, Lake County, Florida to grant this Conditional Use Permit.

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

This application for a Conditional Use Permit to allow for a multi-family complex with more than 12 units; be granted subject to the following conditions:

CONDITIONAL USE PERMIT CONDITIONS:

Section 1- General Conditions

1. This resolution 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 in title or interest, and shall be subject to each and every condition herein set out.

2. Upon approval of the resolution the aforementioned property shall only be used for the purposes described herein. No further expansion of the use or additions to this project shall be permitted except as approved by another conditional use permit. Any other proposed use shall be specifically authorized by amendment and approval of the City of Clermont City Council.

3. Construction and operation of the proposed use shall at all times comply with the regulations of this and other governmental agencies.

4. 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.

5. Prior to the issuance of any permits, the applicant shall be required to submit formal site plans for review and approval by the City of Clermont site review committee. The site plans shall meet all submittal requirements and comply with the conditions of this resolution, applicable city codes, regulations, ordinances, and provide compliance with the adopted City of Clermont Comprehensive Plan, as amended.

6. All applicable rules and regulations shall be met, including, but not limited to, final site plan approval, landscaping, drainage, parking and sign regulations, and all yard setbacks. All required landscaping shall be served with a permanent irrigation system including back flow prevention device and rain sensor equipment. All such appurtenances shall be properly maintained. The drainage and stormwater retention requirements of the city and the appropriate regulatory agencies shall be met, and approved by the city engineer. All such areas shall be properly maintained.

7. Performance bonding shall be required for all public infrastructure (transportation, potable water, and waste water systems) and reclamation improvements, including on-site and off-site locations, evidencing impact by the proposed development. An estimate of costs shall be prepared, certified and submitted by the engineer of record and approved by the city engineer. The city shall then determine the bond amount in accordance with adopted city code regulations.

8. All inspection costs will be borne by the applicant. This shall include final inspection and ongoing random inspections for compliance with conditional use permits conditions.

9. If any of the stated conditions are violated, the applicant understands and agrees that the City Council may revoke this conditional use permit by resolution.

10. This permit shall become null and void if substantial work has not begun within two (2) years of the date of execution of this conditional use permit.

11. No further expansion of the use or additions to the use shall be permitted except as approved by another conditional use permit.

12. Identification of the following numbered parcels is depicted on the plan entitled "Amended Planned Unit Development Plan" as prepared by Glatting, Jackson et al and dated 6/01/01. A density of six (6) units per acre shall be allowed on the 12.3 acre portion of the Planned Unit Development east of Hancock Rd. and identified as Parcel #2. A density of 6.5 units per acre shall be allowed on the 25.3 acre portion of the Planned Unit Development west of Hancock Road and identified as Parcel #4. All Multifamily projects shall be approved pursuant to a conditional use permit, and subject to R-3 zoning district criteria. Commercial uses shall be allowed on the 11.5 acres identified as parcel #3. Parcel #3 shall have multi-family use, along with commercial uses in accordance with the C-2

General Commercial zoning district with the exception of the following uses which shall be prohibited:

- All 24 hour operations;
- Automobile and truck services, car washes, and automobile, truck, boat and farm equipment sales;
- Recreation facilities, theaters, including drive-ins, bowling alleys, skating rinks, billiard halls, miniature golf courses, driving ranges, and tourist attractions;
- Restaurants with drive throughs;
- Lounges, liquor stores, lodges or clubs;
- Residential storage warehouses; Agricultural service operations;
- Utility facilities (i.e., electrical transformers, gas regulator stations etc.); Convenience stores and gas stations;
- Laundries;
- Hotels, motels, and recreational vehicle parks;
- Automobile and truck repair garages, and painting, welding and body shops; ~~Multifamily residential development;~~
- Mobile home parks; Cemeteries;
- Bus terminals, major equipment sales, manufactured housing sales, travel trailer and recreational vehicle sales.

13. In the event that construction has not begun within eleven (11) months from the date of the approval of this conditional use permit the permittee, heirs or assigns shall provide complete reclamation of the site. Reclamation shall be performed in conformance with the reclamation plan (as required in Section 1, Item 3) approved by the City Engineer, and in accordance with accepted best management practices (BMP) designated by publications of the U.S.D.A. Soil Conservation Service and St. Johns River Water Management District. The minimum reclamation plan shall address the following characteristics:

    A. Objective - The primary objective of the reclamation plan is to provide for a final project site which is conducive to future development, compatible with the surrounding topography and approximate pre-construction surface water drainage characteristics without subsequent erosion. The final grading of the project site shall conform to the grades, lines, slopes and contours shown on the approved reclamation site plan (as required in Section 1, Item 3).

    B. Grading and stabilization - All areas disturbed during the construction operation shall be graded, dressed and stabilized, in accordance with the approved reclamation site plan (as required in Section 1, Item 3) and the U.S.D.A., S.C.S. recommendations. Topsoil from the site shall be stockpiled and applied as the final soil cover material for all reclaimed areas. The retention areas shall be re-graded to the original dimensions and stabilized in accordance with plans approved by the city engineer.

    C. Landscaping and reforestation - Within 30 days of the expiration of the conditional use permit, all areas of the subject site shall be seeded and mulched,

or sodded, as required to control erosion and prevent the creation of washes, rills, gullies, etc. All site areas shall also be seeded with a quick growing grass species which will provide an early cover during the season in which it is planted, and will not later compete with the permanent grassing. All City of Clermont landscape and tree requirements shall be complied with. All reforestation operations shall provide a minimum density of 20 hardwood trees per acre. Acceptable tree species shall be in compliance with the City of Clermont tree ordinance. Conversely, tree species designated as undesirable by the City of Clermont tree ordinance shall not be acceptable.

D. Reclamation time horizons - At the end of six months from the completion of the reclamation project, at least 80% of the reclaimed areas shall have permanently established ground cover. By the end of one year, ground cover shall be established on 100% of the reclaimed areas. Should erosion problems occur prior to final approvals by the City of Clermont, such eroded areas shall be re-graded and stabilized as necessary to comply with the intent of this reclamation requirement.

E. Structure and debris eradication - All debris, refuse, junk, poles, piling, cables and other construction related articles shall be removed from the project area as part of the reclamation process. Any construction related structures erected during the development operation shall be dismantled and removed, unless approvals from the appropriate authorities permit otherwise. In general, the area shall be returned to natural conditions that are conducive to future development and compatible with the surrounding topography.

14. The Wastewater Impact Fee charges shall be provided in the following manner:

A. At the time of project inception $70,000 shall be utilized from the Utility Service Agreement currently held with Mak Development, Inc.

B. Upon depletion on the initial $70,000 from the Utility Service Agreement, a bulk sum payment of $70,000 shall be provided to the City.

C. Upon depletion of the $70,000 bulk payment allotment, the developer shall provide required payment on a unit-by-unit basis to be submitted at the time of individual building permit request.

Section 2 - Physical Site Development

1. The applicant shall submit a detailed excavation, grading and erosion control plan for the site during the site plan review process which must be approved by the city site review committee prior to initiation of development activity.

2. Noise levels during construction shall not exceed those recommended by the Florida Department of Environmental Protection. Any vibratory compaction shall be limited to the

hours of 8:00 A.M. to 6:00 P.M. Monday through Saturday only. Vibrations shall be limited to avoid any damages to neighboring persons or properties. Heavy Equipment and normal work operations will be allowed on the site between the hours of 7:00 A.M. and 7:00 P.M. Monday through Saturday. Heavy Equipment or heavy machinery engines will not be started earlier than 7:00 A.M. on any approved work day.

3. All excavated material shall be stored in a location approved by the city engineer.

4. Geotechnical information regarding the soil characteristics of the site shall be submitted to the city as part of the site review process.

5. The permittee/developers shall provide both temporary and permanent grassing including fertilizer application on all disturbed areas where construction is not immediately intended. Said plan shall be provided in accordance with an approved ground cover plan acceptable to the city in accordance with best management practices (BMP) of the U.S.D.A. Soil Conservation Service.

6. In areas where substantial earth work requires filling/compaction, density tests will be conducted at a maximum of 2 foot intervals in order to prove compaction requirements. All disturbed soils shall be compacted to 95% density of modified proctor.

7. A dust abatement plan shall be submitted to the city detailing measures to be taken in eliminating the migration of dust particles from the site. The plan must specifically outline those measures recommended by the United States Department of Agriculture Soil Conservation Service and the Florida Department of Environmental Protection (FDEP).

8. All areas being modified to a slope of three (3) horizontal to one (1) vertical (3:1), such as water retention areas, shall be sodded. Slopes greater than 3:1 shall be prohibited.

9. The minimum street right-of-way width for those portions of the proposed project lying east of Hancock Road shall be sixty (60) feet and for that portion of the proposed project lying west of Hancock Road shall be fifty (50) feet. The minimum front and rear yard setbacks for the entire project shall be twenty (20) feet.

10. Ingress/egress to the site for construction shall be as approved by the city xite review committee.

11. The developer/permittee shall be responsible for the cost of all required on-site and off-site infrastructure improvements necessitated by impacts of the project.

Section 3 – Transportation Improvements

1. Sidewalks shall be constructed along all roadways in conformance with the city and Florida Department of Transportation (FOOT) Standards. Construction shall be provided in accordance with adopted city codes.

2. The permittee/developer shall provide off-street parking and loading spaces as required by city code. All said required parking and vehicular use areas shall be landscaped in conformance with adopted city code.

3. The permittee/developer shall construct internal traffic connection links that provide direct transportation access between the parcels to be initially developed and those identified for future development.

4. At such time as signalization is determined warranted and necessary at the intersection of Hancock Rd. and Hook St., the permittee/developer shall pay a pro rata share of improvement costs based on the total trips generated by Hills of Clermont Planned Unit Development as a percentage of the total trips on the roadway. Project specific on-site/off-site transportation improvements consistent with identified project impacts will be the sole responsibility of the developer.

5. Prior to construction and development of the commercial center portion of the project, the permittee/developer shall provide a traffic analysis which identifies the development's impact on the city's transportation system. Project expansion whose site location, anticipated total trip generation, circulation patterns, or other such factors that warrant a more extensive review of traffic impacts may also be required a traffic analysis; performance shall be contingent upon formal notification by the city.

6. Ingress/egress to the site for construction shall be as approved by the city site review committee.

7. A Florida Department of Transportation permit will be required and filed with the city for any activity proposed to occur along Highway 50 right-of-way prior to issuance of development approval or permitting by the city. Applicable Lake County permits shall be required and filed with the city for any activity proposed to occur along Hancock Road prior to issuance of development approval or permitting by the city.

8. The permittee shall dedicate right-of-way along Hancock Road, the length of the subject property, to provide compliance with directions of the Comprehensive Plan for collector road implementation standards (i.e. eighty (80) feet minimum width). Also, a 100 ft. temporary construction easement shall be granted to the County on both sides of Hancock Road for a period or one (1) year from the date of approval of the conditional use permit.

9. Right-of-way for the extension of Hook Street shall be dedicated by August 17, 2001. Said dedication shall apply to properties that are located on both the east and west sides of Hancock Road. A deed conveying right-of-way for Hook St. and Hancock Rd. shall be placed in escrow with the city attorney. This escrow is expressly conditioned upon final approval of the agreed to land use and zoning approvals in Comprehensive Plan Amendment #LS2001-01 and Resolution No. 1208. Actual dedication shall occur in the following manner:

A. West of Hancock Road - a 100 foot wide right-of-way for the construction of Hook St. shall be dedicated the length of the subject parcel. The alignment of the right-of-way is to be determined by Lake County and the City of Clermont subject to minor survey changes for proper roadway alignment.

B. East of Hancock Road - The permittee shall dedicate right-of-way, 100 feet in width, for the future extension of Hook St. from Hancock Rd. to the eastern boundary of the subject property.

10. At the time of commercial property development of Parcel #5, the permittee shall complete installation of all necessary infrastructure improvements for ingress/egress roadways and connectors between SR 50 and Hook Street. The required improvements shall be constructed in accordance with design, specifications and plans approved by the Florida Department of Transportation, Lake County, and the City of Clermont site review committee, appropriately. Finished grades and elevations for Hook Street, other appurtenant transportation improvements, the commercial property and all other project properties shall be established and constructed to assure consistent project correlation.

11. The multifamily townhome project proposed for the 12.3 acres east of Hancock Rd., Parcel 2, shall provide driveway access to Hook St. in addition to Hancock Road.

12. Access to the Hills of Clermont Planned Unit Development properties shall be in substantial accordance with access as depicted on the plan entitled "Amended Planned Unit Development Plan" as prepared by Glatting, Jackson, et al and dated 6/01/01.

13. Cross access shall be provided to the properties west of Parcel #5.

Section 4 - Stormwater Management

1. Permeability tests must be submitted as part of the site plan review process. Permeability shall be maintained.

2. Verification of the stormwater run-off data, assumptions and calculations shall be provided to, and approved by, the city engineer prior to any development activity. Positive outfall for stormwater shall be provided as approved by the city engineer.

3. A St. John's River Water Management District stormwater permit shall be required and filed with the city prior to receipt of a development permit or any development activity on the site.

4. Stormwater retention areas shall be constructed at a maximum relief 3:1 (H:V). The side slopes shall be sodded. All other areas being disturbed shall be stabilized with landscape and sod in accordance with adopted city code.

5. Final disposition of stormwater outfall shall be as approved by the city engineer.

Section 5 -Site Improvements/Landscaping

1. All signage shall conform to adopted city codes and standards.

2. A fifteen ft. wide landscape buffer shall be provided along the Hancock Road frontage of the multifamily project on Parcel #2. A fifteen ft. landscape buffer shall be provided for any development along the west side of Hancock Road. Buffering and screening shall be required from all abutting uses in accordance with adopted city codes and in conformance with the approved site and landscaping plan approved by the city site review committee. All required landscaping must be served with a permanent irrigation system, including rain sensor gauge. Water for irrigation shall be provided by an irrigation well as approved by the St. John's River Water Management District. The system and all dependant devices shall be properly maintained.

3. A site lighting plan shall be submitted and approved for each parcel developed on the site. Lighting shall be designed, installed and directed to fall upon the subject site and not adversely impact abutting properties..

4. All dumpster and other external equipment sites shall be enclosed with masonry structures with wooden gates. All such structures and appurtenances shall be landscaped in accordance with city code and plans approved by the city site review committee.

5. Architectural finish, building, and landscape design plans for the commercial centers shall be submitted to and approved by the site review committee prior to any development activity to ensure aesthetic and public safety considerations are not adversely impacted.

6. Commercial display of commodities for sale shall be located within a completely enclosed building and conform to city regulations for storage, screening, and locational criteria for placement adjacent to the tenant structure, unless an open air sales permit has been received and approved by the city manager.

CITY OF CLERMONT
RESOLUTION NO. 2014-36

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 9th day of December, 2014.

CITY OF CLERMONT

_____
Harold S. Turville, Jr., Mayor

ATTEST:

_____
Tracy Ackroyd, City Clerk

Approved as to form and legality:

_____
Daniel F. Mantzaris, City Attorney

Section 1- General Conditions

1. This resolution 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 in title or interest, and shall be subject to each and every condition herein set out.

2. Upon approval of the resolution the aforementioned property shall only be used for the purposes described herein. No further expansion of the use or additions to this project shall be permitted except as approved by another conditional use permit. Any other proposed use shall be specifically authorized by amendment and approval of the City of Clermont City Council.

3. Construction and operation of the proposed use shall at all times comply with the regulations of this and other governmental agencies.

4. 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.

5. Prior to the issuance of any permits, the applicant shall be required to submit formal site plans for review and approval by the City of Clermont site review committee. The site plans shall meet all submittal requirements and comply with the conditions of this resolution, applicable city codes, regulations, ordinances, and provide compliance with the adopted City of Clermont Comprehensive Plan, as amended.

6. All applicable rules and regulations shall be met, including, but not limited to, final site plan approval, landscaping, drainage, parking and sign regulations, and all yard setbacks. All required landscaping shall be served with a permanent irrigation system including back flow prevention device and rain sensor equipment. All such appurtenances shall be properly maintained. The drainage and stormwater retention requirements of the city and the appropriate regulatory agencies shall be met, and approved by the city engineer. All such areas shall be properly maintained.

7. Performance bonding shall be required for all public infrastructure (transportation, potable water, and waste water systems) and reclamation improvements, including on-site and off-site locations, evidencing impact by the proposed development. An estimate of costs shall be prepared, certified and submitted by the engineer of record and approved by the city engineer. The city shall then determine the bond amount in accordance with adopted city code regulations.

8. All inspection costs will be borne by the applicant. This shall include final inspection and ongoing random inspections for compliance with conditional use permits conditions.

9. If any of the stated conditions are violated, the applicant understands and agrees that the City Council may revoke this conditional use permit by resolution.

10. This permit shall become null and void if substantial work has not begun within two (2) years of the date of execution of this conditional use permit.

11. No further expansion of the use or additions to the use shall be permitted except as approved by another conditional use permit.

12. Identification of the following numbered parcels is depicted on the plan entitled "Amended Planned Unit Development Plan" as prepared by Glatting, Jackson et al and dated 6/01/01. A density of six (6) units per acre shall be allowed on the 12.3 acre portion of the Planned Unit Development east of Hancock Rd. and identified as Parcel #2. A density of 6.5 units per acre shall be allowed on the 25.3 acre portion of the Planned Unit Development west of Hancock Road and identified as Parcel #4. All Multifamily projects shall be approved pursuant to a conditional use permit, and subject to R-3 zoning district criteria. Commercial uses shall be allowed on the 11.5 acres identified as parcel #3. Parcel #3 shall have multi-family use, along with commercial uses in accordance with the C-2 General Commercial zoning district with the exception of the following uses which shall be prohibited:

- All 24 hour operations;
- Automobile and truck services, car washes, and automobile, truck, boat and farm equipment sales;
- Recreation facilities, theaters, including drive-ins, bowling alleys, skating rinks, billiard halls, miniature golf courses, driving ranges, and tourist attractions;
- Restaurants with drive throughs;
- Lounges, liquor stores, lodges or clubs;
- Residential storage warehouses; Agricultural service operations;
- Utility facilities (i.e., electrical transformers, gas regulator stations etc.); Convenience stores and gas stations;
- Laundries;
- Hotels, motels, and recreational vehicle parks;
- Automobile and truck repair garages, and painting, welding and body shops; ~~Multifamily residential development;~~
- Mobile home parks; Cemeteries;
- Bus terminals, major equipment sales, manufactured housing sales, travel trailer and recreational vehicle sales.

13. In the event that construction has not begun within eleven (11) months from the date of the approval of this conditional use permit the permittee, heirs or assigns shall provide complete reclamation of the site. Reclamation shall be performed in conformance with the reclamation plan (as required in Section 1, Item 3) approved by the City Engineer, and in accordance with accepted best management practices (BMP) designated by publications of the U.S.D.A. Soil Conservation Service and St. Johns River Water Management District. The minimum reclamation plan shall address the following characteristics:

A. **Objective** - The primary objective of the reclamation plan is to provide for a final project site which is conducive to future development, compatible with the surrounding topography and approximate pre-construction surface water drainage characteristics without subsequent erosion. The final grading of the project site shall conform to the grades, lines, slopes and contours shown on the approved reclamation site plan (as required in Section 1, Item 3).

B. **Grading and stabilization** - All areas disturbed during the construction operation shall be graded, dressed and stabilized, in accordance with the approved reclamation site plan (as required in Section 1, Item 3) and the U.S.D.A., S.C.S. recommendations. Topsoil from the site shall be stockpiled and applied as the final soil cover material for all reclaimed areas. The retention areas shall be re-graded to the original dimensions and stabilized in accordance with plans approved by the city engineer.

C. **Landscaping and reforestation** - Within 30 days of the expiration of the conditional use permit, all areas of the subject site shall be seeded and mulched, or sodded, as required to control erosion and prevent the creation of washes, rills, gullies, etc. All site areas shall also be seeded with a quick growing grass species which will provide an early cover during the season in which it is planted, and will not later compete with the permanent grassing. All City of Clermont landscape and tree requirements shall be complied with. All reforestation operations shall provide a minimum density of 20 hardwood trees per acre. Acceptable tree species shall be in compliance with the City of Clermont tree ordinance. Conversely, tree species designated as undesirable by the City of Clermont tree ordinance shall not be acceptable.

D. **Reclamation time horizons** - At the end of six months from the completion of the reclamation project, at least 80% of the reclaimed areas shall have permanently established ground cover. By the end of one year, ground cover shall be established on 100% of the reclaimed areas. Should erosion problems occur prior to final approvals by the City of Clermont, such eroded areas shall be regraded and stabilized as necessary to comply with the intent of this reclamation requirement.

E. **Structure and debris eradication** - All debris, refuse, junk, poles, piling, cables and other construction related articles shall be removed from the project area as part of the reclamation process. Any construction related structures erected during the development operation shall be dismantled and removed, unless approvals from the appropriate authorities permit otherwise. In general, the area shall be returned to natural conditions that are conducive to future development and compatible with the surrounding topography.

14. The Wastewater Impact Fee charges shall be provided in the following manner:

A. At the time of project inception $70,000 shall be utilized from the Utility Service Agreement currently held with Mak Development, Inc.

B. Upon depletion on the initial $70,000 from the Utility Service Agreement, a bulk sum payment of $70,000 shall be provided to the City.

C. Upon depletion of the $70,000 bulk payment allotment, the developer shall provide required payment on a unit-by-unit basis to be submitted at the time of individual building permit request.

Section 2 - Physical Site Development

1. The applicant shall submit a detailed excavation, grading and erosion control plan for the site during the site plan review process which must be approved by the city site review committee prior to initiation of development activity.

2. Noise levels during construction shall not exceed those recommended by the Florida Department of Environmental Protection. Any vibratory compaction shall be limited to the hours of 8:00 A.M. to 6:00 P.M. Monday through Saturday only. Vibrations shall be limited to avoid any damages to neighboring persons or properties. Heavy Equipment and normal work operations will be allowed on the site between the hours of 7:00 A.M. and 7:00 P.M. Monday through Saturday. Heavy Equipment or heavy machinery engines will not be started earlier than 7:00 A.M. on any approved work day.

3. All excavated material shall be stored in a location approved by the city engineer.

4. Geotechnical information regarding the soil characteristics of the site shall be submitted to the city as part of the site review process.

5. The permittee/developers shall provide both temporary and permanent grassing including fertilizer application on all disturbed areas where construction is not immediately intended. Said plan shall be provided in accordance with an approved ground cover plan acceptable to the city in accordance with best management practices (BMP) of the U.S.D.A. Soil Conservation Service.

6. In areas where substantial earth work requires filling/compaction, density tests will be conducted at a maximum of 2 foot intervals in order to prove compaction requirements. All disturbed soils shall be compacted to 95% density of modified proctor.

7. A dust abatement plan shall be submitted to the city detailing measures to be taken in eliminating the migration of dust particles from the site. The plan must specifically outline those measures recommended by the United States Department of Agriculture Soil Conservation Service and the Florida Department of Environmental Protection (FDEP).

8. All areas being modified to a slope of three (3) horizontal to one (1) vertical (3:1), such as water retention areas, shall be sodded. Slopes greater than 3:1 shall be prohibited.

9. The minimum street right-of-way width for those portions of the proposed project lying east of Hancock Road shall be sixty (60) feet and for that portion of the proposed project lying west of Hancock Road shall be fifty (50) feet. The minimum front and rear yard setbacks for the entire project shall be twenty (20) feet.

10. Ingress/egress to the site for construction shall be as approved by the city xite review committee.

11. The developer/permittee shall be responsible for the cost of all required on-site and off-site infrastructure improvements necessitated by impacts of the project.

Section 3 - Transportation Improvements

1. Sidewalks shall be constructed along all roadways in conformance with the city and Florida Department of Transportation (FOOT) Standards. Construction shall be provided in accordance with adopted city codes.

2. The permittee/developer shall provide off-street parking and loading spaces as required by city code. All said required parking and vehicular use areas shall be landscaped in conformance with adopted city code.

3. The permittee/developer shall construct internal traffic connection links that provide direct transportation access between the parcels to be initially developed and those identified for future development.

4. At such time as signalization is determined warranted and necessary at the intersection of Hancock Rd. and Hook St., the permittee/developer shall pay a pro rata share of improvement costs based on the total trips generated by Hills of Clermont Planned Unit Development as a percentage of the total trips on the roadway. Project specific on-site/off-site transportation improvements consistent with identified project impacts will be the sole responsibility of the developer.

5. Prior to construction and development of the commercial center portion of the project, the permittee/developer shall provide a traffic analysis which identifies the development's impact on the city's transportation system. Project expansion whose site location, anticipated total trip generation, circulation patterns, or other such factors that warrant a more extensive review of traffic impacts may also be required a traffic analysis; performance shall be contingent upon formal notification by the city.

6. Ingress/egress to the site for construction shall be as approved by the city site review committee.

7. A Florida Department of Transportation permit will be required and filed with the city for any activity proposed to occur along Highway 50 right-of-way prior to issuance of development approval or permitting by the city. Applicable Lake County permits shall be required and filed with the city for any activity proposed to occur along Hancock Road prior to issuance of development approval or permitting by the city.

8. The permittee shall dedicate right-of-way along Hancock Road, the length of the subject property, to provide compliance with directions of the Comprehensive Plan for collector road implementation standards (i.e. eighty (80) feet minimum width). Also, a 100 ft. temporary construction easement shall be granted to the County on both sides of Hancock Road for a period or one (1) year from the date of approval of the conditional use permit.

9. Right-of-way for the extension of Hook Street shall be dedicated by August 17, 2001. Said dedication shall apply to properties that are located on both the east and west sides of Hancock Road. A deed conveying right-of-way for Hook St. and Hancock Rd. shall be placed in escrow with the city attorney. This escrow is expressly conditioned upon final approval of the agreed to land use and zoning approvals in Comprehensive Plan Amendment #LS2001-01 and Resolution No. 1208. Actual dedication shall occur in the following manner:

   A. West of Hancock Road - a 100 foot wide right-of-way for the construction of Hook St. shall be dedicated the length of the subject parcel. The alignment of the right-of-way is to be determined by Lake County and the City of Clermont subject to minor survey changes for proper roadway alignment.

   B. East of Hancock Road - The permittee shall dedicate right-of-way, 100 feet in width, for the future extension of Hook St. from Hancock Rd. to the eastern boundary of the subject property.

10. At the time of commercial property development of Parcel #5, the permittee shall complete installation of all necessary infrastructure improvements for ingress/egress roadways and connectors between SR 50 and Hook Street. The required improvements shall be constructed in accordance with design, specifications and plans approved by the Florida Department of Transportation, Lake County, and the City of Clermont site review committee, appropriately. Finished grades and elevations for Hook Street, other appurtenant transportation improvements, the commercial property and all other project properties shall be established and constructed to assure consistent project correlation.

11. The multifamily townhome project proposed for the 12.3 acres east of Hancock Rd., Parcel 2, shall provide driveway access to Hook St. in addition to Hancock Road.

12. Access to the Hills of Clermont Planned Unit Development properties shall be in substantial accordance with access as depicted on the plan entitled "Amended Planned Unit Development Plan" as prepared by Glatting, Jackson, et al and dated 6/01/01.

13. Cross access shall be provided to the properties west of Parcel #5.

Section 4 - Stormwater Management

1. Permeability tests must be submitted as part of the site plan review process. Permeability shall be maintained.

2. Verification of the stormwater run-off data, assumptions and calculations shall be provided to, and approved by, the city engineer prior to any development activity. Positive outfall for stormwater shall be provided as approved by the city engineer.

3. A St. John's River Water Management District stormwater permit shall be required and filed with the city prior to receipt of a development permit or any development activity on the site.

4. Stormwater retention areas shall be constructed at a maximum relief 3:1 (H:V). The side slopes shall be sodded. All other areas being disturbed shall be stabilized with landscape and sod in accordance with adopted city code.

5. Final disposition of stormwater outfall shall be as approved by the city engineer.

Section 5 -Site Improvements/Landscaping

1. All signage shall conform to adopted city codes and standards.

2. A fifteen ft. wide landscape buffer shall be provided along the Hancock Road frontage of the multifamily project on Parcel #2. A fifteen ft. landscape buffer shall be provided for any development along the west side of Hancock Road. Buffering and screening shall be required from all abutting uses in accordance with adopted city codes and in conformance with the approved site and landscaping plan approved by the city site review committee. All required landscaping must be served with a permanent irrigation system, including rain sensor gauge. Water for irrigation shall be provided by an irrigation well as approved by the St. John's River Water Management District. The system and all dependant devices shall be properly maintained.

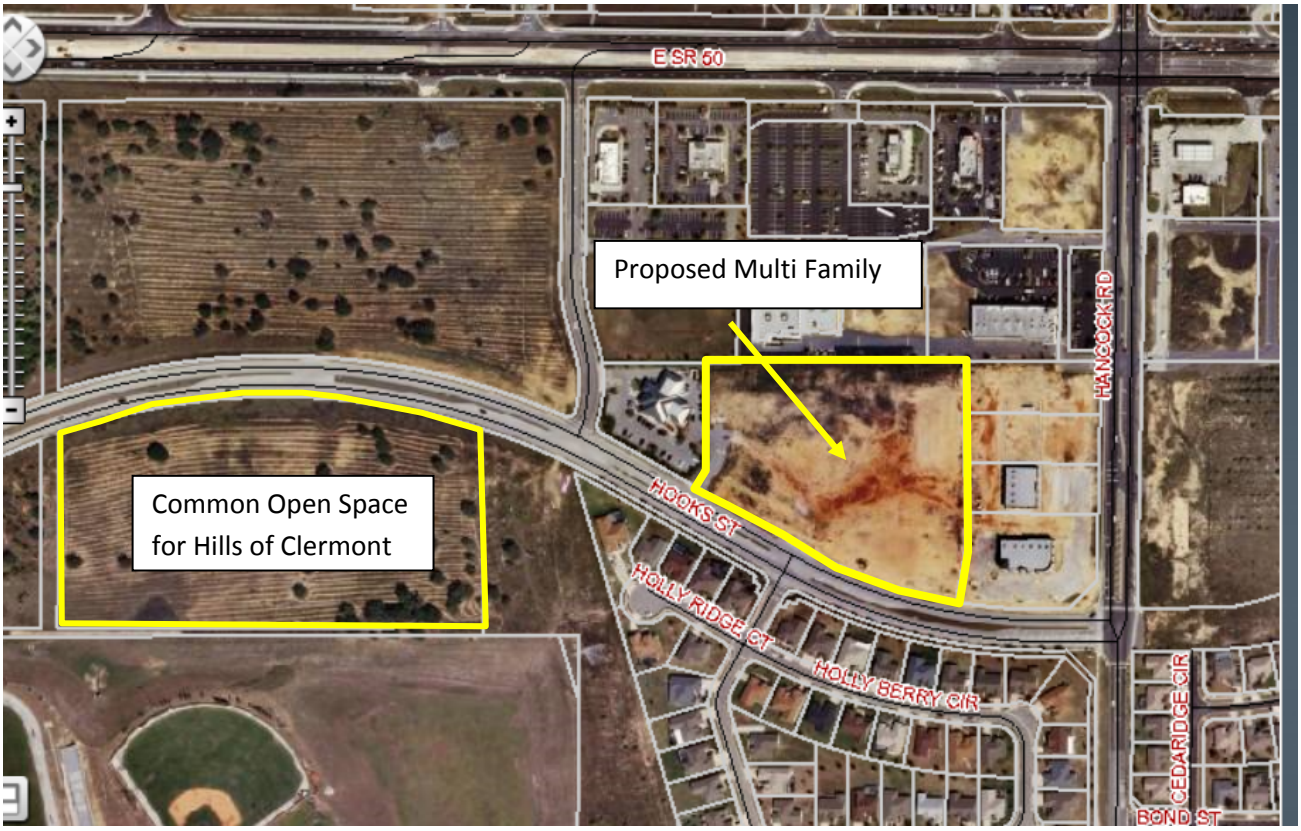
3. A site lighting plan shall be submitted and approved for each parcel developed on the site. Lighting shall be designed, installed and directed to fall upon the subject site and not adversely impact abutting properties..

4. All dumpster and other external equipment sites shall be enclosed with masonry structures with wooden gates. All such structures and appurtenances shall be landscaped in accordance with city code and plans approved by the city site review committee.

5. Architectural finish, building, and landscape design plans for the commercial centers shall be submitted to and approved by the site review committee prior to any development activity to ensure aesthetic and public safety considerations are not adversely impacted.

6. Commercial display of commodities for sale shall be located within a completely enclosed building and conform to city regulations for storage, screening, and locational criteria for placement adjacent to the tenant structure, unless an open air sales permit has been received and approved by the city manager.

Aerial Map:


E SR 50
Proposed Multi Family
HANCOCK RD
Common Open Space
for Hills of Clermont
HOOKS ST
HOLLY RIDGE CT
HOLLY BERRY CIR
CEDARIDGE CIR
BOND ST

LAKE COUNTY SCHOOLS

Leading our Children to Success

201 West Burleigh Boulevard · Tavares · FL 32778-2496
(352) 253-6500 · Fax: (352) 343-0198 · *www.lake.k12.fl.us*

Superintendent:
Susan Moxley, Ed.D.

School Board Members:
District 1
Bill Mathias
District 2
Rosanne Brandeburg
District 3
Tod Howard
District 4
Debbie Stivender
District 5
Kyleen Fischer

September 23, 2014

Ms. Barbara Hollerand, Planning & Zoning Director
Community Development Department
City of Clermont
685 West Montrose Street
Clermont, Florida 34711

RE: City of Clermont Eastridge Village Conditional Use Permit (CUP) Request

Dear Ms. Hollerand:

The City is currently reviewing an applicant's request for a CUP to allow 103 multi-family dwelling units on approximately 8.59 acres. As the School Board of Lake County's authorized representative, I am forwarding the School Board's comments to your attention so they can be included with your planning report.

The School Board of Lake County Florida believes the CUP request will not have an adverse impact on Lake County Public Schools. The following School Board comments reflect projected enrollment data from the District's Five-Year Facilities Master Plan, FY 2014-2018, and student generation rates from the Impact Fee Study.

The proposed CUP request has the potential to add 103 new multi-family dwelling units that will contribute 24 new students to the Lake County School system. Based on current school attendance zones, schools that will not be adversely affected by the CUP request and their projected five-year capacity status are as follows:

- **Lost Lake Elementary School** **8%** Under Capacity
- **East Ridge Middle School** **31%** Under Capacity
- **East Ridge High School** **12%** Under Capacity

Please see the attached District Growth Impact Report, which indicates the potential impact of the proposed CUP request on the public schools which currently serve the area under consideration. Should you have any questions or need additional information please contact me at (352) 253-6694.

Sincerely,

Dawn McDonald, Senior Planner
Growth Planning Department

Enclosure

REVIEWING AUTHORITY	**City of Clermont Community Development Department, Planning & Zoning Division**
NAME / CASE NUMBER	**Eastridge Village / Conditional Use Permit Request**
DEVELOPER/OWNER	**David Stimmell / Centennial Bank**
ITEM DESCRIPTION	The applicant proposes a Conditional Use Permit (CUP) to allow 103 multi-family dwelling units on approximately 8.59 acres.
LOCATION	Section 28, Township 22S, Range 26E North and east of Hooks Street, south of State Road 50, and west of Hancock Road
CURRENT LAND USE	City of Clermont Commercial (12 dwelling units/1 acre)
CURRENT ZONING	City of Clermont Commercial

	SF-DU	MF-DU	Mobile	MF Impacts	
NEW DU IMPACT				**103**	**Dwelling Units**
STUDENT GENERATION	0.374	0.235	0.126	24	
Elementary School	0.172	0.133	0.065	14	
Middle School	0.085	0.051	0.029	5	
High School	0.117	0.051	0.032	5	

SCHOOL NAME	Projected Enrollment 2017-2018*	Permanent Student Capacity*	Projected Five-Year Capacity %	Student Enrollment w/ Impact	% of Perm. Capacity w/ Impact	Planned Capacity On Site
Lost Lake Elementary	1,008	1,112	91%	1,022	92%	No
East Ridge Middle	1,090	1,590	69%	1,095	69%	No
East Ridge High	2,332	2,648	88%	2,337	88%	No

Lake County School District Five-Year Facilities Master Plan, Fiscal Year 2014-2018

CSA 12

	Student Enrollment 2017-2018*	Permanent Student Capacity*	% of Permanent Capacity
Elementary School	4,298	4,928	87%
Middle School	1,848	2,501	74%
High School	4,491	4,483	100%

Lake County School District Five-Year Facilities Master Plan, Fiscal Year 2014-2018

COMMENTS: The proposed CUP will add 103 multi-family units, which will not adversely impact area schools.

School Concurrency became effective in Lake County on June 1, 2008. Subsequent development orders, including but not limited to, site plans and subdivisions are subject to the school concurrency process. This Growth Impact Report (adequate public facilities analysis) is not intended to be an approval of, or an exemption from, any school concurrency regulations, including the school concurrency requirements in the Lake County School Concurrency Interlocal Agreement.

Prepared By: Dawn McDonald, Senior Planner, Lake County School District **Date:** 9/23/2014

CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
APPLICATION

DATE: 8/29/14 FEE: _____

PROJECT NAME (if applicable): EASTRIDGE VILLAGE

APPLICANT: DAVID STIMMELL

CONTACT PERSON: _____

Address: 902 Johns Pointe

City: OAKLAND State: FL Zip: 34787

Phone: 4078771109 Fax: _____

E-Mail: DAVID@STimmellRealty.com

OWNER: Centennial Bank

Address: 970 RINEHART DR.

City: LAKE MARY State: FL Zip: 32746

Phone: _____ Fax: _____

Address of Subject Property: 2440 Hook STREET

General Location: North SIDE of Hook STREET WEST of HANCOCK

Legal Description (include copy of survey): ~~Hancock~~ HANCOCK Towne Center Sub Lot 5 PB 60 PG 86-87

Alt Key # 3865800 Parcel # 28-22-26-0100000500

Land Use (City verification required): PUD C-2 Commercial

Zoning (City verification required): PUD C-2

CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
APPLICATION
Page 2

Detailed Description of request (What are you proposing to do and why is it appropriate for this location? Attach additional page is necessary.

To Allow High Density Multi Family on Lot 5 within the PUD
116 units

DAVID STIMMELL
Applicant Name (print)

x
Applicant Name (*signature*)

Owner Name (print)

x
Owner Name (*signature*)

* * * * * * **NOTICE** * * * * * *

IF THIS APPLICATION IS SUBMITTED INCOMPLETE OR INACCURATE, IT WILL BE SUBJECT TO A DELAY ON PROCESSING AND WILL NOT BE SCHEDULED UNTIL CORRECTIONS ARE MADE.

City of Clermont
Planning & Zoning Department
685 W. Montrose St.
P.O. Box 120219
Clermont, FL. 34712-021 9
(352) 394-4083 Fax: (352) 394-3542

PROPERTY RECORD CARD

General Information

Owner Name:	CENTENNIAL BANK	**Alternate Key:**	3860800
Mailing Address:	970 RINEHART RD LAKE MARY, FL 32746	**Parcel Number:**	28-22-26-010000000500
Property Location:	2440 HOOKS ST CLERMONT FL 34711	**Millage Group and City:**	000C (Clermont) : 17.5789
Property Description:	CLERMONT, HANCOCK TOWNE CENTRE SUB LOT 5 PB 60 PG 86-87 | ORB 4270 PG 2227 |		

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class Value	Just Value
1	VACANT COMMERCIAL (1000)	0	0		303486	SF	$0.00	$485,578.00

Miscellaneous Improvements

There is no improvement information to display.

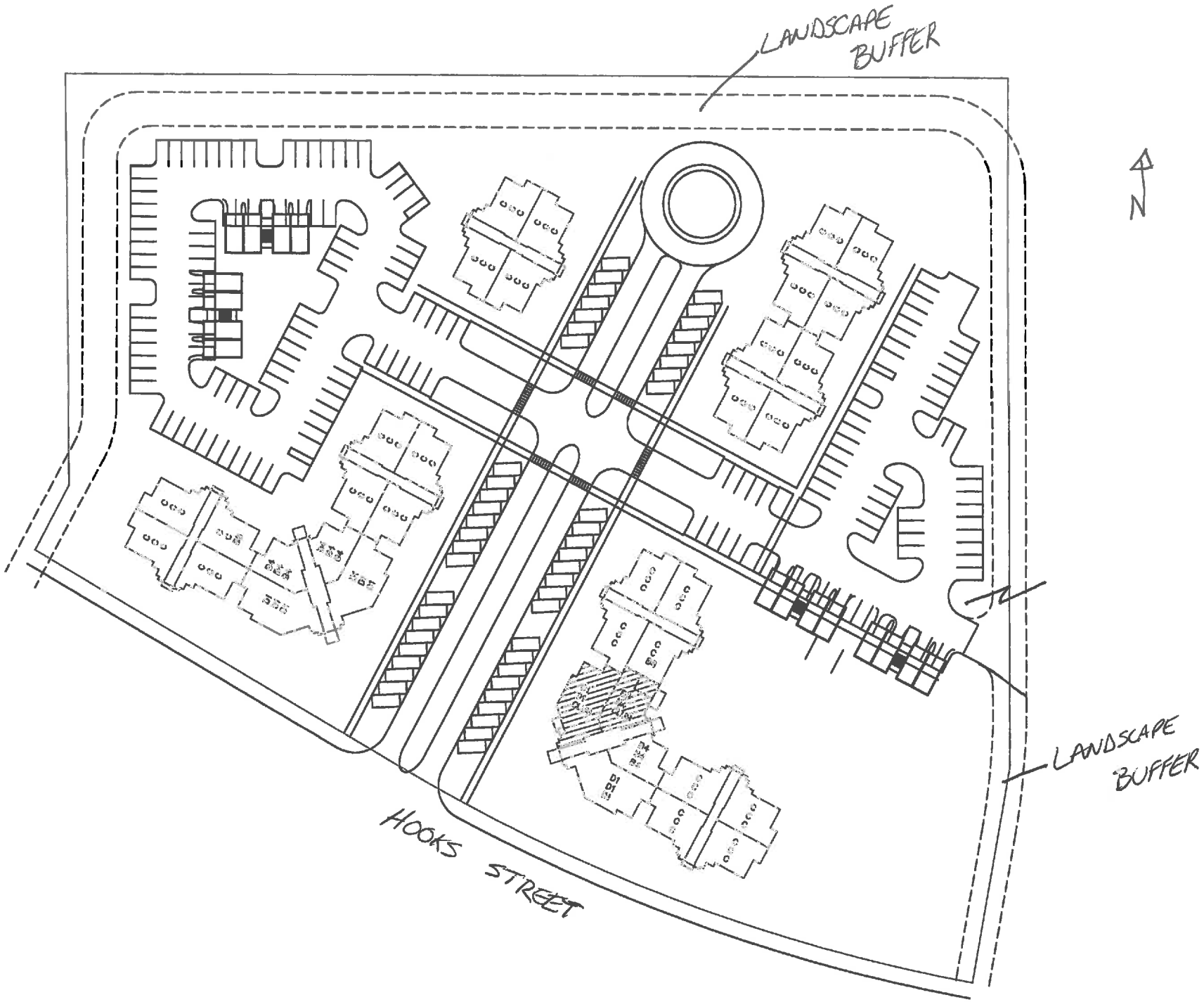
Sales History

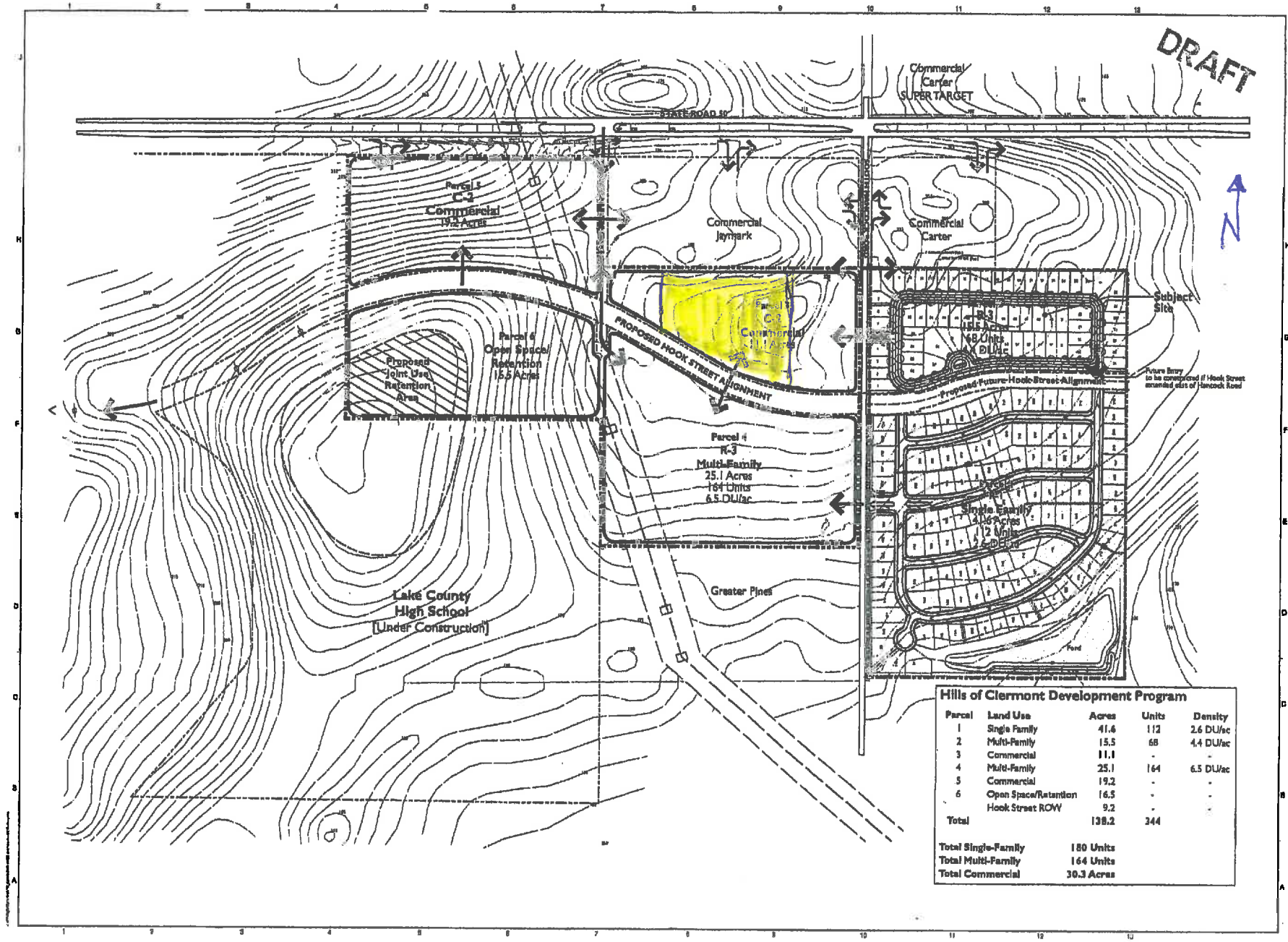
O.R. Book / Page	Sale Date	Instrument	Q/U	Vac./Imp.	Sale Price
4270 / 2227	1/10/2013	CT	U	V	$401,000.00

Values and Estimated Taxes

Tax Authority	Just Value	Assessed Value	Taxable Value	Millage	Estimated Taxes
LAKE COUNTY BCC	$485,578	$485,578	$485,578	5.61240	$2,725.26
LAKE COUNTY MSTU AMBULANCE	$485,578	$485,578	$485,578	0.48230	$234.19
SCHOOL BOARD STATE	$485,578	$485,578	$485,578	4.99800	$2,426.92
SCHOOL BOARD LOCAL	$485,578	$485,578	$485,578	2.24800	$1,091.58
CITY OF CLERMONT	$485,578	$485,578	$485,578	3.72900	$1,810.72
ST JOHNS RIVER FL WATER MGMT DIST	$485,578	$485,578	$485,578	0.31640	$153.64
LAKE COUNTY VOTED DEBT SERVICE	$485,578	$485,578	$485,578	0.16000	$77.69
LAKE COUNTY WATER AUTHORITY	$485,578	$485,578	$485,578	0.25540	$124.02
SOUTH LAKE HOSPITAL DIST	$485,578	$485,578	$485,578	0.76500	$371.47
				Total: 18.5665	**Total:** $9,015.49

The values displayed above may NOT reflect certified values and therefore are


LANDSCAPE BUFFER
N
LANDSCAPE BUFFER
HOOKS STREET



Hills of Clermont Development Program

Parcel	Land Use	Acres	Units	Density
1	Single Family	41.6	112	2.6 DU/ac
2	Multi-Family	15.5	68	4.4 DU/ac
3	Commercial	11.1	-	-
4	Multi-Family	25.1	164	6.5 DU/ac
5	Commercial	19.2	-	-
6	Open Space/Retention	16.5	-	-
	Hook Street ROW	9.2	-	-
Total		138.2	344	

Total Single-Family	180 Units
Total Multi-Family	164 Units
Total Commercial	30.3 Acres

GLATTING
JACKSON
KERCHER
ANGLIN
LOPEZ
RINEHART

33 East Pine Street
Orlando, FL 32801
Ph: 407 843 6552
Ph: 407 839 3760

THE GREATER CONSTRUCTION CORPORATION
HILLS OF CLERMONT PHASE 3, PARCEL 2
City of Clermont, Florida

CUP-4 OVERALL MASTER PLAN

OVERALL
MASTER PLAN

CUP-4

SHEET 1 OF 4

We are working on a new Interactive Map that will replace this site. We encourage you to test the new site and leave us feedback to help shape its future. Beta test the new Interactive Map.

Click here to change page title

#	Alt Key	Owner	Parcel Address	Owner Address	Tools
1	3860800	CENTENNIAL BANK	2440 HOOKS ST CLERMONT FL 34711	970 RINEHART RD LAKE MARY, FL 32746	Zoom In

We are working on a new Interactive Map that will replace this site. We encourage you to test the new site and leave us feedback to help shape its future. Beta test the new Interactive Map.

Click here to change page title

#	Alt Key	Owner	Parcel Address	Owner Address	Tools
1	3860800	CENTENNIAL BANK	2440 HOOKS ST CLERMONT FL 34711	970 RINEHART RD LAKE MARY, FL 32746	Zoom In

LEGAL NOTICE

Notice is hereby given that the City of Clermont will consider a request for a Conditional Use Permit to allow for a multi-family complex with more than 12 units:

LOCATION

Vacant property (Alt. Key 3860800) 2440 Hooks Street

A complete legal description may be obtained in the Development Services Department located at 685 W. Montrose Street, Clermont, FL 34711.

This request will be considered by the Planning & Zoning Commission on Tuesday, November 4, 2014 at 7:00pm.

A public meeting to consider the request will be held before the City Council on Tuesday, December 9, 2014 at 7:00pm.

All meetings will be held in City Hall located at 685 West Montrose Street.

All interested parties will be given an opportunity to express their views on this matter.

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

Tracy Ackroyd, MMC
City Clerk

Daily Commercial
October 28, 2014 and December 2, 2014

CITY OF CLERMONT

AGENDA ITEM

Meeting Date
Tuesday, November 4, 2014

Agenda Item Name
Walmart Conditional Use Permit

Requested Action
Motion to recommend approval to the City Council of Resolution 2014-38

Staff Report
The applicant is requesting an amendment to the existing Resolution #1316 to allow for an increase in building square footage. Currently the existing Walmart located at 1450 Johns Lake Rd. is limited to 218,685 square feet (Resolution 1316). The applicant is requesting to create a 3,905-square-foot expansion to the east side of the building. The proposed expansion, which will be for liquor sales, will not be accessible from inside the main building. Combining the existing allowable square footage of 218,685 and the proposed addition of 3,905 square feet, the new proposed building size will be limited to 222,590 square feet.

Legal Impact

Additional Analysis

Fiscal Impact Summary

Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)	
1. Resolution	CUP RES 2014-38.docx
2. CUP Conditions	Wal-Mart CUP CONDITIONS.doc
3. Wal-Mart Aerial Map	Walmart CUP Amendment Aerial Map.doc
4. Elevation	1. 2695 - Clermont - Color Elevations.pdf
5. Site plan	2. EXISTING CONDITIONS PLANS - 2695.pdf
6. Site plan	3. OVERALL SITE PLAN - 2695.pdf
7. Site plan	4. SITE PLAN - 2695.pdf
8. Site plan	5. LANDSCAPE AND IRRIGATION PLAN - 2695.pdf
9. Application	2014 Application.pdf
10. Legal ad	2014 CUP legal ad.docx

CITY OF CLERMONT
RESOLUTION NO. 2014-38

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING AN AMENDMENT TO A CONDITIONAL USE PERMIT TO ALLOW AN EXPANSION TO THE EXISTING WAL-MART.

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held November 4, 2014 recommended approval of this amendment to the Conditional Use Permit to allow an expansion to the existing Wal-mart; at the following location:

LOCATION:

1450 John's Lake Road

The City Council deems it advisable in the interest of the general welfare of the City of Clermont, Lake County, Florida to grant this Conditional Use Permit.

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

This application for an amendment to the Conditional Use Permit to allow an expansion to the existing Wal-mart; be granted subject to the following conditions:

CONDITIONAL USE PERMIT CONDITIONS:

Section 1 - General Conditions

1. The conditions as set forth in this conditional use permit shall be legally binding upon any heirs, assigns and successors in title or interest.

2. No further expansion of the use or additions to the facility shall be permitted except as approved by another conditional use permit.

3. The property shall be developed in substantial accordance with the conceptual site plan dated 5/12/03 and prepared by CPH Engineers. 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. The conceptual site plans submitted with the conditional use permit application are not the approved construction plans.

4. 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.

5. The final certificate of occupancy shall not be issued until each of the stated conditions has been met.

6. If any of the stated conditions are violated, the applicant understands and agrees that the City Council may revoke this conditional use permit by resolution.

7. The Conditional Use Permit must be executed and filed in the office of the City Clerk within 90 days of its date of grant by the City Council or the permit shall become null and void.

8. This permit shall become null and void if substantial construction work has not begun within two (2) years of the date of this conditional use permit is executed and signed by the permittee. "Substantial construction work" means the commencement and continuous prosecution of construction of required improvements ultimately finalized at completion.

Section 2 - Land Use

1. This permit is for a ~~218,685~~ 222,590 sq. ft. Wal-Mart SuperCenter that will include general retail sales, a garden center, liquor store, grocery store, pharmacy, personal services, professional offices, restaurants, a gas station, and a Tire and Lube Express. The 3,905 square foot expansion shall be consistent with the conceptual site plan dated 9/15/2014 as prepared by Kimley Horn Engineers.

Section 3 – Site Development

1. Detailed grading, erosion control, and dust abatement plans for the entire site shall be submitted to and approved by the site review committee prior to construction plan approval and the initiation of development activity. The dust abatement plan shall detail measures to be taken to eliminate the migration of dust particles from the site.

2. The permittee/developers shall provide ground cover on all out parcel and disturbed areas, where construction is not immediately intended. Ground cover shall be provided in accordance with an approved ground cover plan acceptable to the City in accordance with best management practices (BMP) of the U.S.D.A. Soil Conservation Service.

3. All excavated material shall be stored in a location approved by the city engineer.

4. Ingress and egress to the site for construction shall be determined by the city engineer.

Section 4 - Transportation Improvements

1. Sidewalks shall be required along all public road frontages, including U.S. 27, in accordance with Florida Department of Transportation and City Codes.

2. Based upon results of the traffic study, the city may require that transportation

improvements, necessitated by the portion of the project for which a building permit is sought, be made at the time of construction of that portion of the project. Project specific on-site/off-site transportation improvements consistent with identified project impacts, per the traffic study, will be the sole responsibility of the developer.

3. Citrus Tower Blvd. shall be constructed from Hooks St. to Johns Lake Road prior to issuance of the certificate of occupancy for the Wal-Mart Supercenter.

4. The right-of-way for the frontage road shall be dedicated prior to construction plan approval. The frontage road shall be constructed from Citrus Tower Blvd. to the north property line prior to issuance of a certificate of occupancy.

5. A signal warrant analysis for the intersection of US 27 and Johns Lake Rd. shall be completed and submitted to Florida Department of Transportation prior to construction plan approval. The certificate of occupancy for the Wal-Mart store will not be issued until the signal is installed and operational.

6. A signal shall be installed and operational at the intersection of Citrus Tower Blvd. and Johns Lake Rd. prior to the issuance of a certificate of occupancy.

7. Dual southbound left-turn lanes from US 27 onto Johns Lake Road shall be constructed prior to issuance of a certificate of occupancy. An additional eastbound lane with appropriate turn lanes shall be constructed on Johns Lake Road between US 27 and Citrus Tower Blvd.

8. A mass transit stop shall be provided on site in accordance with the Lost Lake Reserve Development of Regional Impact and Planned Unit Development.

Section 5 - Utilities and Stormwater

1. Restaurants will be required to install grease traps at a size to be determined by the Public Works Director.

Section 6 – Landscaping and miscellaneous site improvements

1. Side slopes of the water retention areas shall be sodded and landscaped with trees. Trees shall be provided in the water retention areas that are appropriate for the soils and hydrology of the area.

2. The project shall be plumbed for reuse water with purple piping. Until such time as reuse water is available, irrigation water shall be provided for by well.

3. Cardboard recycling dumpsters shall be in dumpster enclosures constructed per code.

Section 7 - Signage

1. All signs for the project shall be monument signs and their size and height, etc. shall be in

accordance with the approved Lost Lake Planned Unit Development and the pending sign revision ordinance.

2. Only the lettering of the brand name on the fascia of the gas station canopy may be lit.

Section 8 - Architectural Design Standards

Architectural plans for all buildings must be approved by the Site Review Committee prior to construction plan approval.

All structures shall be designed and constructed in accordance with the following design standards and the pending Architectural Design Ordinance unless otherwise approved by the City of Clermont Site Review Committee.__

Facades and Exterior Walls:

1. Ground floor facades that face public streets shall have arcades, display windows, entry areas, awnings or other such features along no less than sixty (60) percent of their horizontal length.

2. Facades greater than one hundred (100) feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least three (3) feet. No uninterrupted length of any facade shall exceed one hundred (100) horizontal feet.

3. The loading areas shall be properly screened from public view. Proper screening shall include but not be limited to provision of a minimum 10 ft. wide landscape buffer along the rear of the grocery and retail stores. All storage of pallets, cardboard boxes, etc. shall be within screened enclosures.

Roofs:

1. Parapet walls or other design features shall be used to conceal flat roofs and rooftop equipment such as HVAC units from public view from all sides of the building. Parapet walls or other design features shall be constructed at a height of at least one (1) inch above the tallest roof top unit. A metal or other enclosure for roof top equipment does not constitute screening from public view. The average height of such parapets shall not exceed fifteen (15) percent of the height of the supporting wall and such parapets shall not at any point exceed one-third (1/3) of the height of the supporting wall.

2. No uninterrupted length of any roofline or parapet wall shall exceed one hundred (100) horizontal feet.

Materials and colors:

1. The predominant exterior finish shall be of high quality materials, including, but not limited to, brick, stone, stucco and textured concrete masonry units. The finished surface

of the exterior walls shall not include smooth-faced concrete block, tilt-up concrete panels or prefabricated steel panels.

2. Façade colors shall be low reflective, subtle, neutral or earth tone colors. The use of high-intensity colors, metallic colors, black or fluorescent colors shall be prohibited.

3. Building trim and accent areas shall be limited to one primary color. The use of a primary color in the building trim is limited to a one (1) foot wide band around the building. Neon tubing shall not be an acceptable feature for building trim or accent areas.

Entryways:
(a) Each large retail establishment shall have a clearly defined customer entrance featuring no less than three (3) of the following:

1. canopies or porticos;
2. overhangs;
3. recesses/projections;
4. arcades;
5. peaked roof forms;
6. arches;
7. architectural details such as tile work and moldings which are integrated into the building structure and design;
8. integral planters or wing walls that incorporate landscaped areas and/or places for sitting.

Signage:

1. Neon tubing shall not be used in building signage unless within the framework of an enclosure. The blue background color for the Wal-Mart Supercenter signs shall be reduced to a limited area around the lettering. This area is to be determined by staff during site plan review.

2. Signage may include store identification including garden center and contractor pickup, etc., but not advertising such as "We Sell for Less" or "Low Prices", etc.

Lighting:

1. Light poles shall not be painted in primary colors. Parking lot lights shall be aimed straight down and be enclosed in a shroud so that light will not project out in an upward or horizontal direction.

Outdoor storage:

1. All materials stored outside must be within an opaque enclosure.

2. All landscape materials stored outside must be within an enclosure. If the enclosure is not opaque, the enclosure shall consist of columns of the same material as the primary structure with ornamental metal fencing as screening.

3. All fencing shall be ornamental metal; chain link fencing is prohibited.

Outdoor display:
1. Outdoor display will only be allowed by the garden center, this area shall be clearly delineated on the site plan. Outdoor display shall be separated into two categories: daily display and seasonal display. Daily display is to be taken into the store at the end of each business day, while seasonal display may remain outside overnight. Outdoor storage of inventories of fertilizer and landscaping materials, or any other inventory, is prohibited. Flowers that are displayed outside must be on movable carts and brought in after business hours. Parking spaces cannot be used for any outdoor display or storage of inventory.

Miscellaneous:
1. Cart corrals or returns shall be provided for in the parking lot. No advertising shall be allowed on the cart corrals.

2. Outdoor storage of inventory in trailers or other storage systems shall be restricted to the six (6) parking spaces identified for this use on the approved site plan, and can only be utilized during the months of October through January.

3. All fencing, including fencing around water retention areas, shall be ornamental metal; chain link fencing is prohibited.

CITY OF CLERMONT
RESOLUTION NO. 2014-38

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 9th day of December, 2014.

CITY OF CLERMONT

_____
Harold S. Turville, Jr., Mayor

ATTEST:

_____
Tracy Ackroyd, City Clerk

Approved as to form and legality:

_____
Daniel F. Mantzaris, City Attorney

CUP CONDITIONS:

Section 1 - General Conditions

1. The conditions as set forth in this conditional use permit shall be legally binding upon any heirs, assigns and successors in title or interest.

2. No further expansion of the use or additions to the facility shall be permitted except as approved by another conditional use permit.

3. The property shall be developed in substantial accordance with the conceptual site plan dated 5/12/03 and prepared by CPH Engineers. 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. The conceptual site plans submitted with the conditional use permit application are not the approved construction plans.

4. 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.

5. The final certificate of occupancy shall not be issued until each of the stated conditions has been met.

6. If any of the stated conditions are violated, the applicant understands and agrees that the City Council may revoke this conditional use permit by resolution.

7. The conditional use permit must be executed and filed in the office of the City Clerk within 90 days of its date of grant by the City Council or the permit shall become null and void.

8. This permit shall become null and void if substantial construction work has not begun within two (2) years of the date of this conditional use permit is executed and signed by the permittee. "Substantial construction work" means the commencement and continuous prosecution of construction of required improvements ultimately finalized at completion.

Section 2 - Land Use

1. This permit is for a ~~218,685~~ 222,590 sq. ft. Wal-Mart Supercenter that will include general retail sales, a garden center, liquor store, grocery store, pharmacy, personal services, professional offices, restaurants, a gas station, and a Tire and Lube Express. The 3,905 square foot expansion shall be consistent with the conceptual site plan dated 9/15/2014 as prepared by Kimley Horn Engineers.

Section 3 – Site Development

1. Detailed grading, erosion control, and dust abatement plans for the entire site shall be submitted to and approved by the site review committee prior to construction plan approval and the initiation of development activity. The dust abatement plan shall detail measures to be taken to eliminate the migration of dust particles from the site.

2. The permittee/developers shall provide ground cover on all out parcel and disturbed areas, where construction is not immediately intended. Ground cover shall be provided in accordance with an approved ground cover plan acceptable to the city in accordance with best management practices (BMP) of the U.S.D.A. Soil Conservation Service.

3. All excavated material shall be stored in a location approved by the city engineer.

4. Ingress and egress to the site for construction shall be determined by the city engineer.

Section 4 - Transportation Improvements

1. Sidewalks shall be required along all public road frontages, including U.S. 27, in accordance with Florida Department of Transportation and city codes.

2. Based upon results of the traffic study, the city may require that transportation improvements, necessitated by the portion of the project for which a building permit is sought, be made at the time of construction of that portion of the project. Project specific on-site/off-site transportation improvements consistent with identified project impacts, per the traffic study, will be the sole responsibility of the developer.

3. Citrus Tower Blvd. shall be constructed from Hooks St. to Johns Lake Road prior to issuance of the certificate of occupancy for the Wal-Mart Supercenter.

4. The right-of-way for the frontage road shall be dedicated prior to construction plan approval. The frontage road shall be constructed from Citrus Tower Blvd. to the north property line prior to issuance of a certificate of occupancy.

5. A signal warrant analysis for the intersection of US 27 and Johns Lake Rd. shall be completed and submitted to Florida Department of Transportation prior to construction plan approval. The certificate of occupancy for the Wal-Mart store will not be issued until the signal is installed and operational.

6. A signal shall be installed and operational at the intersection of Citrus Tower Blvd. and Johns Lake Rd. prior to the issuance of a certificate of occupancy.

7. Dual southbound left-turn lanes from US 27 onto Johns Lake Road shall be constructed prior to issuance of a certificate of occupancy. An additional eastbound lane with appropriate turn lanes shall be constructed on Johns Lake Road between US 27 and Citrus Tower Blvd.

8. A mass transit stop shall be provided on site in accordance with the Lost Lake Reserve Development of Regional Impact and Planned Unit Development.

Section 5 - Utilities and Stormwater

1. Restaurants will be required to install grease traps at a size to be determined by the Public Works Director.

Section 6 – Landscaping and miscellaneous site improvements

1. Side slopes of the water retention areas shall be sodded and landscaped with trees. Trees shall be provided in the water retention areas that are appropriate for the soils and hydrology of the area.

2. The project shall be plumbed for reuse water with purple piping. Until such time as reuse water is available, irrigation water shall be provided for by well.

3. Cardboard recycling dumpsters shall be in dumpster enclosures constructed per code.

Section 7 - Signage

1. All signs for the project shall be monument signs and their size and height, etc. shall be in accordance with the approved Lost Lake Planned Unit Development and the pending sign revision ordinance.

2. Only the lettering of the brand name on the fascia of the gas station canopy may be lit.

Section 8 - Architectural Design Standards

Architectural plans for all buildings must be approved by the site review committee prior to construction plan approval.

All structures shall be designed and constructed in accordance with the following design standards and the pending Architectural Design Ordinance unless otherwise approved by the City of Clermont site review committee.__

Facades and Exterior Walls:

1. Ground floor facades that face public streets shall have arcades, display windows, entry areas, awnings or other such features along no less than sixty (60) percent of their horizontal length.

2. Facades greater than one hundred (100) feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least three (3) feet. No uninterrupted length of any facade shall exceed one hundred (100) horizontal feet.

3. The loading areas shall be properly screened from public view. Proper screening shall include but not be limited to provision of a minimum 10 ft. wide landscape buffer along the rear of the grocery and retail stores. All storage of pallets, cardboard boxes, etc. shall be within screened enclosures.

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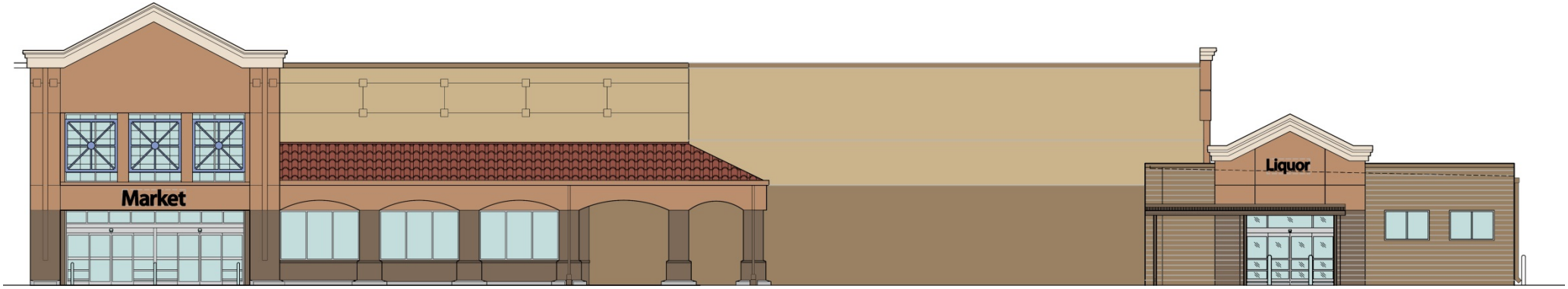
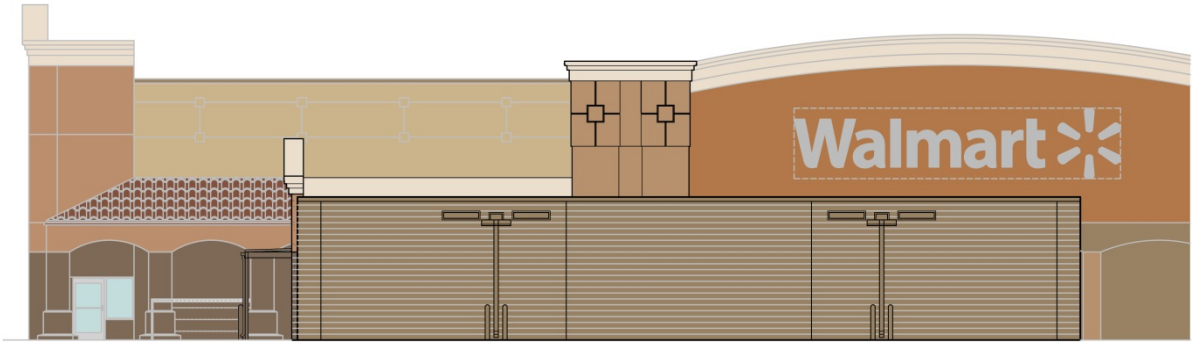
Aerial Map: Wal-Mart 1450 Johns Lake Road

Site Photos



Front Elevation

*Trellis omitted for clarity

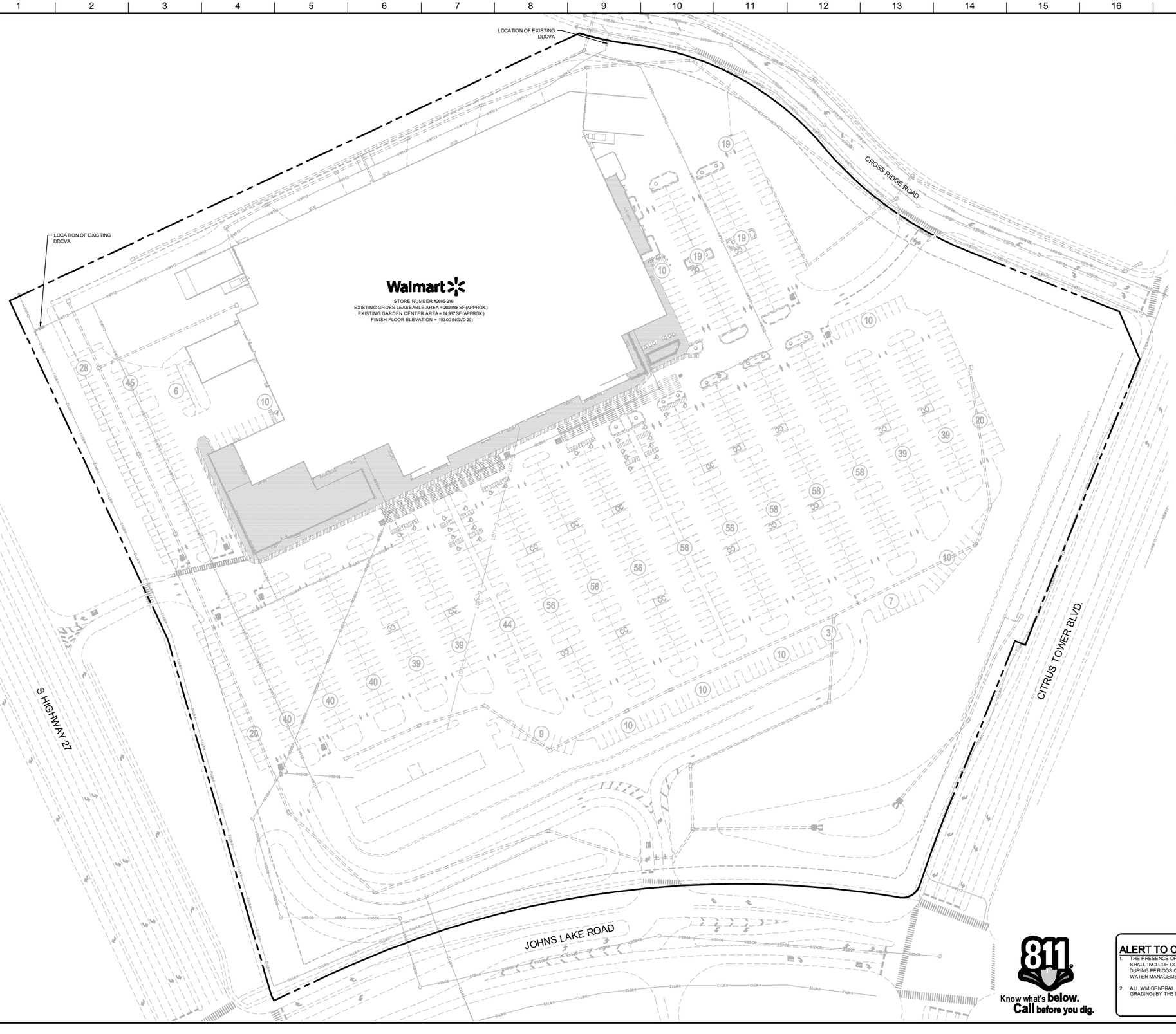


Side Elevation

Walmart

*All new building finishes and materials to match existing

Cuhaci & Peterson Architects Engineers Planners	October 24, 2014	2695 Clermont, FL	Exterior Elevation



LEGEND

- WALMART PROPERTY LINE
- SETBACK LINE
- LIMITS OF SPECIFIC PURPOSE SURVEY
- EXISTING BUILDING
- EXISTING EDGE OF PAVEMENT
- EXISTING CHAIN LINK FENCE
- EXISTING CART CORRAL
- EXISTING PARKING COUNT
- EXISTING TREE
- EXISTING BOLLARD
- EXISTING LIGHT POLE
- EXISTING WATER LINE
- EXISTING UNDERGROUND CONDUIT
- EXISTING STORM PIPE
- EXISTING STORM STRUCTUE
- EXISTING MANHOLE

EXISTING CONDITIONS NOTES

1. THIS PLAN WAS PREPARED BASED ON A TOPOGRAPHIC SURVEY, ORIGINAL CONSTRUCTION DRAWINGS, AS-BUILTS INFORMATION, AND FIELD VISITS. FIELD CONDITIONS OUTSIDE THE AREA OF THE SPECIFIC PURPOSE TOPOGRAPHIC SURVEY MAY VARY FROM THIS DRAWING.
2. A SPECIFIC PURPOSE TOPOGRAPHIC SURVEY WAS PREPARED FOR THE PROPOSED WORK AREA BY KIMLEY-HORN AND ASSOCIATES, INC. DATED MAY 27, 2014. THE LIMITS FOR THE SPECIFIC PURPOSE TOPOGRAPHIC SURVEY ARE INDICATED ON THE EXISTING CONDITIONS PLAN. THE SPECIFIC PURPOSE SURVEY IS IN NGVD 29.
3. EXISTING UTILITIES ARE BASED UPON ORIGINAL CONSTRUCTION DRAWINGS. CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UTILITIES PRIOR TO COMMENCING CONSTRUCTION.

PROJECT BENCHMARKS
- TP #100: ELEVATION OF 187.91'.
- TP #101: ELEVATION OF 191.30'.
- TP #102: ELEVATION OF 192.39'.
- TP #103: ELEVATION OF 192.80'.

811 Know what's below. Call before you dig.

ALERT TO CONTRACTOR:

1. THE PRESENCE OF GROUNDWATER SHOULD BE ANTICIPATED ON THIS PROJECT. CONTRACTORS BID SHALL INCLUDE CONSIDERATION FOR THIS ISSUE. WHEN PERFORMING GRADING OPERATIONS DURING PERIODS OF WET WEATHER, PROVIDE ADEQUATE DEWATERING, DRAINAGE AND GROUND WATER MANAGEMENT TO CONTROL MOISTURE OF SOILS. REFER TO MASTER SITE SPECIFICATIONS.
2. ALL WM GENERAL CONTRACTOR WORK TO BE COMPLETED (EARTHWORK, FINAL UTILITIES, AND FINAL GRADING) BY THE MILESTONE DATE IN PROJECT DOCUMENTS.

No.	REVISIONS	DATE

Kimley»Horn
© 2014 KIMLEY-HORN AND ASSOCIATES, INC.
655 NORTH FRANKLIN STREET, SUITE 150, TAMPA, FL 33602
PHONE: 813-620-1460
WWW.KIMLEY-HORN.COM CA 00000696

DESIGN ENGINEER: MATTHEW R. FEMAL, P.E.
FLORIDA LICENSE NUMBER 68397
DATE:

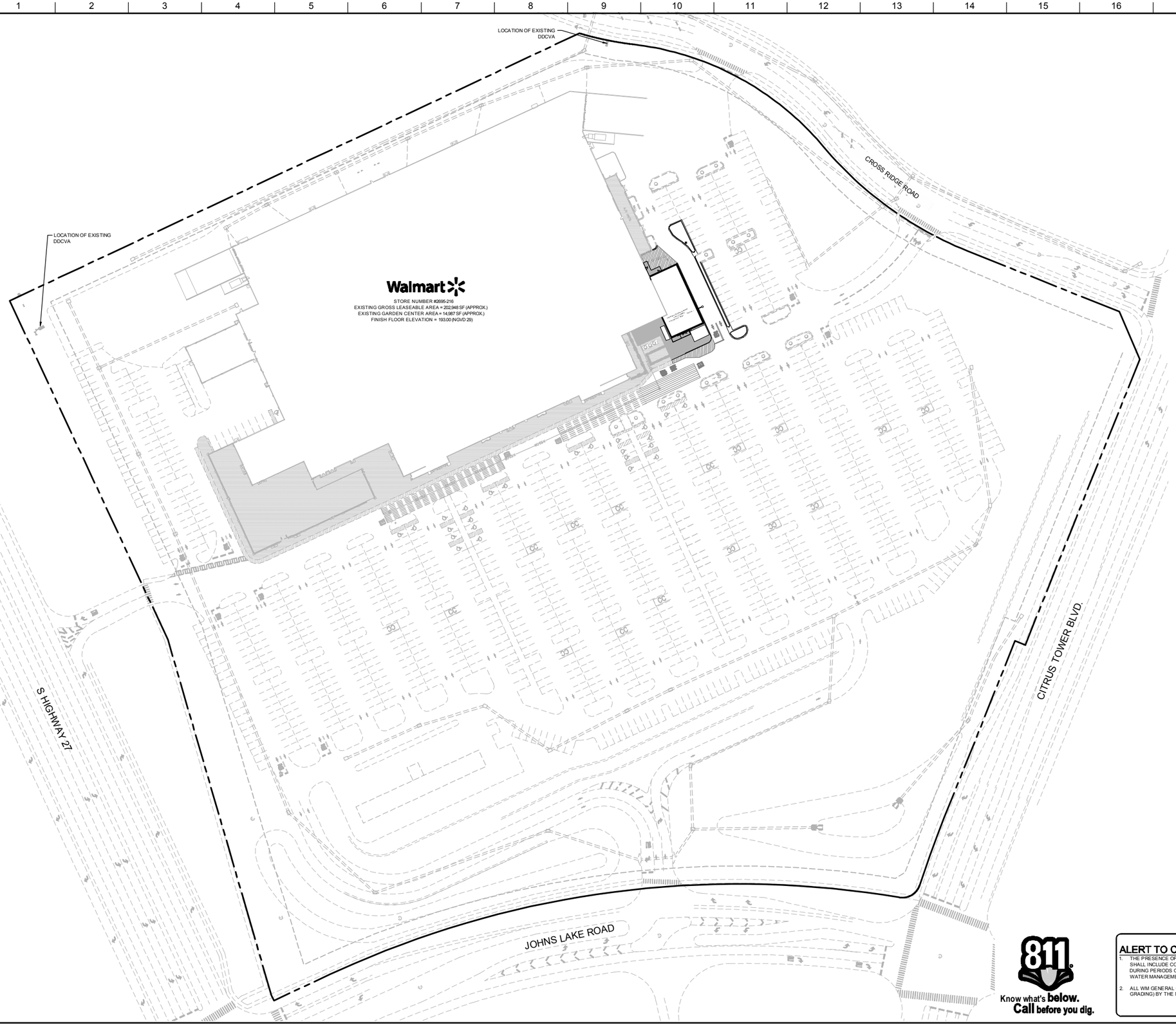
SCALE: AS SHOWN
DESIGNED BY: SNH
DRAWN BY: SNH
CHECKED BY: MRF

EXISTING CONDITIONS PLAN

Walmart STORE #2695-216
CLERMONT, FL
WAL-MART STORES EAST, LP
CITY OF CLERMONT FLORIDA

DATE 09/15/2014
PROJECT NO. 148445031
SHEET NUMBER 1 of 4

Plotted By: Vera, Nilsea Sheet Set: Walmart LBA - 2695 Layout: 6020 October 27, 2014 04:10:40pm K:\TAM_Civil\147253 - Wal-Mart\000 - Liquor Box Additions\2695 - Clermont\CADD\Exhibit\2014.10.24 CUP\EXISTING CONDITIONS PLANS - 2695.dwg
This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



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811 Know what's **below.** **Call** before you dig.

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1. THE PRESENCE OF GROUNDWATER SHOULD BE ANTICIPATED ON THIS PROJECT. CONTRACTORS BID SHALL INCLUDE CONSIDERATION FOR THIS ISSUE. WHEN PERFORMING GRADING OPERATIONS DURING PERIODS OF WET WEATHER, PROVIDE ADEQUATE DEWATERING, DRAINAGE AND GROUND WATER MANAGEMENT TO CONTROL MOISTURE OF SOILS. REFER TO MASTER SITE SPECIFICATIONS.
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SCALE AS SHOWN
DESIGNED BY SNH
DRAWN BY SNH
CHECKED BY MRF

OVERALL SITE PLAN

Walmart STORE #2695-216
CLERMONT, FL
WAL-MART STORES EAST, LP
CITY OF CLERMONT FLORIDA

DATE 09/15/2014
PROJECT NO. 148445031
SHEET NUMBER 2 of 4

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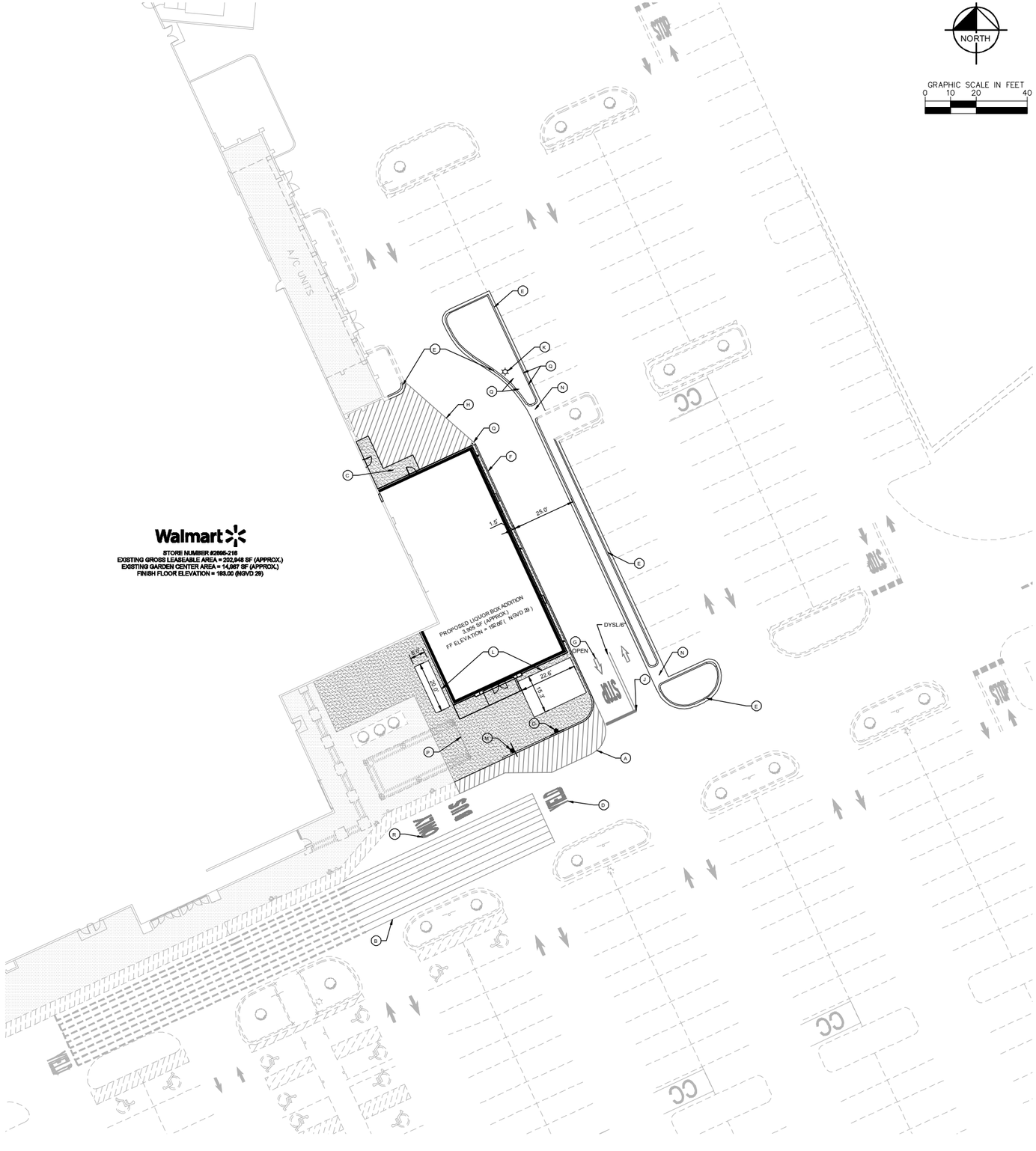
Plotted By: Vera, Nilsea Sheet Set: Walmart LBA - 2695 Layout: OVERALL October 27, 2014 04:23:18pm K:\TAM_Civil\147253 - Wal-Mart\000 - Liquor Box Additions\2695 - Clermont\CADD\Exhibit\2014.10.27 CUP\OVERALL SITE PLAN - 2695.dwg



Walmart

STORE NUMBER #2695-216
EXISTING GROSS LEASEABLE AREA = 202,948 SF (APPROX.)
EXISTING GARDEN CENTER AREA = 14,987 SF (APPROX.)
FINISH FLOOR ELEVATION = 193.00 (NGVD 29)

LEGEND

- WALMART PROPERTY LINE
- SETBACK LINE
- EXISTING BUILDING
- PROPOSED BUILDING
- EXISTING CURB
- PROPOSED CURB
- EXISITNG CART CORRAL
- EXISTING ARCHITECTURAL CONCRETE APRON (SEE ARCH. PLANS)
- NEW ARCHITECTURAL CONCRETE APRON (SEE ARCH. PLANS)

EXISTING SITE ANALYSIS TABLE

WALMART (GROSS LEASEABLE AREA)	202,948 S.F.
PARKING (ASSOCIATES AND CUSTOMER)	1045 SPACES
ACCESSIBLE (2.34%)	25 SPACES
TOTAL PARKING	1070 SPACES
EXISTING RATIO	5.27/1,000 S.F.
CITY REQUIRED RATIO	5.00/1,000 S.F.
* CART CORRAL	18 CORRALS / 18 SPACES

*PARKING SPACES OBSTRUCTED BY CART CORRALS ARE NOT INCLUDED IN OVERALL PARKING RATIO.

PROPOSED SITE ANALYSIS TABLE

WALMART GLA (INCLUDES LIQUOR BOX ADDITION)	206,853 S.F.
PARKING (ASSOCIATES AND CUSTOMER)	1021 SPACES
ACCESSIBLE (2.34%)	25 SPACES
TOTAL PARKING	1046 SPACES
RATIO	5.06/1,000 S.F.
CITY REQUIRED RATIO	5.00/1,000 S.F.
* CART CORRAL	18 CORRALS / 18 SPACES

*PARKING SPACES OBSTRUCTED BY CART CORRALS ARE NOT INCLUDED IN OVERALL PARKING RATIO.

ACREAGE SUMMARY

LIQUOR BOX ADDITION WORK AREA	0.54 ACRES
TOTAL WALMART SITE AREA	29.83 ACRES

THE EXISTING PAVEMENT ELEVATIONS ARE BASED ON FIELD DATA OBTAINED DURING THE COURSE OF DESIGN. HOWEVER, IT IS EXPRESSLY UNDERSTOOD THAT IT IS IMPOSSIBLE TO ACCURATELY DEPICT EVERY IRREGULARITY IN THE EXISTING PAVEMENT SURFACE. BY SUBMITTING A BID, THE CONTRACTOR ACKNOWLEDGES THAT HE HAS EXAMINED THE PROJECT TO THE DEGREE NECESSARY TO PROVIDE A LUMP SUM PRICE FOR THE WORK AND THAT HE HAS INCLUDED THE NECESSARY FUNDS FOR SHIMMING AND/OR MILLING AS MAY BE REQUIRED TO PRODUCE THE FINAL ELEVATIONS SHOWN.

CAUTION - NOTICE TO CONTRACTOR

THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED UPON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANY AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE IMPROVEMENTS SHOWN BY THESE PLANS.

SITE NOTES

1. ALL WORK AND MATERIALS SHALL COMPLY WITH ALL CITY/COUNTY REGULATIONS AND CODES AND O.S.H.A. STANDARDS.
2. CONTRACTOR SHALL REMOVE ALL STRIPING THAT CONFLICTS WITH PLANNED IMPROVEMENTS BY ABRASIVE BLASTING.
3. CONTRACTOR SHALL REFER TO THE ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF VESTIBULES, SLOPE PAVING, SIDEWALKS, EXIT PORCHES, PRECISE BUILDING DIMENSIONS AND EXACT BUILDING UTILITY ENTRANCE LOCATIONS.
4. ALL DISTURBED AREAS ARE TO RECEIVE FOUR INCHES OF TOPSOIL, SEED, MULCH AND WATER UNTIL A HEALTHY STAND OF GRASS IS ESTABLISHED. SEE 02900 SPECIFICATION.
5. DRIVE AISLE CURBED RADII ARE TO BE 10' UNLESS OTHERWISE NOTED. ISLAND CURBED RADII ARE TO BE 3' UNLESS OTHERWISE NOTED.
6. ALL DIMENSIONS AND RADII ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
7. ALL NECESSARY INSPECTIONS, APPROVALS, AND/OR GRATIFICATION REQUIRED BY CODES AND/OR AUTHORITIES SHALL BE COMPLETED PRIOR TO THE ANNOUNCED BUILDING POSSESSIONS AND THE FINAL CERTIFICATION OF SERVICES.
8. REFER TO ARCH. PLANS FOR LOCATIONS AND DETAILS OF PIPE BOLLARDS LOCATED AT FRONT OF BUILDING.
9. SEE ARCH. PLAN, FOR CONCRETE APRON AND PAD DETAILS. ALL PAVING, CURBING, FLATWORK, SIDEWALKS, FENCING, BOLLARDS, ETC. WHICH CONFLICT WITH NEW CONSTRUCTION ARE TO BE DEMOLISHED AND DISPOSED OF IN ACCORDANCE WITH ANY LOCAL, STATE, OR FEDERAL REGULATIONS.
10. ALL NEW PAINTED PAVEMENT MARKINGS SUCH AS DIRECTIONAL ARROWS AND LETTERING SHALL BE PAINTED USING TEMPLATES.
11. THE PAVEMENT SHALL BE FLUSH WITH THE SURFACE OF THE EXIT PORCHES OR SIDEWALKS AT ALL DOORS UNLESS NOTED OTHERWISE. REFER TO GRADING PLAN FOR SPECIFIC ELEVATION INFORMATION.
12. CONTRACTOR SHALL SAWCUT EXISTING PAVEMENT AS SHOWN ON DEMOLITION PLAN TO ALLOW FOR CLEAN, STRAIGHT JOINT BETWEEN OLD AND NEW SURFACES.
13. CONTRACTOR TO REMOVE ALL PAVEMENT, BASE MATERIALS, CURBING, BOLLARDS, ETC. WITHIN SAWCUT LIMITS OF CONSTRUCTION AREA.
14. ALL NEW STRIPING WITHIN WALMART LIMITS SHALL BE PAINTED (TWO COATS) AS PER THE SPECIFICATIONS.
15. RESTRIPING SHALL BE RESTRIPED (TWO COATS) OVER EXISTING USING EXISTING COLORS PER SPECIFICATIONS.
16. CONTRACTOR TO COORDINATE FIRE LANE STRIPING AND SIGN REQUIREMENTS WITH LOCAL FIRE DEPARTMENT.
17. CONTRACTOR SHALL MILL EXISTING ASPHALT TO ENSURE SMOOTH TRANSITIONS BETWEEN OLD AND NEW PAVEMENT. MILL STRIP SHALL BE 5' WIDE (MIN.) BY 1.5" DEEP AT EXISTING PAVEMENT INTERFACE AND SHALL EXTEND THE LENGTH OF THE SHIM (TYP).
18. ELEVATION OF NEW PAVEMENT TO MATCH ELEVATION OF PAVEMENT TO REMAIN. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO ENSURE POSITIVE DRAINAGE IN ALL AREAS.
19. CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIRING DAMAGE TO ANY EXISTING ITEMS THAT WILL REMAIN IN PLACE AFTER CONSTRUCTION AND DEMOLITION ARE COMPLETE. THOSE ITEMS INCLUDE, BUT ARE NOT LIMITED TO, DRAINAGE SYSTEMS, UTILITIES, CURBING, PAVEMENT, ETC. REPAIRS SHALL BE EQUAL TO, OR BETTER THAN EXISTING CONDITIONS. CONTRACTOR IS RESPONSIBLE FOR DOCUMENTING ANY EXISTING DAMAGES AND NOTIFYING THE WALMART CONSTRUCTION MANAGER.
20. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL RELOCATIONS, (UNLESS OTHERWISE NOTED ON PLANS) INCLUDING BUT NOT LIMITED TO, ALL UTILITIES, STORM DRAINAGE, SIGNS, TRAFFIC SIGNALS & POLES, ETC. AS REQUIRED. ALL WORK SHALL BE IN ACCORDANCE WITH GOVERNING AUTHORITIES REQUIREMENTS AND PROJECT SITE WORK SPECIFICATIONS AND SHALL BE APPROVED BY SUCH. ALL COST SHALL BE INCLUDED IN BASE BID.
21. SEE DETAIL SHEET FOR CONCRETE JOINT REQUIREMENTS.
22. THE CONTRACTOR SHALL COORDINATE ALL ACTIVITIES WITH THE WALMART CONSTRUCTION MANAGER. THE EXISTING WALMART SHALL REMAIN IN OPERATION DURING CONSTRUCTION.
23. CONTRACTOR SHALL KEEP ALL EXISTING PARKING, SIDEWALKS, DRIVES, ETC. CLEAR AND FREE FROM ANY CONSTRUCTION ACTIVITY AND/OR MATERIAL TO ENSURE EASY AND SAFE PEDESTRIAN AND VEHICULAR ACCESS TO AND FROM THE SITE. CONTRACTOR SHALL COORDINATE ALL CONSTRUCTION ACTIVITY WITHIN THE PROXIMITY OF THE EXISTING STORE WITH THE WALMART CONSTRUCTION MANAGER AND THE STORE MANAGER TO MINIMIZE DISTURBANCE AND INCONVENIENCES TO THE STORE'S OPERATION AND CUSTOMERS.
24. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO PROTECT THE PUBLIC AT ALL TIMES. FENCING, BARRICADES, ENCLOSURES, BARRELS, ETC. TO BE USED IN THE BEST POSSIBLE MANNER AND AS APPROVED BY THE WAL-MART CONSTRUCTION MANAGER
25. IN PAVED AREAS WHERE ASPHALT IS TRENCHED FOR INSTALLATION OF NEW UTILITIES OR IRRIGATION SYSTEM, THE AREA SHALL BE REPAIRED USING THE HEAVY DUTY ASPHALT PAVING SECTION, UNLESS NOTED OTHERWISE.
26. THE SITE WORK FOR THIS PROJECT SHALL MEET OR EXCEED "THE SITE SPECIFIC SPECIFICATIONS".
27. REFER TO ARCH. PLANS FOR SITE LIGHTING ELECTRICAL PLAN.
28. ALL WM GENERAL CONTRACTOR WORK TO BE COMPLETED (EARTHWORK, FINAL UTILITIES, AND FINAL GRADING) BY THE MILESTONE DATE IN PROJECT DOCUMENTS.

SITE LEGEND

- (A) 6" WIDE FIRE LANE STRIPING PAINTED TRAFFIC YELLOW. MATCH EXISTING STRIPING. SEE FIRE LANE DETAIL.
- (B) PEDESTRIAN CROSSWALK WITH 6" WIDE PAINTED WHITE STRIPING PARALLEL TO DIRECTION OF TRAFFIC AT 2'-0" O.C. AND (1)-8" WHITE STRIPE PERPENDICULAR ON BOTH ENDS. SEE CROSSWALK MARKING DETAIL
- (C) EXIT PORCH. SEE ARCHITECTURAL PLANS FOR EXACT SIZE, LOCATION FOR STOOPS, STAIRS AND/OR RAMPS THAT MAY BE REQUIRED. RAMP PAVEMENT FLUSH WITH THE TOP OF STOOP.
- (D) "YIELD" PAINTED WHITE ON PAVEMENT TYPICAL. SEE DETAIL SHEET.
- (E) 18" TYPE "F" CONCRETE CURB AND GUTTER TYPICAL. SEE DETAIL SHEET.
- (F) TYPE "D" CONCRETE CURB AND GUTTER TYPICAL. SEE DETAIL SHEET.
- (G) ARROW PAVEMENT MARKINGS TYPICAL. SEE PLAN FOR TYPE. SEE DETAIL SHEET.
- (H) 6" WIDE STRIPING PAINTED YELLOW AT 24" O.C. AT 45°
- (I) "STOP" SIGN. SEE DETAIL SHEET.
- (J) STOP BAR AND "STOP". SEE DETAIL SHEET.
- (K) CONTRACTOR TO RELOCATE LIGHT POLE, FIXTURE AND WIRING. CONTRACTOR TO INSTALL PULL BOX AS REQUIRED. CONTRACTOR TO CONSTRUCT LIGHT POLE BASE PER LIGHT POLE BASE DETAIL
- (L) PROPOSED PLANTER BOX. SEE ARCH PLANS.
- (M) PEDESTRIAN CROSSING SIGN TYPICAL AT PEDESTRIAN CROSSWALKS AS NOTED ON PLANS.
- (N) CONCRETE FLUME.
- (O) NO PARKING FIRE LANE SIGN. SEE DETAIL SHEET. CONTRACTOR SHALL MATCH EXISTING SIGN.
- (P) PARTIAL STRUCTURE TO REMAIN. SEE ARCH PLANS.
- (Q) 6" Ø PIPE BOLLARD TYPICAL UNLESS NOTED OTHERWISE. SEE DETAIL SHEET.
- (R) PROPOSED "BUS ONLY" PAVEMENT MARKING. SEE DETAIL SHEET.

PAINT STRIPING LEGEND

SWSL/4" - SINGLE WHITE SOLID LINE / 4" WIDE
SYSL/4" - SINGLE YELLOW SOLID LINE / 4" WIDE
DYSL/6" - DOUBLE YELLOW SOLID LINE / 6" WIDE EACH
SYSL/10" - SINGLE YELLOW SOLID LINE / 10" WIDE
SWDL/4" - SINGLE WHITE DASHED LINE / 4" WIDE
SBYL/4" - SINGLE BROKEN YELLOW LINE / 4" WIDE
SWSL/24" - SINGLE WHITE SOLID LINE / 24" WIDE

811 Know what's **below.** **Call** before you dig.

ALERT TO CONTRACTOR:

1. THE PRESENCE OF GROUNDWATER SHOULD BE ANTICIPATED ON THIS PROJECT. CONTRACTORS BID SHALL INCLUDE CONSIDERATION FOR THIS ISSUE. WHEN PERFORMING GRADING OPERATIONS DURING PERIODS OF WET WEATHER, PROVIDE ADEQUATE DEWATERING, DRAINAGE AND GROUND WATER MANAGEMENT TO CONTROL MOISTURE OF SOILS. REFER TO MASTER SITE SPECIFICATIONS.
2. ALL WM GENERAL CONTRACTOR WORK TO BE COMPLETED (EARTHWORK, FINAL UTILITIES, AND FINAL GRADING) BY THE MILESTONE DATE IN PROJECT DOCUMENTS.

No.	REVISIONS	DATE

Kimley»Horn

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655 NORTH FRANKLIN STREET, SUITE 150, TAMPA, FL 33602
PHONE: 813-620-1460
WWW.KIMLEY-HORN.COM CA 00000696

DESIGN ENGINEER: MATTHEW R. FEMAL, P.E.
FLORIDA LICENSE NUMBER 68397
DATE:

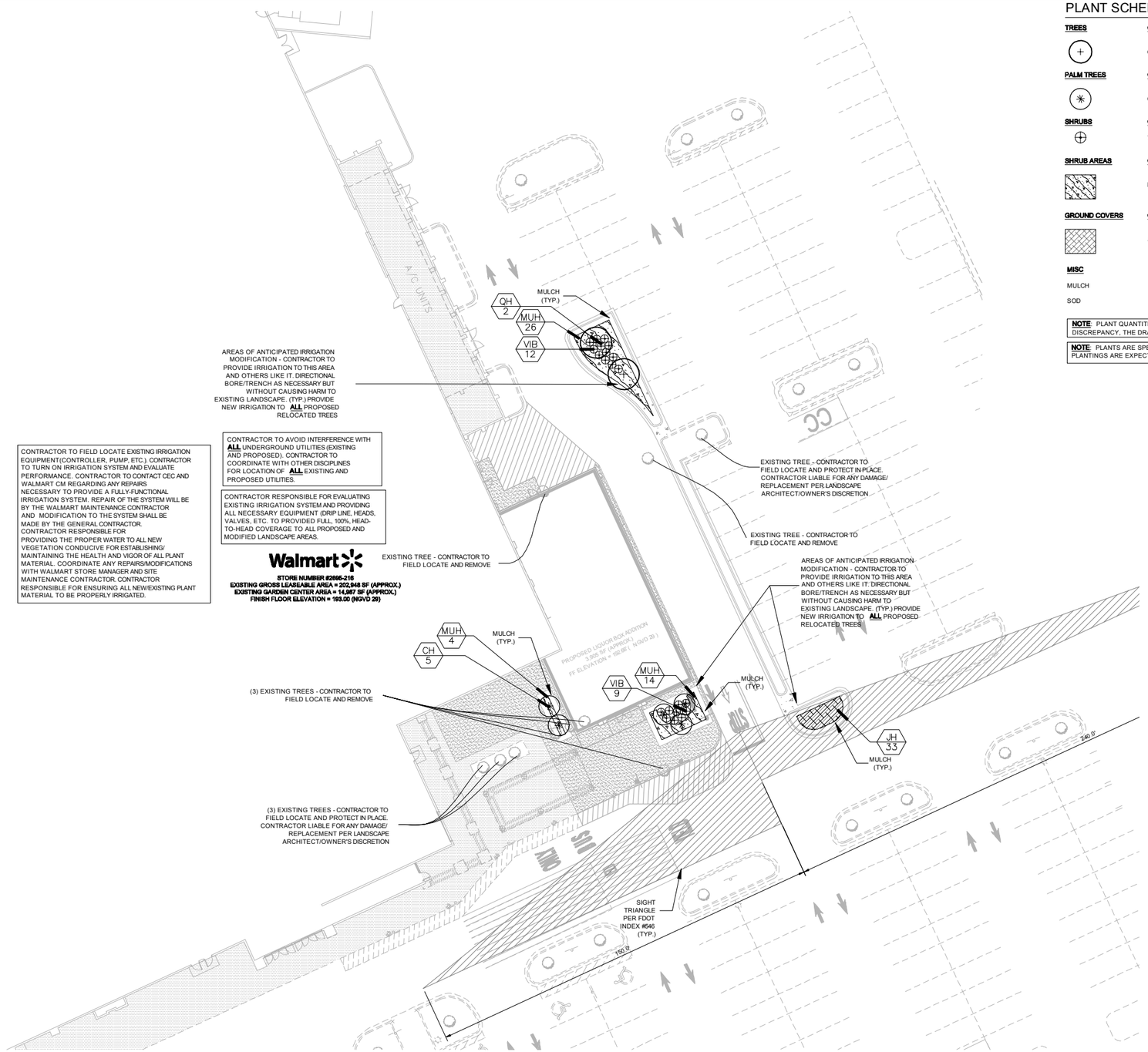
SCALE: AS SHOWN
DESIGNED BY: SNH
DRAWN BY: SNH
CHECKED BY: MRF

SITE PLAN

Walmart STORE #2695-216
CLERMONT, FL
WAL-MART STORES EAST, LP
CITY OF CLERMONT FLORIDA

DATE 09/15/2014
PROJECT NO. 148445031
SHEET NUMBER 3 of 4

This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.
Plotted By: Vera, Nilsa Sheet Set: Walmart LBA - 2695 Layout: 6070 October 27, 2014 04:23:38pm K:\TAM_civil\147253 - Wal-Mart\000 - Liquor Box Additions\2695 - Clermont\CAD0\Exhibit\2014.10.27 CUP\SITE PLAN - 2695.dwg



PLANT SCHEDULE

TREES	CODE	QTY	BOTANICAL NAME / COMMON NAME	SPECIFICATIONS	REMARKS
⊕	QH	2	Quercus virginiana `High Rise` / High Rise Live Oak	12` Ht., 5`-6` Ht., 3" Cal.	Straight, Single leader, Full

PALM TREES	CODE	QTY	BOTANICAL NAME / COMMON NAME	SPECIFICATIONS	REMARKS
✳	CH	5	Chamaerops humilis / European Fan Palm	8` CT	Single trunk ,Straight

SHRUBS	CODE	QTY	BOTANICAL NAME / COMMON NAME	SPECIFICATIONS	REMARKS
⊕	VIB	21	Viburnum obovatum / Walter`s Viburnum	24"x24",36"oc	

SHRUB AREAS	CODE	QTY	BOTANICAL NAME / COMMON NAME	SPECIFICATIONS	SPACING	REMARKS
	MUH	44	Muhlenbergia capillaris / Pink Muhly	24" Ht., 24" Spr.	36" o.c.	Full

GROUND COVERS	CODE	QTY	BOTANICAL NAME / COMMON NAME	SPECIFICATIONS	SPACING	REMARKS
	JH	33	Juniperus horizontalis / Creeping Juniper	6" Ht., 10" Spr.	24" o.c.	Full

MISC	QTY	BOTANICAL/COMMON	SPECIFICATIONS
MULCH	TB D	Florimulch	Shredded, 4" depth
SOD	TBD	Paspalum notatum 'Argentine' / Argentine Bahia Grass	100% Insect, Weed, and Disease Free, Laid Tight, Rolled

NOTE: PLANT QUANTITIES ARE PROVIDED FOR CONVENIENCE ONLY. IN THE CASE OF A DISCREPANCY, THE DRAWING SHALL TAKE PRECEDENCE.

NOTE: PLANTS ARE SPECIFIED BY HEIGHT AND SPREAD, NOT CONTAINER SIZE. ALL PLANTINGS ARE EXPECTED TO BE FLORIDA #1 AND MEET ALL SPECIFICATIONS PROVIDED.

LANDSCAPE AND IRRIGATION NOTES

1. ALL LANDSCAPED AREAS ARE TO RECEIVE A MINIMUM OF 4" OF TOPSOIL. TOPSOIL SHALL HAVE A PH RANGE OF 5.5 TO 7.4 PERCENT, FREE FROM SUBSOIL, OBJECTIONABLE WEEDS, LITTER, SODS, STIFF CLAY, STONES LARGER THAN 1-INCH IN DIAMETER, STUMPS, ROOTS, TRASH, HERBICIDES, TOXIC SUBSTANCES, OR ANY OTHER MATERIAL WHICH MAY BE HARMFUL TO PLANT GROWTH OR HINDER PLANTING OPERATIONS. TOP SOIL SHALL CONTAIN A MINIMUM OF THREE PERCENT ORGANIC MATERIAL.
2. ALL PLANT MATERIAL SHALL BE HEALTHY, VIGOROUS, AND FREE OF PESTS AND DISEASE.
3. ALL PLANT MATERIAL SHALL BE CONTAINER GROWN OR BALLED AND BUR LAPPED AS INDICATED IN THE PLANT LIST.
4. ALL TREES SHALL HAVE A STRAIGHT TRUNK AND FULL HEAD AND MEET ALL REQUIREMENTS SPECIFIED.
5. ALL MATERIALS ARE SUBJECT TO THE APPROVAL OF THE LANDSCAPE ARCHITECT BEFORE, DURING, AND AFTER INSTALLATION.
6. ALL TREES MUST BE GUYED OR STAKED AS SHOWN IN THE DETAILS.
7. ALL PLANTING AREAS SHALL BE COMPLETELY MULCHED AS SPECIFIED.
8. PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING ALL UNDERGROUND UTILITIES AND SHALL AVOID DAMAGE TO ALL UTILITIES DURING THE COURSE OF THE WORK. LOCATIONS OF EXISTING BURIED UTILITY LINES SHOWN ON THE PLANS ARE BASED UPON BEST AVAILABLE INFORMATION AND ARE TO BE CONSIDERED APPROXIMATE. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR 1) TO VERIFY THE LOCATIONS OF UTILITY LINES AND ADJACENT TO THE WORK AREA 2) TO PROTECT OF ALL UTILITY LINES DURING THE CONSTRUCTION PERIOD 3) TO REPAIR ANY AND ALL DAMAGE TO UTILITIES, STRUCTURES, SITE APPURTENANCES, ETC. WHICH OCCURS AS A RESULT OF THE CONSTRUCTION.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL QUANTITIES SHOWN ON THESE PLANS BEFORE PRICING THE WORK.
10. CONTRACTOR SHALL BE RESPONSIBLE FOR DELIVERY SCHEDULE AND PROTECTION BETWEEN DELIVERY AND PLANTING PER SPECIFICATIONS TO MAINTAIN HEALTHY PLANT CONDITIONS.
11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR FULLY MAINTAINING (INCLUDING BUT NOT LIMITED TO: WATERING, SPRAYING, MULCHING, FERTILIZING, ETC.) ALL OF THE PLANT MATERIALS AND LAWN UNTIL SUBSTANTIAL COMPLETION ACCEPTANCE DATE.
12. ANY PLANT MATERIAL WHICH IS DISEASED, DISTRESSED, DEAD, OR REJECTED (PRIOR TO SUBSTANTIAL COMPLETION) SHALL BE PROMPTLY REMOVED FROM THE SITE AND REPLACED WITH MATERIAL OF THE SAME SPECIES, QUANTITY, AND SIZE AND MEETING ALL PLANT LIST SPECIFICATIONS.
13. THE CONTRACTOR SHALL COMPLETELY GUARANTEE ALL PLANT MATERIAL FOR A PERIOD OF 12-19 MONTHS FOLLOWING THE SUBSTANTIAL COMPLETION DATE. THE CONTRACTOR SHALL PROMPTLY MAKE ALL REPLACEMENTS DURING THE NORMAL PLANTING SEASON.
14. AFTER BEING DUG AT THE NURSERY SOURCE, ALL TREES IN LEAF SHALL BE ACCLIMATED FOR TWO (2) WEEKS UNDER A MIST SYSTEM PRIOR TO INSTALLATION.
15. STANDARDS SET FORTH IN "AMERICAN STANDARD FOR NURSERY STOCK" REPRESENT GUIDELINE SPECIFICATIONS ONLY AND SHALL CONSTITUTE MINIMUM QUALITY REQUIREMENTS FOR PLANT MATERIAL.
16. WHERE SHOWN ON THE PLANS AND DETAILS, PLANTING BEDS ARE TO BE COMPLETELY COVERED WITH A HARDWOOD MULCH FROM A LOCAL SOURCE HARVESTED IN A SUSTAINABLE MANNER TO A MINIMUM DEPTH OF FOUR INCHES.
17. REFER TO WALMART SPECIFICATIONS FOR INFORMATION NEEDED FOR IMPLEMENTATION OF PLANTING PLANS.
18. WEED MAT IS REQUIRED IN LANDSCAPED ISLANDS AS SPECIFIED.
19. ALL PLANT MATERIAL QUANTITIES SHOWN ARE APPROXIMATE. CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLETE COVERAGE OF ALL PLANTING BEDS AT SPACING SHOWN.
20. THIS PLAN IS TO BE IMPLEMENTED COOPERATIVELY WITH SWPPP PLAN, AS NEEDED, TO MAXIMIZE THE EFFECTIVENESS OF THE SWPPP PLAN FOR THIS SITE.
21. THE CONTRACTOR IS ENCOURAGED TO COMPLETE TEMPORARY OR PERMANENT SEEDING OR SODDING IN STAGES FOR SOIL STABILIZATION AS AREAS ARE COMPLETED AFTER GRADING.
22. THIS PLAN DOES NOT PRESENT ANY TEMPORARY STABILIZATION REQUIRED AS PART OF SWPPP PLAN.
23. ALL LANDSCAPING SHALL BE INSTALLED ACCORDING TO SOUND NURSERY PRACTICES, AND SHALL BE FLORIDA NO. 1 OR BETTER AS GIVEN IN "GRADES AND STANDARDS FOR NURSERY PLANTS, PARTS I AND II," STATE OF FLORIDA, DEPARTMENT OF AGRICULTURE.
24. ALL INVASIVE / EXOTIC SPECIES AND PROHIBITED TREE SPECIES WITHIN THE LIMITS OF DISTURBANCE SHALL BE REMOVED FROM SITE, INCLUDING ROOT BALLS TO THE EXTENT POSSIBLE WITH NO DAMAGE TO ADJACENT EXISTING TREES.
25. EXISTING TREES TO BE CORRECTIVELY PRUNED BY A CERTIFIED ARBORIST TO ULTIMATELY ACHIEVE FLORIDA NUMBER ONE GRADE WITH THE DIRECTION OF THE LANDSCAPE ARCHITECT.
26. CONTRACTOR SHALL VERIFY ALL DIMENSIONS, ELEVATIONS, EQUIPMENT QUANTITIES, ETC. PRIOR TO BEGINNING WORK.
27. CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT OF ANY DISCREPANCIES IN PLANS OR SPECIFICATIONS PRIOR TO BEGINNING OR CONTINUING WORK.
28. THE CONTRACTOR SHALL MAKE NO SUBSTITUTIONS, DELETIONS, OR ADDITIONS TO THIS PLAN WITHOUT APPROVAL OF THE LANDSCAPE ARCHITECT.
29. ALL CONSTRUCTION SHALL CONFORM TO CITY, COUNTY, STATE, AND FEDERAL REQUIREMENTS. IT SHALL BE THE RESPONSIBILITY OF THE IRRIGATION CONTRACTOR TO ENSURE THAT ALL IRRIGATION EQUIPMENT MEETS GOVERNMENT REGULATIONS. CONTRACTOR SHALL ALSO BE RESPONSIBLE FOR OBTAINING ANY NECESSARY PERMITS OR APPROVALS.
30. THIS PLAN IS SCHEMATIC AND DUE TO THE NATURE OF CONSTRUCTION SLIGHT FIELD MODIFICATIONS MAY BE NECESSARY TO IMPLEMENT PLAN.
31. CONTRACTOR TO VERIFY ACTUAL AVAILABLE WATER PRESSURE BEFORE BEGINNING INSTALLATION. CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT IF AVAILABLE WATER PRESSURE WILL NOT ALLOW SYSTEM MODIFICATION TO BE POSSIBLE.
32. IRRIGATION SYSTEMS CONNECTED TO POTABLE WATER SUPPLY, SHALL HAVE A BACKFLOW PREVENTER INSTALLED.
33. WHERE APPLICABLE IRRIGATION HEADS ARE TO BE ADJUSTED FOR COMPLETE COVERAGE WITH MINIMUM OVER SPRAY BEYOND LANDSCAPE AREAS.
34. EXISTING TREES TO REMAIN ARE TO BE PROTECTED FROM DAMAGE. DO NOT TRENCH OR EXCAVATE WITHIN THE CRITICAL ROOT ZONE OF ANY TREE.
35. ALL IRRIGATION SLEEVING TO BE THE RESPONSIBILITY OF THE IRRIGATION CONTRACTOR. ELECTRICAL WIRES FOR IRRIGATION VALVES AND IRRIGATION LINES ARE TO BE PLACED IN SEPARATE SLEEVES.
36. IRRIGATION CONTRACTOR SHALL REVIEW WINTERIZATION PROCEDURES FOR IRRIGATION SYSTEM WITH OWNERS REPRESENTATIVE.
37. ALL PLANT MATERIAL IN TREE HOLDING AREAS SHALL BE MANUALLY WATERED/IRRIGATED TO KEEP MOIST UNTIL PLANTED.
38. CONTRACTOR TO PROVIDE PERMANENT BENCH-MARKS ON ALL CURB LINES AT RELATED SLEEVE LOCATIONS (TYP).

WEED MAT IS TO BE UTILIZED WITHIN ALL MULCHED PLANTING BEDS, 4.1 OZ., WOVEN POLYPROPYLENE, NEEDLE-PUNCHED FABRIC, WEED BARRIER.

NOTE: ALL PROPOSED LANDSCAPE PLANTING AREAS TO BE EXCAVATED TO A MINIMUM DEPTH OF 24" AS NECESSARY TO CONTAIN APPROPRIATE PLANTING MIX AS SPECIFIED IN SECTION 2900, PART 2.5 TOPSOIL. CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTION OF ALL EXISTING UTILITIES, IRRIGATION LINES, WIRING, STRUCTURES, LANDSCAPE, ETC. WHICH ARE SCHEDULED TO BE RETAINED/ REUSED.

CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATION AND DIMENSIONS OF VESTIBULE, SLOPED PAVING, EXIT PORCHES, RAMPS AND TRUCK DOCKS, PRECISE BUILDING DIMENSIONS AND EXACT UTILITY ENTRANCE LOCATIONS.

NORTH

GRAPHIC SCALE IN FEET
0 10 20 40

811 Know what's below. Call before you dig.

ALERT TO CONTRACTOR:

1. THE PRESENCE OF GROUNDWATER SHOULD BE ANTICIPATED ON THIS PROJECT. CONTRACTORS BID SHALL INCLUDE CONSIDERATION FOR THIS ISSUE. WHEN PERFORMING GRADING OPERATIONS DURING PERIODS OF WET WEATHER, PROVIDE ADEQUATE DEWATERING, DRAINAGE AND GROUND WATER MANAGEMENT TO CONTROL MOISTURE OF SOILS. REFER TO MASTER SITE SPECIFICATIONS.
2. ALL WM GENERAL CONTRACTOR WORK TO BE COMPLETED (EARTHWORK, FINAL UTILITIES, AND FINAL GRADING) BY THE MILESTONE DATE IN PROJECT DOCUMENTS.

No.	REVISIONS	DATE

Kimley»Horn

© 2014 KIMLEY-HORN AND ASSOCIATES, INC.
655 NORTH FRANKLIN STREET, SUITE 150, TAMPA, FL 33602
PHONE: 813-620-1460
WWW.KIMLEY-HORN.COM CA 00000696

DESIGN ENGINEER: DAVID A. SIMS, PLA
FLORIDA LICENSE NUMBER 74457
DATE:

SCALE: AS SHOWN
DESIGNED BY: MTF
DRAWN BY: MTF
CHECKED BY: DAS

LANDSCAPE AND IRRIGATION PLAN

Walmart STORE #2695-216
CLERMONT, FL
WAL-MART STORES EAST, LP
CITY OF CLERMONT FLORIDA

DATE
09/15/2014
PROJECT NO.
148445031
SHEET NUMBER
4 OF 4

This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.
Plotted By:Franko, Matt Sheet Set:Walmart LBA -2695 Layout:L6210 October 27, 2014 05:37:50pm K:\VRB_LDEV\LA7253 -- Wal-Mart\LBA\2695--Clermont\CAD\PlanSheets\L6210 - LANDSCAPE AND IRRIGATION PLAN - 2695.dwg

CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
APPLICATION

DATE: 09/24/14 FEE: $526.50

PROJECT NAME (if applicable): Wal-Mart Store #2695-216- Clermont- Liquor Box Addition

APPLICANT: Kimley-Horn and Associates, Inc.

CONTACT PERSON: Matthew R. Femal

Address: 655 N. Franklin Street, Suite 150

City: Tampa State: FL Zip: 33602

Phone: (813) 620-1460 Fax:

E-Mail: Matt.Femal@kimley-horn.com

OWNER: Wal-Mart Stores East, LP

Address: 2001 SE 10th Street

City: Bentonville State: AR Zip: 72716

Phone: (479) 273-4000 Fax:

Address of Subject Property: 1450 Johns Lake Rd., Clermont, FL 34711

General Location: North corner of S Hwy 27 and Johns Lake Rd.

Legal Description (include copy of survey): Please see attached.

Land Use (City verification required): Master Planned Development

Zoning (City verification required): PUD

CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
APPLICATION
Page 2

Detailed Description of request (What are you proposing to do and why is it appropriate for this location? Attach additional page is necessary.

The project proposes the addition of a 3,905 (approx.) SF liquor box to the existing Walmart located at 1450 Johns Lake Rd., Clermont, FL.

Matthew Femal
Applicant Name (print)

X
Applicant Name (*signature*)

Owner Name (print)

X
Owner Name (*signature*)

*** * * * * * NOTICE * * * * * ***

IF THIS APPLICATION IS SUBMITTED INCOMPLETE OR INACCURATE, IT WILL BE SUBJECT TO A DELAY ON PROCESSING AND WILL NOT BE SCHEDULED UNTIL CORRECTIONS ARE MADE.

City of Clermont
Planning & Zoning Department
685 W. Montrose St.
P.O. Box 120219
Clermont, FL. 34712-021 9
(352) 394-4083 Fax: (352) 394-3542

Kimley»Horn

September 25, 2014

Mr. Curtis Henschel
City of Clermont
Planning & Zoning Department
685 West Montrose Street
Clermont, Florida, 34711

Re: Proposed Walmart Liquor Box Addition
1450 Johns Lake Road, Clermont, Florida
Traffic Impact Analysis

Dear Mr. Henschel:

The purpose of this letter is to document the potential traffic impacts of a proposed Liquor Box addition to the existing Walmart site located at 1450 Johns Lake Road, Clermont, Florida.

Trip Generation

The gross trip generation potential of the proposed Liquor Box addition for the P.M. peak-hour of the adjacent street was estimated using information contained in the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 9th Edition, for land use code (LUC), 813 (Free-Standing Discount Superstore). The estimated gross external trips expected to be generated by the proposed addition are 18 two-way, trip-ends (9 entering/9 exiting) in the P.M. peak hour of adjacent roadways during the 4:00 p.m. to 6:00 p.m. time period.

Pass-by capture for the Liquor Box addition was considered based upon the ITE *Trip Generation Manual*, 9th Edition, for land use code 813 (Free-Standing Discount Superstore). The pass-by trips were subtracted from the total gross external trips to determine anticipated net, new project trips from the Liquor Box addition.

The results of these calculations, which are included in Table 1, indicate that the proposed Liquor Box addition may be expected to generate 12 net, new, two-way trip-ends (6 entering/6 exiting) in the P.M. peak hour, or approximately one trip per every five minutes.

EXISTING LAND USE P.M. PEAK-HOUR PROJECT TRIP GENERATION

ITE TRIP GENERATION CHARACTERISTICS					DIRECTIONAL DISTRIBUTION		GROSS TRIPS			TOTAL EXTERNAL TRIPS			PASS-BY CAPTURE		NET NEW EXTERNAL TRIPS		
Land Use	ITE Edition	ITE Code	Scale	ITE Units	Percent In	Percent Out	In	Out	Total	In	Out	Total	Percent	PB Trips	In	Out	Total
Existing Store																	
Discount Superstore	9	813	220.731	KSF	49%	51%	470	490	960	470	490	960	28%	268	336	356	692
						Total:	470	490	960	470	490	960	28%	268	336	356	692

EXISTING PLUS PROPOSED LAND USE P.M. PEAK-HOUR PROJECT TRIP GENERATION

ITE TRIP GENERATION CHARACTERISTICS					DIRECTIONAL DISTRIBUTION		GROSS TRIPS			TOTAL EXTERNAL TRIPS			PASS-BY CAPTURE		NET NEW EXTERNAL TRIPS		
Land Use	ITE Edition	ITE Code	Scale	ITE Units	Percent In	Percent Out	In	Out	Total	In	Out	Total	Percent	PB Trips	In	Out	Total
Existing Store + Addition																	
Discount Superstore + Addition	9	813	224.731	KSF	49%	51%	479	499	978	479	499	978	28%	274	342	362	704
						Total:	479	499	978	479	499	978	28%	274	342	362	704
														Net (Proposed - Existing)	6	6	12

Traffic Impacts

Johns Lake Road, Citrus Tower Boulevard and South Highway 27, the first directly accessed roadways, are 2 lane, 4 lane and 6 lane roadways, respectively. The 12 additional P.M. peak hour trips anticipated to be added from the proposed Walmart Liquor Box addition represent less than 1% of the roadways' capacities. Due to the fact that the additional traffic impacts to the roadway network are not anticipated to be significant, it is requested that a detailed traffic analysis not be required for the proposed liquor box addition and instead allow this traffic impact analysis to be submitted for your review.

We will follow-up with you to discuss this matter in more detail. We appreciate your time and consideration of this request.

Very truly yours,

KIMLEY-HORN AND ASSOCIATES, INC.

Matthew Femal, P.E.
Project Manager

Joe Robertson, E.I.
Transportation Analyst

Walmart
Save money. Live better.

Real Estate

Jeff Waggener, Senior Director of Project Design and Management

2001 SE 10th Street
Bentonville, AR 72716
Phone 479.273.4000
www.walmart.com

May 29, 2014

RE: Liquor Licensing, Zoning, Permitting, and Approvals
Applicant: Wal-Mart Stores East, L.P. a Delaware Limited Partnership
Project Name: Clermont, FL #2695-216
Site Address: 1450 Johns Lake Rd., Clermont, FL 34711

On behalf of Wal-Mart Stores East, LP ("Wal-Mart"), I hereby authorize Kimley-Horn and Associates, Inc. (the "Engineer"), to serve as Wal-Mart's authorized agent for the purpose of seeking all requisite liquor licenses, zoning modifications, permits, and approvals related to the proposed building additions and site modifications of the above-referenced site.

The Engineer's authorization is expressly limited to (i) signing and delivering applications for liquor licenses, zoning modifications, permits, and approvals that are related to the building additions and site modifications of the above-referenced site, and (ii) advancing the requisite funds on behalf of Wal-Mart to file such applications. Further, this authorization does not empower the Engineer to either negotiate on Wal-Mart's behalf or otherwise obligate Wal-Mart in any manner whatsoever, including any attempt to obligate Wal-Mart to pay for or construct improvements without additional authorization in writing from Wal-Mart.

Respectfully,

WAL-MART STORES EAST, LP,
a Delaware limited partnership

By: WSE Management, LLC, a Delaware limited liability company, General Partner

By: _____
Jeff Waggener
Sr. Director of Project Design and Management

Walmart
Save money. Live better.

STATE OF ARKANSAS

COUNTY OF BENTON

The foregoing instrument was acknowledged before me this 29 day of May, 2014, by Jeff Waggener as Senior Director of Project Design and Management of WSE Management, LLC, a Delaware limited liability company, the General Partner of Wal-Mart Stores East, LP, a Delaware limited partnership, on behalf of the company and the partnership. He ✓ is personally known to me OR ___ produced _____ as identification.

VICKI INGRAM
BENTON COUNTY
NOTARY PUBLIC - ARKANSAS
My Commission Expires November 01, 2022
Commission No. 12380202

[Notary Seal]

Vicky Ingram

Print Name: Vicki Ingram

Notary Public, State of Arkansas

Commission number: 12380202

My commission expires: 11.01.2022

DELEGATION OF SIGNATURE AUTHORITY

I, **Volker Heimeshoff,** being a Vice President of Wal-Mart Stores, Inc.; Wal-Mart Real Estate Business Trust; Wal-Mart TRS, LLC; Wal-Mart Realty Company; Wal-Mart Property Company; Wal-Mart Stores Arkansas, LLC; Wal-Mart Stores, Texas, LLC; Wal-Mart Stores East, LP; Wal-Mart Louisiana, LLC; WSE Management, LLC; Sam's Real Estate Business Trust; Sam's TRS, LLC; Sam's East, Inc.; Sam's West, Inc.; Sam's PW, Inc., Sam's Property Company, Wal-Mart.com USA, LLC, and Wal-Mart Puerto Rico, Inc. (hereinafter collectively referred to as "the Company"), do hereby delegate to:

Sr. Director of Project Design & Management
Sr. Director of Proto, Architecture & Engineering
Director of Project Design & Management
Senior Manager of Project Design and Management (remodel team)

authority to execute, implement, maintain, amend or renew the following documents, in connection with the design and construction of new stores, site relocations, expansions, remodels and takeovers, including but not limited to civil engineering agreements; architectural agreements; easements, deeds, municipal maintenance agreements, municipal improvement/development agreements, plats and any permit, application or other document required by various jurisdictions, as long a such contracts are for amounts less than $750,000.00, and in compliance with Walmart Realty Division Corporate Governance ("Governance"), on behalf of the Company, in their respective capacity for the Company. Notwithstanding the foregoing, the Senior Managers of Project Design and Management on the remodel team may only sign such items related to remodel projects.

All signing authority contained herein must be done in compliance with Governance and agreements signed may not commit the Company to amounts in excess of the individual's invoice approval authority as maintained by the VP of Real Estate Finance. This delegation shall supersede and revoke any signature authority previously given to those in the above positions, as of the date set forth below. All acts and transactions of individuals in the positions above which were taken or made in good faith and prior to the formal delegation of authority to such position that are consistent with this delegation are hereby ratified and approved.

Volker Heimeshoff
Vice President

OFFICIAL SEAL
DARRELL D. BARNES
BENTON COUNTY
NOTARY PUBLIC - ARKANSAS
MY COMMISSION EXP. DEC. 17, 2019
COMMISSION# 12374233

Subscribed and sworn before me this 19th day of December, 2013

Notary Public

My commission expires: 12/17/19 [Notary Seal]

Delegation of Signature Authority

I, JP Suarez, as Senior Vice President (Real Estate Strategy, Design and Construction) of Wal-Mart Real Estate Business Trust; Wal-Mart TRS, LLC; Wal-Mart Realty Company; Wal-Mart Property Co.; Sam's Real Estate Business Trust; Sam's TRS, LLC; Sam's Property Co.; Benchmark Realty Advisors, Inc.; Benchmark Resources, Inc.; North Arkansas Wholesale Co., Inc.; and Sam's PW, Inc.; and as Executive Vice President of Wal-Mart Stores, Inc.; Wal-Mart Stores Arkansas, LLC; Wal-Mart Stores Texas, LLC; Wal-Mart Stores East, LP; Wal-Mart Louisiana, LLC; WSE Management, LLC; Wal-Mart Stores East, LLC, Sam's East, Inc.; Sam's West, Inc.; Wal-Mart.com USA, LLC; and Wal-Mart Puerto Rico, Inc. (hereinafter collectively referred to as "the Company", hereby delegate to:

Vice President, Construction
Vice President, Prototype and New Format Development
Vice President, Realty, Disposition and Appraisal
Vice President, Store Planning

the authority to sign documents and to delegate the signing of documents on behalf of the Company to their respective teams, down to manager level, in compliance with Walmart US Governance and Operating Standards and Walmart Realty Division Corporate Governance.

All acts and transactions of individuals in the positions above which were taken or made in good faith and prior to the formal delegation of authority to such position that are consistent with this delegation are hereby ratified and approved.

JP Suarez
Senior Vice President

Subscribed and sworn before me on this 2nd day of December, 2013

Notary Public

Notary Seal

OFFICIAL SEAL
DARRELL D. BARNES
BENTON COUNTY
NOTARY PUBLIC - ARKANSAS
MY COMMISSION EXP. DEC. 17, 2019
COMMISSION# 12374233

Property Record Card

Due to a current issue with the Flash Plugin in Internet Explorer, it is suggested that you use Firefox, Chrome or other modern browser to view this page.

General Information

Owner Name:	WAL-MART STORES EAST LP	**Alternate Key:**	3836309
Mailing Address:	WAL MART PROPERTY TAX DEPT PO BOX 8050 MS 0555 BENTONVILLE, AR 72712-8050	**Parcel Number:**	32-22-26-230000000100
Property Location:	1450 JOHNS LAKE RD CLERMONT FL 34711	**Millage Group and City:**	000C (Clermont) : 17.5789
Property Description:	CLERMONT, WAL-MART SUPERCENTER AT CLERMONT STORE NO 2695-02 | SUB LOT 1--LESS FROM INTERSECTION OF E'LY R/W LINE OF US | HIGHWAY 27 & N R/W LINE OF JOHN'S LAKE ROAD, THENCE RUN | ALONG SAID E'LY R/W LINE OF US HWY 27 N 25-09-24 W 7.86 FT | TO A POINT, THENCE CONT ALONG SAID R/W LINE N 16-24-07 W | 122.80 FT, RUN N 64-50-36 E 175.95 FT FOR POB, RUN N | 25-09-24 W 105 FT, N 64-50-36 E 247 FT, S 25-09-24 E 105 FT,| S 64-50-36 W 247 FT TO POB--PB 53 PG 99-100 |		

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class Value	Just Value
1	DEPARTMENT STORES (1300)	0	0		1247643	SF	$0.00	$3,742,929.00
2	UTILITIES (9100)	0	0		0.55	AC	$0.00	$550.00

Commercial Building(s)

Building 1

Commercial — Building Value: $4,594,098.00

Summary

Year Built:	2006
Total Square Footage:	220731
Full Bathrooms:	6
Half Bathrooms:	0
Elevators:	0
Elevator Landings:	0
Escalators:	0

Section(s)

Section No.	Section Type	Wall Height	No. Stories	Ground Floor Area	Basement	Basement Finished	Map Color
1	FINISHED LIVING AREA (FLA)	18	1	200991	0%	0%	

Interior Finish	Percent	Sprinkler	A/C
(13D)	100.00 %	Yes	Yes

Section No.	Section Type	Wall Height	No. Stories	Ground Floor Area	Basement	Basement Finished	Map Color
2	FINISHED LIVING AREA (FLA)	16	1	6699	0%	0%	

Residential Units: 0

Kitchens: 0

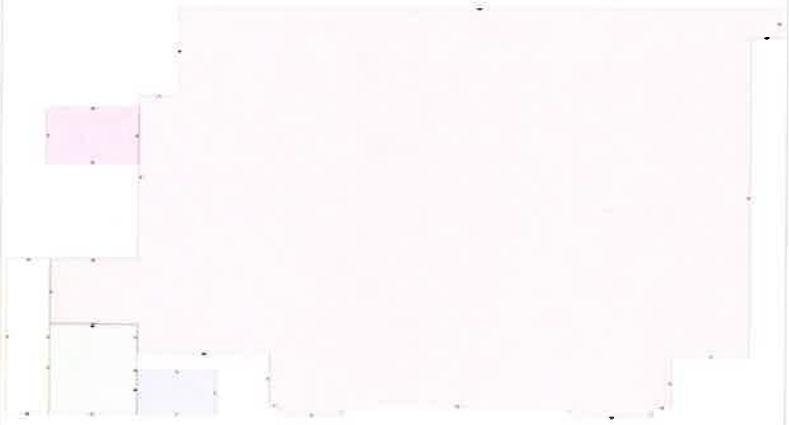
Fireplaces: 0

Structure Type: Concrete Block or Masonry Walls

Exterior Walls:

09 : 100.00 %

	Interior Finish			Percent		Sprinkler	A/C
	(49C)			100.00 %		No	No
3	FINISHED LIVING AREA (FLA)	14	1	2967	0%	0%	
	Interior Finish			**Percent**		**Sprinkler**	**A/C**
	(49C)			100.00 %		No	No
4	FINISHED LIVING AREA (FLA)	14	1	5700	0%	0%	
	Interior Finish			**Percent**		**Sprinkler**	**A/C**
	(49C)			100.00 %		No	No
5	FINISHED LIVING AREA (FLA)	18	1	4374	0%	0%	
	Interior Finish			**Percent**		**Sprinkler**	**A/C**
	(27B)			100.00 %		Yes	No



print drawing view fullscreen

LEGAL NOTICE

Notice is hereby given that the City of Clermont will consider a request for an amendment to a Conditional Use Permit (Resolution 1316) to allow for an expansion to the existing Wal-Mart building.

LOCATION
1450 Johns Lake Road

A complete legal description may be obtained in the Development Services Department located at 685 W. Montrose Street, Clermont, FL 34711.

This request will be considered by the Planning & Zoning Commission on Tuesday, November 4, 2014 at 7:00pm.

A public meeting to consider the request will be held before the City Council on Tuesday, December 9, 2014 at 7:00pm.

All meetings will be held in City Hall located at 685 West Montrose Street.

All interested parties will be given an opportunity to express their views on this matter.

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

Tracy Ackroyd, MMC
City Clerk

Daily Commercial
October 28, 2014 and December 2, 2014

CITY OF CLERMONT

AGENDA ITEM

Meeting Date
Tuesday, November 4, 2014

Agenda Item Name
Ordinance No. 2014-37 Land Development Code Amendment

Requested Action
Move to recommend approval to the City Council of Ordinance 2014-37.

Staff Report
The Florida Right to Medical Marijuana Initiative; Amendment 2, is on the November 4, 2014 ballot in Florida as an initiated Constitutional Amendment. The measure; upon voter approval, would legalize medical marijuana. The City of Clermont has prepared an Ordinance that would provide definitions in the City's code for marijuana and marijuana dispensaries. The Ordinance would regulate that a medical marijuana dispensary could locate only on properties with M-1 Industrial Zoning, and would require a Conditional Use Permit with restrictions as specified in the Ordinance. The proposed Ordinance; upon introduction, would move forward to a final hearing on November 12, 2014.

Legal Impact

Additional Analysis

Fiscal Impact Summary

Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)		
1.	Ordinance	2014-37 med marijuana dispen w strikes.doc
2.	Legal ad	LDC amendments -2014-37.doc

CITY OF CLERMONT
ORDINANCE No. 2014-37

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, RELATED TO MEDICAL MARIJUANA DISPENSARIES AMENDING THE LAND DEVELOPMENT CODE OF THE CITY OF CLERMONT BY AMENDING SECTION 82-12, "LAND USE DEFINITIONS" PROVIDING FOR DEFINITIONS OF MARIJUANA AND MARIJUANA DISPENSARIES AND AMENDING SECTION 122-264 "M-1-CONDITIONAL USES" PROVIDING MEDICAL MARIJUANA DISPENSARIES SHALL REQUIRE A CONDITIONAL USE; SETTING FORTH STANDARDS AND REGULATIONS FOR MEDICAL MARIJUANA DISPENSARIES; AND PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, Article VIII, Section 2 of the Florida Constitution provides that municipalities shall have governmental, corporate and proprietary powers to enable municipalities to conduct municipal government, perform municipal functions and render municipal services; and

WHEREAS, pursuant to the referenced provision of the Florida Constitution, a city may exercise any power for municipal purposes except as otherwise provided by law; and

WHEREAS, Chapter 166, Florida Statutes, the "Municipal Home Rule Powers Act," reinforces the authority granted under the Florida Constitution and authorizes municipalities to exercise any power for municipal purposes, except when expressly prohibited by law and to enact Ordinances in furtherance thereof; and

WHEREAS, the within the above referenced grant of powers, the City of Clermont (the "City") has the authority to regulate land development and the use of property within the City for the protection of the public health, safety and welfare; and

WHEREAS, the City Council has determined that given the potential impact on the surrounding areas, that Medical Marijuana Dispensaries, if allowed by law, should be a conditional use permitted in limited areas of the City; and

WHEREAS, the City Council has determined that it is in the public interest to set certain distance and other standards regarding the operation of Medical Marijuana Dispensaries; and

WHEREAS, the City Council has found that a high proportion of sales in such facilities are cash sales, necessitating additional security procedures and precautions; and

WHEREAS, consistent with the findings stated above, the City Council has determined that adoption of this Ordinance is in the best interest of the public health, safety and welfare;

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

Section 1.

The foregoing Whereas clauses are hereby ratified and incorporated as the legislative intent and findings supporting this Ordinance.

Section 2.

Section 82-12 "Land use definitions" of the Clermont Code of Ordinances is hereby amended to add the following definitions (underlined depicts added wording):

Section 82-12 - Land use definitions

Marijuana: The meaning given cannabis in Section 893.02(3), Florida Statutes.

Medical Marijuana Dispensary: Any treatment center, entity, establishment, or portion thereof, which lawfully acquires, cultivates, possesses, processes, transfers, transports, sells, dispenses or administers marijuana, products containing marijuana, related supplies, or educational materials. A pharmacy as defined in Section 465.003, Florida Statutes which employs a Florida License pharmacist onsite shall not be considered a Medical Marijuana Dispensary.

Section 3.

Section 122-264 "M-1 Conditional Uses" of the Clermont Code of Ordinances is hereby amended as follows: (underlined depicts added wording):

Section 122-264. M-1- Conditional uses.

(a) Conditional uses in the M-1 district are as follows:

(1) Airports.
(2) Junkyards.
(3) Planned unit development per article IV of this chapter.
(4) Utility facilities (i.e. electric transformers, gas regulator stations, etc.).
(5) Adult entertainment establishments.
(6) Medical Marijuana Dispensary.

(7) Conditional uses of the C-2 general commercial district not specifically listed as a permitted use in the M- 1 light commercial district, provided they meet the regulations of the C-2 district.

(b) Other manufacturing or wholesale uses not listed as a permitted use may be considered as a conditional use, provided the requirements of Chapter 86, Article III, Division 3, and the following conditions are met:

(1) The use is so located, site-planned and designed to avoid undue noise, odor, smoke, explosive hazards or any other nuisances or dangers to abutting properties.
(2) Adequate waste treatment, roadways and utilities can be provided.
(3) All applicable local, state and federal regulations regarding such use can be met.
(4) No wholesale or retail establishment may occupy more than 100,000 square feet.

(c) Medical Marijuana Dispensary shall be subject to the following additional criteria:

(1) Loitering. The Medical Marijuana Dispensary shall provide adequate seating for its patients and business invitees. The Medical Marijuana Dispensary shall not permit any patient or business invitee to stand, sit (including in a parked car), or gather or loiter outside of the building where the dispensary operates, including in any parking areas, for any period of time longer than that reasonably required to arrive and depart.

(2) Security. The owners shall have a review of the site with the City Police Department prior to opening and annually. It shall be the responsibility of the owner to schedule the reviews with the Department.

(3) No Drive through Service. No Medical Marijuana Dispensary shall have a drive through or drive in service. All dispensing, payment for and receipt of medical marijuana shall occur from inside the Medical Marijuana Dispensary.

(4) Alcoholic Beverages or Marijuana. No sale of alcoholic beverages or consumption or use of alcoholic beverages or marijuana shall be allowed on the premises, including in the parking areas.

(5) Separation Distances. A Medical Marijuana Dispensary shall not operate within two hundred (200) feet of any residentially zoned or residentially used property, church or school existing or approved by the City at the time of application. All distance requirements shall be measured by drawing a straight line from the nearest property line of the protected use to the nearest property line of the proposed Medical Marijuana Dispensary.

(6) Operating Hours. Medical Marijuana Dispensaries shall not be allowed to operate between 7:00pm and 7:00am.

(7) Compliance with Other Laws. All Medical Marijuana Dispensaries shall at all times be in compliance with all federal and state laws and regulations, and the City of Clermont Code of Ordinances, as may be amended from time to time.

(d) In case of uncertainty of the classification of any public use, uses may be permitted which, after consideration by the Planning and Zoning Commission and approval of the City Council, are not more obnoxious to the district than the uses provided in this Section. All conditional uses must be provided per Chapter 86, Article III, Division 3.

Section 4. Conflict.

All ordinances or parts of ordinances, all City Code sections or parts of City Code sections, and all resolutions or parts of resolutions in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 5. Severability.

Should any provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part declared to be invalid.

Section 6. Codification.

The text of Sections 2 and 3 of this Ordinance shall be codified as a part of the Clermont City Code The codifier is authorized to make editorial changes not effecting the substance of this Ordinance by the substitution of "article" for "ordinance", "section" for "paragraph", or otherwise to take such editorial license.

Section 7. Effective Date.

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

CITY OF CLERMONT
ORDINANCE No. 2014-37

PASSED AND ADOPTED by the City Council of the City of Clermont, this 12th day of November, 2014.

CITY OF CLERMONT

_____
Harold S. Turville, Jr., Mayor

ATTEST:

_____
Tracy Ackroyd, City Clerk

Approved as to form and legality:

_____
Daniel F. Mantzaris, City Attorney

LEGAL NOTICE

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

ORDINANCE NO. 2014-37

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, RELATED TO MEDICAL MARIJUANA DISPENSARIES AMENDING THE LAND DEVELOPMENT CODE OF THE CITY OF CLERMONT BY AMENDING SECTION 82-12, "LAND USE DEFINITIONS" PROVIDING FOR DEFINITIONS OF MARIJUANA AND MARIJUANA DISPENSARIES AND AMENDING SECTION 122-264 "M-1-CONDITIONAL USES" PROVIDING MEDICAL MARIJUANA DISPENSARIES SHALL REQUIRE A CONDITIONAL USE; SETTING FORTH STANDARDS AND REGULATIONS FOR MEDICAL MARIJUANA DISPENSARIES; AND PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

This ordinance will be considered by the Planning & Zoning Commission on Tuesday, November 4, 2014 at 7:00 P.M.

A public meeting to consider the ordinance will be held before the City Council on Wednesday, November 12, 2014 at 7:00 p.m. for final enactment.

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

This ordinance is available for public inspection in the office of the City Clerk, 685 W. Montrose Street, 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 will need a record of the proceedings, and may need to ensure that a verbatim record is made.

Tracy Ackroyd
City Clerk

Daily Commercial
October 28, 2014