



**CITY OF CLERMONT
COUNCIL MEETING AGENDA
6:30 PM, Tuesday, March 13, 2018**

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

CALL TO ORDER

INVOCATION & PLEDGE OF ALLEGIANCE

PRESENTATIONS

Celebrating 35 Years of Triathlon

PUBLIC COMMENTS

REPORTS

CONSENT AGENDA

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

Item No. 1 - Meeting Minutes

Consider approval of the February 27, 2018 Regular Council Meeting Minutes.

Item No. 2 - Easement

Consider Electric Energy Easement with Duke Energy Florida, LLC. for installation and maintenance of electrical energy to Victory Pointe Park.

Item No. 3 - Resolution No. 2018-07

Consider authorizing surplus and a quit claim of city property (.022 acres) to Victory Pointe, LLC.

Item No. 4 - Event and Road Closure Request

Consider Father's Day Mega Food Truck with road closures on June 16, 2018.

Item No. 5 - Event and Road Closure Request

Consider approving the Mega Food Truck Rally with road closures January 19, 2019 from 12:00 PM to 10:00 PM.

Item No. 6 - Communications Agreement

Consider approval of professional communication services for the City of Clermont with Crosswords Communication Company, LLC in the amount of \$2,500 per month.

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UNFINISHED BUSINESS

- | | |
|---|--|
| Item No. 7 - Withdrawal of Boat Ramp Permit | Consider withdrawal of St. Johns River Water Management District permit to construct a boat ramp at Lake Hiawatha Preserve and consider alternative sites. |
| Item No. 8 - Ordinance No. 2017-37 <i>Final</i>
<i>Hancock Public Works/Keating</i> | Consider approval to annex a parcel of land, approximately 35.87 +/-acres, south of Hooks St, north of Trade Ave, and east of Hancock Rd. |
| Item No. 9 - Ordinance No. 2017-38 <i>Final</i>
<i>Hancock Public Works/Keating</i> | Consider approval of Large-Scale Comprehensive Plan Amendment from Lake County's Regional Commercial to the City's Industrial land use designation. |
| Item No. 10 - Ordinance No. 2017-39 <i>Final</i>
<i>Hancock Road Industrial Park</i> | Consider approval for a PUD consisting of up to 125,000 sq. ft. of C-1 Light Commercial, C-2 General Commercial, and M-1 Industrial uses on 21.53 acres located south of Hooks St, north of Trade Ave, and east of Hancock Rd. |

NEW BUSINESS

- | | |
|--|---|
| Item No. 11 - Variance Request
<i>At Home</i> | Consider requests to allow a wall sign greater than 200 sq. ft. and a second wall sign on the front elevation for property located at 1002 E. State Road 50. |
| Item No. 12 - Ordinance No. 2018-10 <i>Introduction</i>
<i>Citrus Tower Commerce Center</i> | Consider introduction to change the zoning from C-2 General Commercial to Planned Unit Development located at 423 Citrus Tower Blvd. |
| Item No. 13 - Ordinance No. 2018-11 <i>Introduction</i>
<i>Anderson Hill</i> | Consider introduction to amend PUD to remove the billboard language and clarify outdoor speaker language for multi-tenant commercial project located at US Hwy 27 and Anderson Hill Rd. |

ADJOURN

Any opening invocation that is offered before the official start of the Council meeting shall be the voluntary offering of a private person, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the City Council or the city staff, and the City is not allowed by law to endorse the religious or non-religious beliefs or views of such speaker. Persons in attendance at the City Council meeting are invited to stand during the

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opening invocation and to stand and recite the Pledge of Allegiance. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered or to participate in the Pledge of Allegiance. You may remain seated within the City Council Chambers or exit the City Council Chambers and return upon completion of the opening invocation and/or Pledge of Allegiance if you do not wish to participate in or witness the opening invocation and/or the recitation of the Pledge of Allegiance.

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

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

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
February 27, 2018

The City Council met in a regular meeting on Tuesday, February 27, 2018 in the Clermont City Council Chambers. Mayor Ash called the meeting to order at 6:30pm with the following Council Members present: Council Members Brishke, Travis, Bates, and Goodgame. Other City officials present were City Manager Gray, City Attorney Mantzaris, and Deputy City Clerk Zinker.

INVOCATION AND PLEDGE OF ALLEGIANCE

Choice Edward gave the invocation followed by the Pledge of Allegiance.

A Moment of Silence was held for the victims of the Parkland shooting.

PRESENTATIONS

Environmental Services Director Westrick presented the Drinking Water Excellence Award. This is the sixth consecutive year Clermont Water Utilities has won this award for providing high quality, affordable water to its customers while conserving resources and protecting the environment.

Parks and Recreation Director Davidoff provided highlights of the Great Clermont Campout.

PUBLIC COMMENTS

Jim Purvis, 4206 Hammersmith Drive, commented on traffic on Hooks Street coming out of the Wawa gas station. The road is a county road and as such, the County would have to become involved in a solution. Mr. Purvis requested that staff look into working with the County to remedy the problem.

Stephen Franklin, 378 12th Street, stated the Pig on the Pond event is upcoming. The event is one of the biggest fundraisers for the Special Olympics. Pig on the Pond provides families the opportunity to kiss a pig, hold a pig, and donate to help the Special Olympics.

REPORTS

City Manager Gray reported Pig on the Pond is next weekend starting on March 9, 2018 and ending on March 11, 2018. The workshop scheduled for March 20, 2018 is cancelled.

City Attorney Mantzaris reported various cities are moving forward to address the issue of the use of social media to send a hoax message regarding a possible school shooting. Typically, it is not recommended for cities to draft their own criminal ordinances however it is uncertain how fast the State will act to address this issue. City Attorney Mantzaris inquired if the Council would like to implement an ordinance making the use of social media, or other means, to perpetuate a hoax or threat that is not substantiated with regard to a school or facility shooting be a misdemeanor crime.

City Manager Gray commented Clermont was victim to one such hoax recently.

Police Chief Broadway commented the Florida's Police Chief Association is pushing state legislature to enact a bill however there is no time reference as to when this will be enacted. City Attorney Mantzaris elaborated if the ordinance was to pass with the City it would give the Police Department another tool to work with, but the City would be responsible for the prosecution. Any legislation passed later on by the State would preempt the City's Ordinance.

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Council Member Brishke expressed her agreement for a need of an ordinance. City Attorney Mantzaris replied his office would work on an ordinance and have it ready for the next agenda.

Council Member Bates reported the owner of Legends' golf course and restaurant is walking away from the property. The owner has proposed for the Homeowners Association to purchase the property. The Homeowners Association is sending out letters this week and next week to the homeowner's for consideration of the possible purchase. Some citizens have proposed the City to purchase the property. The developers want to place more homes on the property rather than keeping the golf course.

Council Member Goodgame reported bad traffic conditions at East Ridge High School and requested Chief Broadway to come up with a solution.

Council Member Brishke reported on March 15 she attended the Citizen's Academy session hosted by the Clermont Fire Department. The class met Chief Bishop, Assistants Johnston and Silvestris, and Fire Marshall Bill Harrison. On February 22, she attended the Citizen's Academy session hosted by Economic Director Shannon Schmidt and Finance Director Joe VanZile. Economic Director Schmidt spoke on the efforts taken to attract new businesses to the City while Finance Director VanZile spoke on how the City establishes the budget and fund the City's services to the residents.

Council Member Travis reported she had the opportunity to throw the first pitch for the spring games. Saturday, after the park run, she helped Public Works plant some of the 3,000 of the total seedlings to be planted. Council Member Travis stopped in at the vintage art festival occurring downtown. At 2:00 PM, the event was still busy with everyone having a great time. The local businesses stated the business they were getting was fantastic and going strong.

Mayor Ash reported on February 15, she attended the retirement recognition event for Jorge Leyro. Later that morning she attended a meeting of the Homeless Task Force. That night, she attended the second class of the Citizens Academy. On February 16, she welcomed and congratulated graduates of the Southern Police Institute Command Officers Development Course. This organization is scheduled to come back in September for new classes. On February 17, she was at Corelli's Restaurant for Coffee with the Mayor. That night, she attended the Black Achievers Awards Gala at the Performing Arts Center. On February 22, she attended memorial services for former Police Chief Tyndal. He was the longest serving Police Chief in the country. That night, she attended the third class of the Citizen's Academy with Economic Director Schmidt and Finance Director VanZile. Over the weekend she attended events acknowledging February as Black History Month. On Saturday, she was at the Seventh Day Adventist Church for service. On Sunday, she was at the Arts and Recreation Center for the annual Black History and Cultural Awareness Event which highlighted contributions through fashion, music, dance, etc. At the event she read a proclamation acknowledging the contributions of African Americans to our Country. Yesterday, she attended the Board of Directors meeting for the Lake Apopka Gas Board where the focus was on approving the Resolution to increase the gas rate which would be the first raise of gas rates in 10 years.

CONSENT AGENDA

Mayor Ash advised the next item on the Agenda for consideration was the Consent Agenda and requested anyone wishing to have any item pulled for discussion to please come forward at this time.

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Item No. 1 – Meeting Minutes

Consider approval of the February 13, 2018 Regular Council Meeting minutes.

Item No. 2 – Expansion of the Police Department Take Home Vehicle Program

Consider approval to allow police officers living between 20-40 miles from the city limits to take their assigned vehicles home at a cost of \$35.00 per bi-weekly pay period.

Item No. 3 – Contract Award

Consider request to piggyback the Manatee County contract with LKM Pipe Renewal, LLC. to provide sanitary sewer, lateral lining rehabilitation services in the budgeted amount of \$41,000.

Item No. 4 – Bid Award

Consider awarding to Ten-8 Fire Equipment, Inc. to purchase equipment for a new fire engine/pumper truck in the budgeted amount of \$52,029.16.

Item No. 5 – Surplus Request

Consider declaring end of life inventory as surplus from Parks and Recreation Department, Information Technology Department and dispose of in accordance with the Purchasing Policy.

Mayor Ash opened the public hearing. There were no comments. Mayor Ash closed the public hearing.

Council Member Goodgame requested item number 2 be pulled for explanation.

Council Member Bates moved for approval of Consent Agenda items number 1, 3, 4 and 5; seconded by Council Member Brishke; The motion passed with all members voting aye.

City Manager Gray explained agenda item number 2 is part of the City's Take Home Vehicle Program for the Police. A few of the officers are living outside of the current radius. Upon research of other cities, staff has found it is common to expand the take home vehicle radius. However, the officers would pay extra for gas and maintenance for the vehicles due to the extra mileage. The officers have a choice to participate in the Take Home Vehicle Program.

Council Member Goodgame moved for approval of Consent Agenda item number 2; seconded by Council Member Bates; The motion passed with all members voting aye.

UNFINISHED BUSINESS

Item No. 6 – Ordinance No. 2018-04, Final, Bishop Small Scale Comprehensive Plan

Deputy City Clerk Zinker read Ordinance No. 2018-04 aloud by title only.

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An Ordinance of the City Council of the City of Clermont, Lake County, Florida, adopting the Small Scale Comprehensive Plan Amendment for the City of Clermont, Florida, pursuant to the Local Government Comprehensive Planning Act, Chapter 163, Part II, Florida Statutes; setting forth the authority for adoption of the Small Scale Comprehensive Plan Amendment; setting forth the purpose and intent of the Small Scale Comprehensive Plan Amendment; providing for the adoption of the Small Scale Comprehensive Plan Amendment; establishing the legal status of the Small Scale Comprehensive Plan Amendment; providing a severability clause and providing an effective date.

Item No. 7 – Ordinance No. 2018-05 *Final, Darryl Bishop Rezoning*

Deputy City Clerk Zinker read Ordinance No. 2018-05 aloud by title only.

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

Senior Planner Kruse presented the administrative request for a piece of property 2/10 of an acre in size. The property is owned by Mr. Bishop. It was determined that the best use for the property would be Downtown Mixed Use. The City inadvertently changed the future land use of the property to Parks when it rewrote the Comprehensive Plan in 2009 and was later discovered by the property owner and staff. The Planning and Zoning Commission and staff recommends approval of Ordinance 2018-04. The property currently has mixed zoning of Industrial and Central Business District. The majority of the property was rezoned to Central Business District in 2015. Unfortunately, a small parcel was not included since the parcel had the wrong future land use of Parks. The Planning and Zoning Commission and staff recommends approval of Ordinance 2018-05.

Mayor Ash opened the public hearing. There were no comments. Mayor Ash closed the public hearing.

Council Member Bates moved for approval of Ordinance 2018-04; seconded by Council Member Goodgame. The motion passed 5 to 0 with a roll call vote.

Council Member Bates moved for approval of Ordinance 2018-05; seconded by Council Member Goodgame. The motion passed 5 to 0 with a roll call vote.

NEW BUSINESS

Item No. 8 – Resolution No. 2018-03 *First Baptist Church CUP*

Deputy City Clerk Zinker read Resolution No. 2018-03 aloud by title only.

A Resolution of the City Council of the City of Clermont, Lake County, Florida, granting a Conditional Use Permit to allow a church sanctuary, multi-purpose buildings, Pre-K – 5th grade school, outdoor recreation fields and parking garage to be used with the church facility in the R-1 Medium Density Residential zoning district.

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Planning Manager Henschel presented a request for a Conditional Use Permit for a 38-acre vacant property which is located at Hancock Road and Hartwood Marsh Road. The plan is to develop the church facility in several phases. The same Conditional Use Permit was granted for the church, but was rendered null and void due to the lack of development. The Planning and Zoning Commission and staff recommends approval.

Billy Lawson, applicant, recently sold their previous location 8 months ago. The church purchased the property in hopes of building on it, but the church was not able to move forward until now. Some changes were made to the Conditional Use Permit per City staff's request to include everything that could possibly one day be in the phases.

Christopher Germana, Germana Engineering and Associates, LLC, stated they have doubled the landscape buffers and setbacks for the property. The project will be built in phases starting with the smaller phase at the north end. The request is to have an assisted living center for one of the future phases.

Mayor Ash opened the public hearing. There were no comments. Mayor Ash closed the public hearing.

Council Member Bates stated it was a good project but expressed concern with traffic. Planning Manager Henschel replied a portion of the property would be dedicated by the church for road expansions per the conditions set by the resolution. City Manager Gray clarified the church could enter into an agreement with Lake County for impact fees for the roads.

Council Member Travis suggested mandating the developer to build a turning lane on Hancock Road for the entrances to the church. City Manager Gray stated the roadway has not yet been designed, but the City could require them to build one.

Donald Griffey, Griffey Engineering, Inc., passed out First Baptist Clermont Trip Generation Analysis to the Council. Mr. Griffey stated the County does have future plans for the extension of Hancock Road. Hartwood Marsh Road is on the Metropolitan Planning Organization's agenda for tomorrow in regards to funding the expansion of the road to four lanes. The church's peak for traffic occurs on Sunday morning and Sunday nights. As a result, the church's peak hour for traffic is out of phase with the normal peak hour for traffic.

Council Member Goodgame expressed concern with a section of the sidewalk missing on Hartwood Marsh Road and suggested applicant consult with the County. City Manager Gray replied the City can work with the County to address the matter as the sidewalk is in the right-of-way.

Council Member Brishke inquired when the developer anticipates building the school. Mr. Lawson replied the City required the applicant to list all potential uses of the property in the future so they may obtain approval, but the church does not see it happening in the foreseeable future. City Manager Gray stated the Council could require the applicant to return for approval to build the school once they are ready to move forward. Council Member Brishke replied in favor of requiring approval.

Mr. Griffey noted the Conditional Use Permit requires the developer to do a traffic impact study for each phase. If there are deficiencies shown in the study, then the applicant is required to do a proportional shared agreement which requires them to contribute their portion of funding to fix the issues shown in the study. This allows projects to proceed forward with the understanding there are issues with the roads while enlisting mechanisms to address the problem in the future.

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Mayor Ash asked for a condition to be placed in the Resolution requiring the school and the assisted living facility to not be built until the applicant comes back to the Council for approval. Planning Manager Henschel clarified the assisted living facility already has a condition in the Resolution but the condition for the school will be added.

Ben Bond, Senior Pastor, stated the church would like permission to build the building labeled “Future School” on the plans as a Sunday School instead and would like to then come back to the Council if they wish to change the building’s use into anything else in the future. Mayor Ash replied the church would be allowed to do so.

Council Bates moved for approval of Resolution 2018-03 as amended; seconded by Council Member Travis. The motion passed with all members voting aye.

Item No. 9 – Resolution No. 2018-04, Gonzalez CUP

Deputy City Clerk Zinker read Resolution No. 2018-04 aloud by title only.

A Resolution of the City Council of the City of Clermont, Lake County, Florida, granting a Conditional Use Permit to allow for a professional office building occupying more than 5,000 square feet of floor area in the C-1 Light Commercial zoning district.

Item No. 10 – Variance Request Gonzalez

Planning Manager Henschel presented the request for a Conditional Use Permit for the construction of a 5,250 square foot professional office building in the C-1 Light Commercial zoning district. The proposed development requires two variances in order to meet compliance for construction of a new professional office building. The requested variances are for a parking deficit of 11 spaces and a reduced rear landscape buffer adjacent to the right-of-way. The Planning and Zoning Commission and staff recommends approval of Resolution 2018-04. Staff recommends denial of the variance requests.

John Nehmatallah, representative of the applicant, stated the building will be occupied by a sleep center in conjuncture with Dr. Gonzalez’s practice. The occupants will be in operation of business from 7:00 PM to 5:00 AM. The main building was recently renovated to remove one of the tenants to incorporate the expansion of Dr. Gonzalez’s practice and thereby reducing the number of parking spaces required.

Mayor Ash opened the public hearing. There were no comments. Mayor Ash closed the public hearing.

Mayor Ash expressed concern with removal of landscaping on a size of space this large. Mr. Nehmatallah replied approximately only two trees would be removed. The buffers are currently reduced on all of the other sides of the property and the applicant would like the last side of the property to conform to the same type of variance that already applies.

Council Member Brishke expressed concern regarding placing a building so large on a property that is too small.

Council Member Goodgame suggested applicant landscape the land that is owned by the City as a right-of-way which is adjacent to the property. City Manager Gray stated its currently being used for utilities,

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but the applicant could landscape the area. Mr. Nehmatallah confirmed they would like to pay for and maintain the landscaping of that City owned area.

Mr. Nehmatallah clarified there will only be 2 to 3 administrative personnel and the clients using the sleep center building would be required to be dropped off and not drive themselves.

Mayor Ash commented the building being used at night with the clients being dropped off at the building helps alleviate the parking issue, but expressed further concerns regarding reducing the landscaping buffer. Planning Manager Henschel clarified the applicant would still be required to have the same amount of landscaping, such as trees, bushes and hedges, with this variance, but would have to fit the landscaping into a reduced area.

Council Member Bates expressed concern with laboratories in other areas closing down and what would replace the sleeping center should it close down. City Manager Gray replied the City can add a requirement for the applicant to come back to the Council for approval of any changes to the use of the building.

Council Member Bates moved for approval of Resolution 2018-04 as amended; seconded by Council Member Goodgame. The motion passed with all members voting aye.

Council Member Bates moved for approval of Variance Request; seconded by Council Member Goodgame. The motion passed 4 to 1 with Council Member Brishke opposing.

Item No. 11 – Ordinance No. 2017-39 *Introduction, Hancock Road Industrial Park*

Deputy City Clerk Zinker read Ordinance No. 2017-39 aloud by title only.

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

Council Member Bates moved to introduce Ordinance 2017-39; seconded by Council Member Goodgame. This motion passed with all members voting aye.

Item No. 12 – Event and Road Closure Request

Item No. 13 – Event and Road Closure Request

Item No. 14 – Event and Road Closure Request

Parks and Recreation Director Davidoff presented the special event applications brought forth by Doug Trovillion who has assisted operating food truck events for the Clermont Downtown Partnership. The applicant is requesting two food truck events, one in June and one in January, with the events taking place on Minneola Avenue. The applicant is also requesting a third Friday food truck event which will require the closure of streets.

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Doug Trovillion, applicant, stated he approached the Clermont Downtown Partnership about five years ago to provide food trucks for their events. Food truck vendors originally got involved due to the Farmer's Market not being successful. At the last event, the Clermont Downtown Partnership decided to take on the food trucks without Mr. Trovillion.

Mayor Ash opened the public hearing.

David Guess, 782 West Montrose Street, expressed concerns with saturation issue and issues with the applicant's conduct at the Farmer's Market.

Kurt Andreaus, 15738 E Oakland Avenue, expressed opposition to the Event and Road Closure Requests due to prior working relationship with the applicant.

Keith Mullins, 640 Drew Avenue, expressed opposition to the Event and Road Closure Requests due to conflicts with his event, Wine Walk.

Dr. Robert Olson, 1290 Dianna Place, stated he was in favor of more food truck events.

Mayor Ash closed the public hearing.

Council Member Goodgame stated he was in agreement with Mr. Mullins and expressed concern with events currently scheduled already. Council Member Travis agreed with Council Member Goodgame.

Council Member Brishke suggested the applicant work together with the Clermont Downtown Partnership.

Council Member Goodgame moved for denial of the application on item 12; seconded by Council Member Brishke. The motion passed with all members voting aye.

Council Member Goodgame moved for denial of the event request for item 13; seconded by Council Member Brishke. The motion passed with all members voting aye.

Council Member Goodgame moved for denial of the event and road closures of item 14; seconded by Council Member Brishke. The motion passed with all members voting aye.

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ADJOURN: With no further comments, this meeting adjourned at 8:26pm.

APPROVED:

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk



CITY OF CLERMONT

AGENDA ITEM

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Meeting Date		
Tuesday, March 13, 2018		
Agenda Item Name		
Easement		
Requested Action		
Request approval of an Electric Energy Easement Agreement with Duke Energy Florida, LLC. for installation and maintenance of electrical energy to the Victory Pointe Park.		
Staff Report		
As part of the Victory Pointe Park project, electrical energy lines will be required to be extended from West Ave into the park area. Duke Energy requires a 10 foot easement over this required infrastructure to allow for installation, access and maintenance. Staff recommends approval of an Electric Energy Easement Agreement with Duke Energy Florida, LLC. for installation and maintenance of electrical energy to the Victory Pointe Park.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Duke Energy Easement Duke Energy Easement.docx		

LAKE COUNTY, FLORIDA
STR: 24-22S-25E
Work Request #: 25033746
Address: 490 WEST AVENUE
CLERMONT 34711

EASEMENT

THIS EASEMENT ("Easement") from **CITY OF CLERMONT, A Florida Municipal Corporation**, whose address is po box 120219, Clermont, Florida 34712-0219 ("GRANTOR," whether one or more) to **DUKE ENERGY FLORIDA, LLC., a Florida Limited Liability Company, d/b/a DUKE ENERGY**, Post Office Box 14042, St. Petersburg, Florida 33733, and its successors, lessees, licensees, transferees, permittees, apportionees, and assigns ("GRANTEE");

WITNESSETH:

THAT **GRANTOR**, for and in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant unto **GRANTEE**, the perpetual right, privilege, and easement to install, operate and maintain in perpetuity, such Facilities as may be necessary or desirable for providing electric energy and for communication purposes over, under, upon, across, through and within the following described lands in **Lake** County, Florida, and referred to hereinafter as the Easement Area to wit:

A 10.00 foot wide Easement Area lying 5.00 feet on each side of **GRANTEE's** Facilities to be installed at mutually agreeable locations over, under, across, through and within the following described property to accommodate present and future development:

LOT 1, BLOCK 94, ORIGINAL PLAT OF CLERMONT, LAKE COUNTY, FLORIDA AND BEGINNING AT THE INTERSECTION OF THE SOUTH ROW LINE OF OSCEOLA STREET AND WEST ROW LINE OF WEST AVENUE, RUN NORTH 60.00 FEET, WEST 258.00 FEET TO LAKE, SOUTHEASTERLY ALONG LAKE 67.00 FEET TO THE SOUTH ROW LINE OF OSCEOLA STREET, EAST TO POINT OF BEGINNING; LESS BEGIN AT THE INTERSECTION OF WEST ROW OF WEST AVENUE AND CENTERLINE OF FORMER SEABOARD COAST LINE RAILROAD, RUN NORTH 00°31'47" EAST 25.00 FEET AND POINT A, RETURN TO POINT OF BEGINNING, NORTHWESTERLY TO A POINT WEST OF POINT A, EAST TO POINT A; AND LESS FROM NORTHEAST CORNER OF LOT 1, BLOCK 94, RUN NORTH 89°31'40" WEST 215.69 FEET TO A POINT ON THE ARC OF A CURVE BEING CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 245.84 FEET AND A CENTRAL ANGLE OF 01°37'57", SAID POINT ALSO BEING EASTERLY ROW LINE OF A PROPOSED STREET AND POINT OF BEGINNING, RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE AND SAID EASTERLY Right-of-Way AN ARC DISTANCE OF 7.00 FEET, SAID ARC HAVING A CHORD BEARING OF NORTH 14°52'50" WEST AND A CHORD DISTANCE OF 7.00 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE BEING CONCAVE EASTERLY HAVING A RADIUS OF 71.00 FEET AND A CENTRAL ANGLE OF 38°39'27", THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE AND SAID Right-of-Way AN ARC DISTANCE OF 47.90 FEET, SAID ARC HAVING A CHORD BEARING OF NORTH 00°34'34" EAST AND A CHORD DISTANCE OF 47.00 FEET TO THE POINT OF TANGENCY, RUN NORTH 19°52'43" EAST 6.62 FEET TO NORTH Right-of-Way LINE OF OSCEOLA STREET, NORTH 89°31'40" WEST 50.44 FEET TO THE WESTERLY Right-of-Way LINE OF A PROPOSED STREET AND THE POINT ON THE ARC OF A CURVE BEING CONCAVE EASTERLY HAVING A RADIUS OF 119.00 FEET AND A CENTRAL ANGLE OF 29°12'13", RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE AND SAID Right-of-Way LINE AN ARC DISTANCE OF 60.65 FEET SAID ARC HAVING A CHORD BEARING OF SOUTH 00°24'22" WEST AND A CHORD DISTANCE OF 60.00 FEET TO SOUTH Right-of-Way OF OSCEOLA STREET, SOUTH 89°31'40" EAST 49.94 FEET TO POINT OF BEGINNING. -- PB 8 PG 17 ORB 1996 PG 0359 |

Tax Parcel Number: 24-22-25-0100-094-00100

The rights herein granted to **GRANTEE** by **GRANTOR** specifically include the right: (a) for **GRANTEE** to patrol, inspect, alter, improve, add to, repair, rebuild, relocate, and remove said Facilities; (b) for **GRANTEE** to increase or decrease the voltage and to change the quantity and type of Facilities; (c) ingress and egress over the Easement Area and over portions of **GRANTOR's** adjoining property for the purpose of exercising the rights herein granted; (d) to trim, cut or remove from the Easement Area, at any time, trees, limbs, undergrowth, structures or other obstructions; (e) to trim, cut or remove and to keep trimmed or remove dead, diseased, weak or leaning trees or limbs outside of the Easement Area which, in the opinion of **GRANTEE**, might interfere with or fall upon the Facilities; (f) to allow third parties to attach equipment to the Facilities including but not limited to wires, cables and other apparatus; (g) and all other rights and privileges reasonably necessary or convenient for **GRANTEE's** safe, reliable and efficient installation, operation, and maintenance of the Facilities and for the enjoyment and use of the Easement for the purposes described herein. Failure to exercise the rights herein granted to **GRANTEE** shall not constitute a waiver or abandonment.

GRANTOR shall have the right to use the Easement Area in any manner that is consistent with the rights granted to **GRANTEE** herein; provided however, without the prior written consent of **GRANTEE**, **GRANTOR** shall not (a) place, or permit the placement of, any obstructions within the Easement Area including but not limited to, any building, house, or other above-ground or underground structure, or portion thereof. If obstructions are installed adjacent to the Easement Area, they shall be placed so as to allow ready access to **GRANTEE's** facilities and provide a working space of not less than ten (10) feet on the opening side, six (6) feet on the back for working space and three (3) feet on all other sides of any pad mounted equipment; (b) excavate or place, or permit the excavation or placement of any dirt or other material upon or below the Easement Area; or (c) cause, by excavation or placement of material, either on or off the Easement Area, a pond, lake, or similar containment vehicle that would result in the retention of water in any manner within the Easement Area. **GRANTEE** shall have the right to remove any such obstruction(s) at **GRANTOR's** expense. Excluding removal of vegetation and obstructions as provided herein, any physical damage to the surface of the Easement Area and/or **GRANTOR's** adjoining property caused by **GRANTEE** or its contractors shall be repaired to a condition reasonably close to the previous condition. The rights and easement herein granted are exclusive as to entities engaged in the provision of electric energy service and **GRANTOR** reserves the right to grant rights to others affecting said Easement Area provided that such rights do not create an unsafe condition or conflict with the rights granted to **GRANTEE** herein.

GRANTOR hereby warrants and covenants (a) that **GRANTOR** is the owner of the fee simple title to the premises in which the above described Easement Area is located, (b) that **GRANTOR** has full right and lawful authority to grant and convey this easement to **GRANTEE**, and (c) that **GRANTEE** shall have quiet and peaceful possession, use and enjoyment of this easement. All covenants, terms, provisions and conditions herein contained shall inure and extend to and be obligatory upon the heirs, successors, lessees and assigns of the respective parties hereto.

SIGNATURES ON FOLLOWING PAGE

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

IN WITNESS WHEREOF, this Easement has been executed by Grantor on this _____ day of _____, 2018, and is effective as of the Effective Date herein.

GRANTOR:

CITY OF CLERMONT, A Florida Municipal Corporation

Name of Corporation

Gail L. Ash, Mayor

**SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:**

Signature of First Witness

Print or Type Name of First Witness

Signature of Second Witness

Print or Type Name of Second Witness

State of _____)
County of _____) ss

Grantor(s) mailing address:

PO Box 122019

Clermont, Florida 34712-0219

The foregoing Easement was acknowledged before me this _____ day of _____, 2018, by _____
Gail L. Ash, Mayor of City of Clermont, a Florida Municipal Corporation, on behalf of the Municipal Corporation who
is personally known to me or who has produced _____ as identification.

CORPORATE SEAL

NOTARY SEAL

Name:

Notary Public

Serial Number:

My Commission Expires:



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date								
Tuesday, March 13, 2018								
Agenda Item Name								
Resolution No. 2018-07								
Requested Action								
Recommend to approve a Resolution authorizing surplus and a quit claim of city property (.022 acres) to Victory Pointe LLC.								
Staff Report								
On February 27, 2017, the City Council approved the rezoning and small scale comprehensive plan amendment for a property adjacent to the City's West Lake Property. During survey of both properties, inconsistencies were found on both surveys and legal descriptions. To resolve those inconsistencies and facilitate the progress of both projects, the surplus and quit claim of city property (.022 acres) is proposed. Staff recommends approval of a Resolution authorizing surplus and a quit claim of city property (.022 acres) to Victory Pointe LLC.								
Additional Analysis								
Fiscal Impact Summary								
Fiscal Impact	Fund Number and Description	Available Budget Amount						
Exhibits Attached (copies of original agreements)								
<table border="0"><tr><td>1.</td><td>Resolution 2018-07</td><td>2018-07 QCD to Victory Pointe LLC.doc</td></tr><tr><td>2.</td><td>legal sketch-City QCD</td><td>legal sketch-City QCD.pdf</td></tr></table>			1.	Resolution 2018-07	2018-07 QCD to Victory Pointe LLC.doc	2.	legal sketch-City QCD	legal sketch-City QCD.pdf
1.	Resolution 2018-07	2018-07 QCD to Victory Pointe LLC.doc						
2.	legal sketch-City QCD	legal sketch-City QCD.pdf						



CITY OF CLERMONT
RESOLUTION NO. 2018-07

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, DECLARING CERTAIN CITY OWNED REAL PROPERTY AS SURPLUS; APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AND DELIVER A QUIT CLAIM DEED TO THAT CERTAIN PROPERTY DESCRIBED AS LOT 1, BLOCK 114, OFFICIAL MAP OF THE CITY OF CLERMONT, AS RECORDED IN PLAT BOOK 8, PAGE 17, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO COMPLETE THE TRANSFER OF THE SUBJECT PROPERTY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council has determined that the subject property is not needed for any public purpose and of no value to the City; and

WHEREAS, it is in the best interest of the City of Clermont to transfer the subject property back to the original grantor and/or its assigns and successors and to retain a public utility easement along and within the property.

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

SECTION 1.

The City Council does hereby find and determine that the property more particularly described in Exhibit "A" attached hereto and incorporated herein is surplus property and the continued ownership of the property by the City does not serve a public purpose.

SECTION 2.

The City Council does hereby approve and authorize the Mayor to execute the Quit Claim Deeds set forth in Exhibit "B".

SECTION 3.

The City Manager is further authorized to execute any additional documents as may be necessary to complete the aforementioned transaction.

SECTION 4.

This Resolution shall take effect immediately upon its adoption.



CITY OF CLERMONT
RESOLUTION NO. 2018-07

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida
this 13th day of March 2018.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Description:

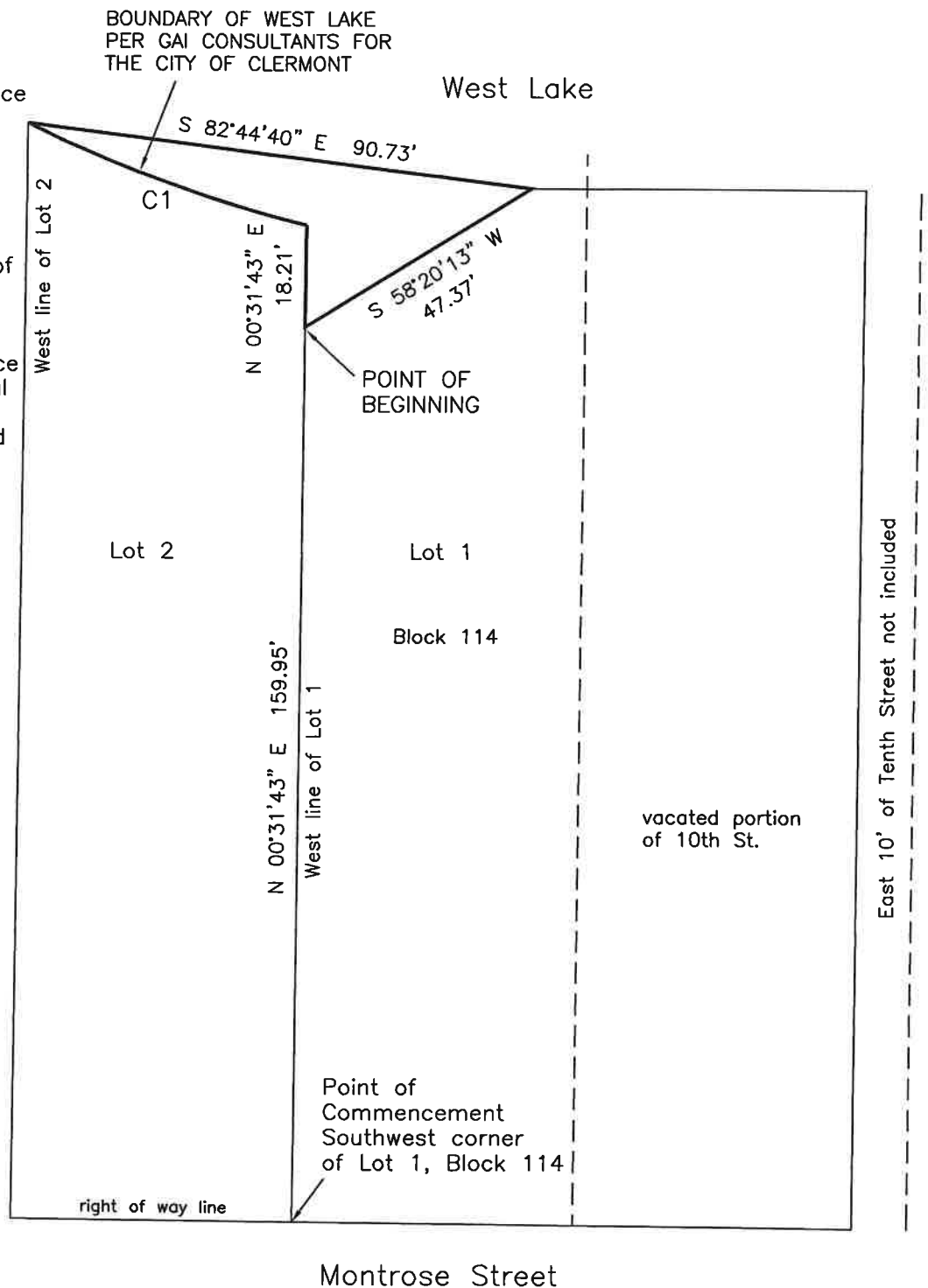
Commence at the Southwest corner of Lot 1, Block 114, Official Map of The City of Clermont, according to the plat thereof, as recorded in Plat Book 8, Page 17, Public Records of Lake County, Florida, thence run N 00°31'43" E along the West line of said Lot 1 for a distance of 159.95 feet to the POINT OF BEGINNING; thence run N 00°31'43" E for a distance of 18.21 feet to the beginning of a curve concave to the Northeast, having a radius of 242.98 feet, a chord bearing of N 70°01'59" W and a chord distance of 53.05 feet; thence run Northwesterly along the arc of said curve for a distance of 53.15 feet through a central angle of 12°32'00" to a point on the West line of Lot 2, said plat of the Official Map of The City of Clermont; thence leaving said West line of Lot 2 run S 82°44'40" E for a distance of 90.73 feet; thence run S 58°20'13" W for a distance of 47.37 feet to the Point of Beginning. Containing 946 square feet or 0.022 acres, more or less.



Scale = 1"=30'

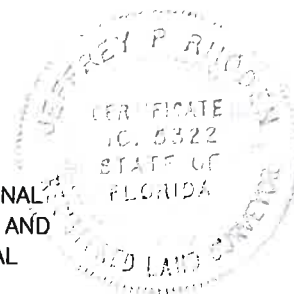
Map of Description

CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	242.98'	53.15'	53.05'	N 70°01'59" W	12°32'00"



JEFFREY P. RHODEN PSM #5322
STATE OF FLORIDA

UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL
RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND
MAPPER, THIS MAP/REPORT IS FOR INFORMATIONAL
PURPOSES ONLY AND IS NOT VALID.



Prepared for: 16076.007
Victory Pointe, LLC

Rhoden Land Surveying, Inc.

LB #6980
420 E. Minnehaha Ave.
Clermont, FL 34711
352-394-6255



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date			
Tuesday, March 13, 2018			
Agenda Item Name			
Event and Road Closure Request			
Requested Action			
Recommend to approve the Clermont Downtown Partnership's Father's Day Mega Food Truck event to be held in Downtown Clermont with road closures on June 16, 2018 from 12:00 PM to 10:00 PM.			
Staff Report			
The Clermont Downtown Partnership is requesting to host the Father's Day Mega Food Truck event in Downtown Clermont on June 16, 2018 from 2:00 PM to 9:00 PM. The organization is requesting to close off roads starting at 12:00 PM until 10:00 PM at the following intersections: -Montrose Street between Lake Avenue and halfway between 8th Street and West Avenue -8th Street from Montrose Street to Minneola Avenue -7th Avenue from Desoto Street to Montrose Street (Please see attached map)			
Additional Analysis			
Fiscal Impact Summary			
Fiscal Impact	Fund Number and Description	Available Budget Amount	
Exhibits Attached (copies of original agreements)			
1.	Fathers Day Mega Food Truck	Fathers Day Mega Food Truck.pdf	



APPLICATION FOR SPECIAL EVENTS PERMIT

PLEASE TYPE OR PRINT CLEARLY

Today's Date 2/18/18
Name of Event Father's Day Mega Food Truck
Date(s) of Event June 16, 2018 Estimated Attendance: 2000
Event Start Time: 2:00 PM Event End Time: 9:00 PM
Before Event Setup Time: 12:00 PM After Event Cleanup Time: 10:00 PM
Name of Organization/Applicant Clermont Downtown Partnership

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

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

Non-Profit documentation must be provided with application.

Tax Exempt ☐ Yes ☒ No If yes, provide Tax Exempt # _____

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

Federal ID # or Driver's License # 59- 374 9760
Event Contact Sandy Farnsworth Email info@clermontdowntown
Day Phone 352- 617- 8788 Cell Phone 352- 617- 8788
Address Po Box 120734 City Clermont State FL Zip 34711
Secondary Contact Keith Mullins Phone # 352- 978- 1704
Briefly Describe Event: 30-35 Food trucks, vendor tents,
entertainment

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

Please choose A, B, C, or D on MAP 1 or MAP 2

Other Location: see attached map

SPECIAL EVENTS COST ESTIMATOR

NAME OF EVENT: _____

DATE OF EVENT: _____

EVENT CONTACT: _____

REFUND MAILING ADDRESS: _____

Street Address

City _____ ST _____ Zip _____

CELL PHONE: _____

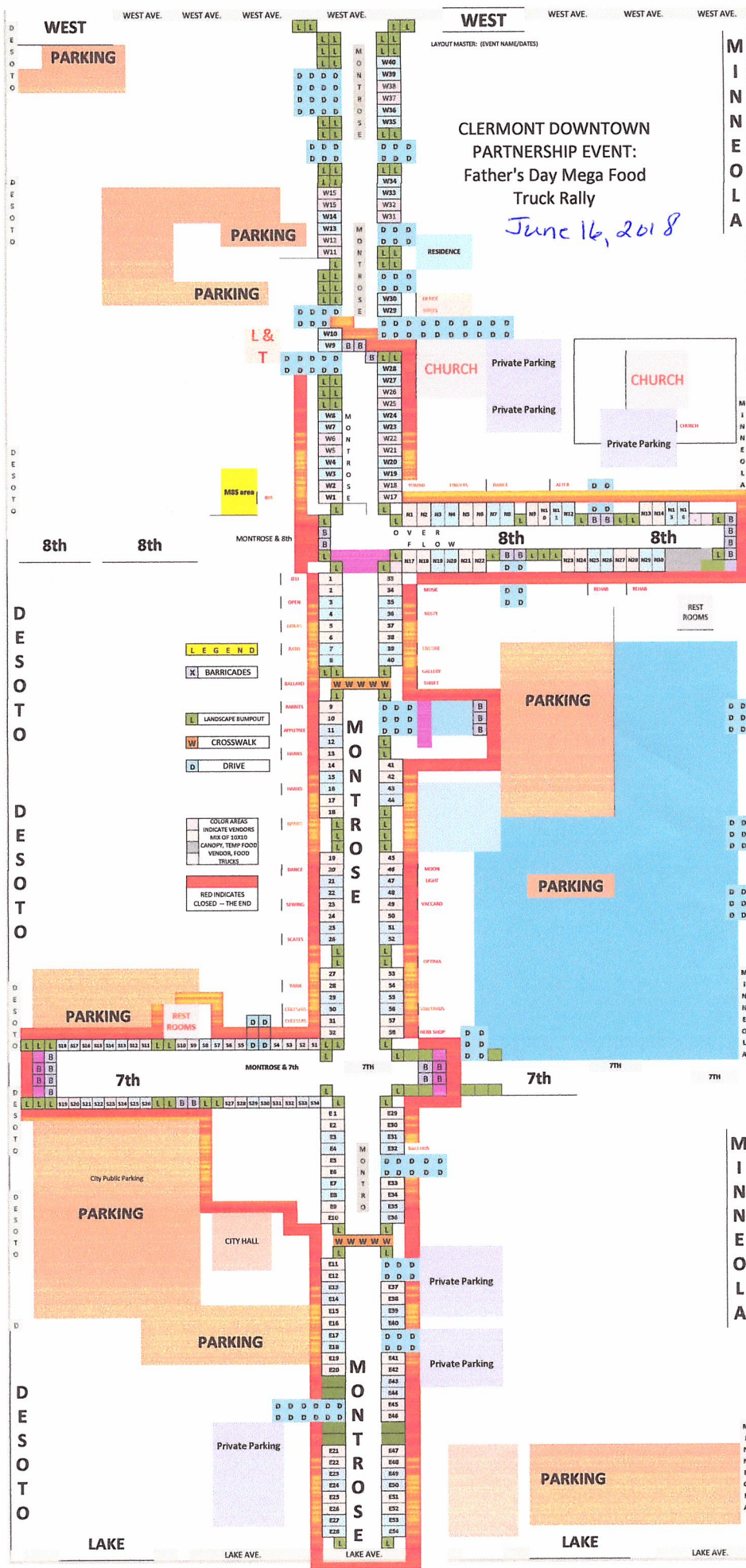
Payment Deadline:

Application Fee and deposit are due upon submission

Final payment is due 14 days prior to event date.

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

	NON-PROFIT/ RESIDENT RATE	BUSINESS/ NON-RESIDENT RATE	SPECIAL INSTRUCTION	FEE
Application Fee	\$10	\$10	Non-Refundable	\$10
CITY PROPERTY:				
HIGHLANDER BUILDING AND PAVILION ~ AREA A (BLUE)				
Deposit	\$250	\$250	Refundable	
Hourly Fee	\$100	\$200	Per Hour (2 Hour Minimum)	
Daily Fee	\$700	\$1100		
PARK AREA ~ AREA B (RED)				
Deposit	\$150	\$150	Refundable	
Hourly Fee	\$25	\$50	Per Hour (2 Hour Minimum)	
Daily Fee	\$200	\$300		
WATERFRONT ~ AREA C (YELLOW)				
Deposit	\$350	\$350	Refundable	
Hourly Fee	\$200	\$300	Per Hour (2 Hour Minimum)	
Daily Fee	\$1500	\$2500		
Each Consecutive Day	\$1200	\$2000		
CITY HALL PARK - DOWNTOWN ~ AREA D (GREEN)				
Deposit	\$150	\$150	Refundable	
Hourly Fee	\$25	\$50	Per Hour (2 Hour Minimum)	
Daily Fee	\$200	\$300		
~ ADDITIONAL FEES ~ TO BE DETERMINED BY CITY STAFF				
Additional City Staff	\$25	\$25	Per Person, Per Hour	
Public Works Event Staff	\$25	\$25	2 hr. min, per staff	
Police Officer	\$30	\$30	4 hr. min, Per Officer	
Fire/ EMS	\$60	\$60	4 hr. min, 2 staff min	
Fire Boat in the Water	\$100	\$100	Per Hour	
Sales Tax				
GRAND TOTAL				





CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date			
Tuesday, March 13, 2018			
Agenda Item Name			
Event and Road Closure Request			
Requested Action			
Recommend to approve the Mega Food Truck Rally to be held in Downtown Clermont along with road closures January 19, 2019 from 12:00 PM to 10:00 PM.			
Staff Report			
The Clermont Downtown Partnership is requesting to host the Mega Food Truck Rally in Downtown Clermont on Saturday, January 19, 2019 from 2:00 PM to 9:00 PM. The organization is requesting to close off roads starting at 12:00 PM until 10:00 PM at the following intersections: -Montrose Street from Lake Avenue to midway point between 8th Street and West Avenue -8th Avenue from Montrose Street to Minneola Avenue -7th Street from Montrose Street to Desoto Street -May extend to close off Minneola Avenue from 7th Street to 8th Street (Please see attached map)			
Additional Analysis			
Fiscal Impact Summary			
Fiscal Impact	Fund Number and Description	Available Budget Amount	
Exhibits Attached (copies of original agreements)			
1.	Mega Food Truck Rally1-19-19	Mega Food Truck Rally1-19-19.pdf	



APPLICATION FOR SPECIAL EVENTS PERMIT

PLEASE TYPE OR PRINT CLEARLY

Today's Date

2/23/18

Name of Event

Mega Food Truck Rally

Date(s) of Event

Jan 19, 2019

Estimated Attendance:

5000

Event Start Time:

2:00 PM

Event End Time:

9:00 PM

Before Event Setup Time:

12:00 PM

After Event Cleanup Time:

10:00 PM

Name of Organization/Applicant

Clermont Downtown Partnership

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

Check Type of Organization

☐

Resident

☐

Non Resident

☒

Non-Profit

☐

Business

Non-Profit documentation must be provided with application.

Tax Exempt

☐

Yes

☒

No

If yes, provide Tax Exempt #

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

Federal ID # or Driver's License #

59-3749760

Event Contact

Sandy Farnsworth

Email

info@clermontdowntownpartnership.com

Day Phone

352-617-8788

Cell Phone

Address

PO Box 120734

City

clermont

State

FL

Zip

34711

Secondary Contact

Keith Mullins

Phone #

352-978-1704

Briefly Describe Event:

30-35 Food trucks, vendors, entertainment

Location of Event on City Property:

☐

A

☐

B

☐

C

☒

D

☐

Map 1

☒

Map 2

Please choose A, B, C, or D on MAP 1 or MAP 2

Other Location:

May extend to Minneola if
Brewery wants to participate

PLEASE COMPLETE THE FOLLOWING QUESTIONNAIRE AND RETURN WITH YOUR APPLICATION

Alcohol Served: ☐ Yes ☒ No

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

Canopy/Tent Use: ☒ Yes ☐ No Size of Tent* 10x10

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

Electrical Use: ☒ Yes ☐ No Describe the need: minimal

Additional permits may be required based on use

Electrical Power Provided: ☐ Generator ☐ Temporary Power Drop ☐ Property Power

Gas Fueled Equipment: ☐ Yes ☒ No Describe Use: _____

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

Fuel Source ☒ Propane ☐ Natural Gas ☐ Diesel Fuel ☐ Gasoline

Cooking Equipment Use: ☒ Yes ☐ No

Food trucks

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

Cooking Types: ☒ Fryers ☒ Propane Grill ☐ Charcoal Grill ☒ Concession Trailer ☒ Food Trucks

Insurance may be required by provider

Rides: ☒ Yes ☐ No

Rock climbing wall - Bounce House

Ride Types: ☐ Mechanical ☐ Bounce Houses ☒ Animals

Petting Farm

Insurance may be required by provider

Pyrotechnic/Fireworks Displays: ☐ Yes ☒ No

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

Streets to be Closed or Traffic Control: ☒ Yes ☐ No

see attached

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

Fire or Law Enforcement Stand-by Requested: ☐ Yes ☒ No

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

Live Television or Radio Broadcast: ☐ Yes ☒ No

DJ, Band, Music or Sound Amplification Devices: ☒ Yes ☐ No

Describe: Band

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

Banners or Attention Getting Devices: ☒ Yes ☐ No

reactor size signs day of

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

Resident/Non-Profit rate is defined as

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

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

Non-Resident/Business rate is defined as

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

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

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

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

Indemnification, Insurance and Additional Costs

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

Applicant's Signature

Title

Printed Name

Date

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

Department / Division Routing:

a) Police Department

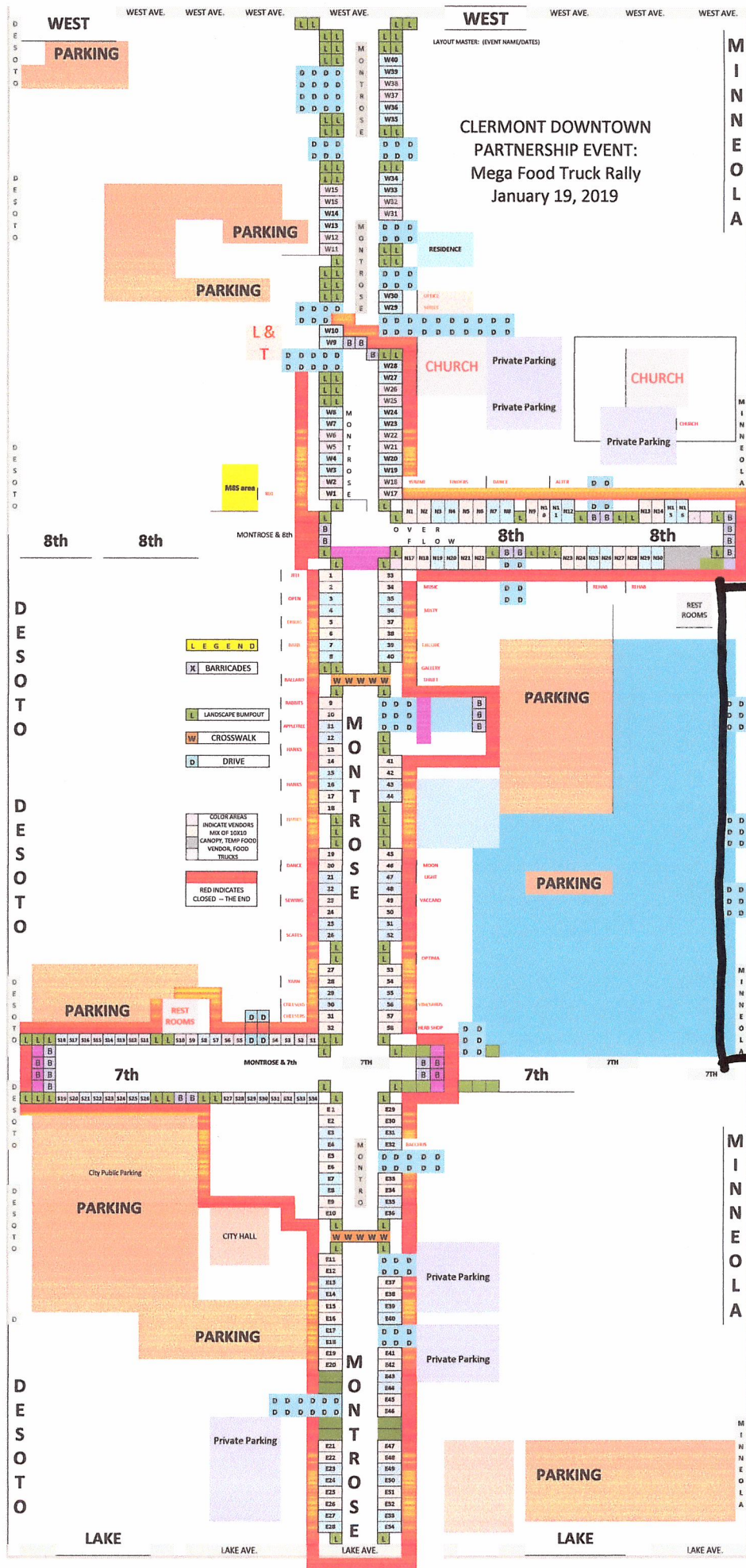
b) Development Services Dept.

c) Public Works Department

d) Fire Department

e) Parks & Recreation Department

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



CLERMONT DOWNTOWN
PARTNERSHIP EVENT:
Mega Food Truck Rally
January 19, 2019

MAY EXTEND TO Minneola if
Brewery wants to participate

FACILITY SALES RECEIPT



Receipt # **8269**
Payment Date: 03/01/18
Household: 903

Clermont City Center
620 West Montrose Street
CLERMONT FL 34711
Phone: (352)708-5975

Clermont Downtown Partnership
P O Box 120734
Clermont FL 34712-0734
info@clermontdowntownpartnership.c

Reservation Details: Downtown, City Hall Park

Reserv. Contact: **Clermont Downtown Partnership**
Phone Number: **(352)989-5339**
Reserv. Number: **1146**
Status: **Firm**

<u>Date(s) And Times</u>	<u>New Fees</u>	<u>Total Fees</u>	<u>New Paid</u>	<u>Total Paid</u>	<u>Amount Due</u>
Sat 01/19/2019 12:00P to 10:00P	0.00	0.00	0.00	0.00	0.00

Processed on 03/01/18 @ 12:13 pm by acardarelli

Total New Fees	0.00
Total Due	0.00

Total Fees Paid	0.00
Total Paid	0.00



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, March 13, 2018		
Agenda Item Name		
Communications Agreement		
Requested Action		
Recommend approval of the agreement.		
Staff Report		
This agreement is for Doris Bloodsworth to provide communication and public relations services on behalf of the City. The agreement provides for a monthly payment and can be terminated at anytime upon fifteen (15) days notice. The fee for services provided is \$2,500 per month.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal impact for the current year is projected to \$2,500 per month.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Crosswords Communciation Agreement	Crosswords Communciation Agreement.docx	
2. Exhibit A	Exhibit A.docx	

**PROFESSIONAL
SERVICES AGREEMENT**

THIS AGREEMENT, made this ____ day of March 2018, between the City of Clermont, a Municipal Corporation of the State of Florida, (hereinafter referred to as the "CITY") and Crosswords Communication Company, LLC whose address is 13119 Anderson Hill, Road, Clermont, FL 34711 (hereinafter referred to as "CONSULTANT").

NOW THEREFORE, in consideration of the covenants, representations and agreements herein contained, the parties agree as follows:

1. **SCOPE OF SERVICES:** The CONSULTANT shall furnish all labor, materials, equipment, transportation and perform all of the work described in the scope of services as set forth in Exhibit "A" attached hereto and incorporated herein.
2. **COMPENSATION SCHEDULE:** The CITY agrees to and does engage CONSULTANT to perform the professional services for compensation described herein and as set forth in Exhibit "A" attached hereto and incorporated herein and the parties do further agree:
 - a. As a condition precedent to receiving payment, CONSULTANT shall have been authorized to proceed by CITY for the specific phase, shall not be in default of any of the terms and conditions of this Agreement and shall provide to CITY an invoice for services provided for each thirty-day period commencing as of the effective date of this Agreement.
 - b. CITY shall pay all valid, approved and undisputed invoices as set forth in Exhibit "A" within thirty (30) days of receipt from CONSULTANT. In the event that CITY disputes any invoice submitted, it shall advise CONSULTANT in writing and said invoice shall not be deemed due and payable under this agreement. Neither the CITY's review approval or acceptance of, nor payment for, any services provided hereunder shall be construed to operate as a waiver of any rights under this Agreement and the CONSULTANT shall be liable to CITY for any and all damages to CITY caused by the CONSULTANT's negligent or wrongful performance of any of the services furnished under this Agreement.
 - c. All services provided shall be performed in accordance with this Agreement and with any and all applicable law, professional standards and guidelines. CITY may request CONSULTANT to make changes in the scope of services or make revisions to the work performed. Any changes or revisions requested by CITY that are not due to consultant error, omission or negligence will be incorporated into the scope of services by written amendment to this agreement and the consultant may be entitled to additional compensation upon the agreement of the parties.
3. **TERM.** This Agreement shall take effect on March 1, 2018 and shall continue in effect until the agreement is terminated as provided in Section 4 below.
4. **TERMINATION.**

a. The non-breaching party upon breach of the terms and conditions contained herein may terminate this Agreement.

b. Additionally, CITY shall have the right to terminate the agreement, for any reason, upon fifteen (15) days written notice to the CONSULTANT. In the event of termination by the CITY pursuant to this section 4b, CONSULTANT shall be compensated in accordance with the services completed and accepted, as of the date of the termination and as set forth in the Scope of Services

5. **RESPONSIBILITIES OF CONSULTANT.** In addition to all other responsibilities provided herein, CONSULTANT expressly understands and agrees that, through the above-referenced assigned personnel, it shall perform all of the services required in the Scope of Services, and further agrees as follows:

a. CONSULTANT shall assign Doris Bloodsworth at all times during the term of this Agreement to provide the services on behalf of CITY as contemplated herein.

b. CONSULTANT may retain subcontractors to provide any of the services contemplated herein. Said subcontractors shall be used at the sole expense of CONSULTANT, under the direct supervision of CONSULTANT and with the prior written approval of CITY.

c. CONSULTANT expressly acknowledges that any and all documents, logos, marketing and advertising material, plans, designs, reports, and specifications related to the project and acquired or created by CONSULTANT shall remain, at all times the property of CITY and CONSULTANT. CONSULTANT, therefore, shall preserve and maintain said records and shall immediately provide copies of them to CITY upon termination of this Agreement.

6. **RESPONSIBILITIES OF CITY.** The City shall provide full information, as reasonably directed by CONSULTANT, regarding the requirements of the project.

7. **AUTHORIZED REPRESENTATIVE OF THE CITY.** During the term of this Agreement, the City Manager shall be the designated representative authorized to act on behalf of the CITY, as provided by law, with respect to the project.

8. **INSURANCE PROVIDED BY CONSULTANT.**

a. **Workers Compensation.** CONSULTANT agrees to pay for and maintain in full force and effect all applicable workers compensation insurance as required by Federal and Florida Law.

b. **Comprehensive Automobile Liability.** CONSULTANT agrees to pay for and maintain in full force and effect at all times during the term of this Agreement, bodily injury and property damage liability insurance. The limits of said policies shall be in an amount approved by the CITY.

c. Proof of Insurance. Upon CITY's request, CONSULTANT agrees to provide to CITY reasonable proof of the aforementioned policies of insurance, or certificates of the issuance thereof, as evidence of the compliance by the CONSULTANT with the terms and provisions contained herein.

d. Loss of Insurance. If during the period which an insurance company is providing the coverage required by this Agreement, an insurance company shall lose its Certificate of Authority under Florida Law CONSULTANT shall, as soon as it has knowledge of any such circumstance, immediately notify CITY and immediately replace the insurance coverage provided by the insurance company with a different insurance company meeting the requirements of this Agreement. Until the CONSULTANT has replaced the unacceptable insurer with an insurer acceptable to CITY, the CONSULTANT shall be deemed in default of this Agreement.

e. Insurance Coverage Not Limitation of Liability. The maintenance of insurance coverage as provided herein shall not be construed to limit or have the effect of limiting CONSULTANT's liability to CITY under the provision of any clause or paragraph contained in this Agreement.

9. INDEMNIFICATION. CONSULTANT agrees to hold harmless and indemnify, including attorney fees, CITY, its officers, employees and agents against any and all claims, losses, damages or lawsuits for damages, arising from or related to negligent acts, errors or omissions of the CONSULTANT.

10. INDEPENDENT CONTRACTOR. The parties agree that at all times and for all purposes within the scope of this Agreement, the relationship of CONSULTANT and CITY is that of an independent contractor.

11. FORCE MAJEURE. With regard to the performance hereunder, CONSULTANT shall not be deemed to be in default of this agreement, or have to failed to comply with any term or conditions herein if, for reasons beyond CONSULTANT's reasonable control (including, without limitation, acts of God, natural disaster, labor unrest, war, declared or undeclared, the existence of injunctions or requirements for obtaining licenses, permits or other compliance with applicable laws, rules and regulations), such performance is not reasonably possible within such time periods, then the time for such performance shall be extended until removal of such reasons beyond CONSULTANT's reasonable control, provided that CONSULTANT commences such performance as soon as reasonably possible and diligently pursues such performance.

12. NOTICES. All notices shall be in writing and sent by United States mail, certified or registered, with return receipt requested and postage prepaid, or by nationally recognized overnight courier service to the address of the party set forth below. Any such notice shall be deemed given when received by the party to whom it is intended.

CONSULTANT: Doris Bloodsworth
13119 Anderson Hill Road

Clermont, FL 34711

CITY: Darren Gray, City Manager
City of Clermont
685 W. Montrose Street
Clermont, FL 34711

13. **PROHIBITION AGAINST CONTINGENT FEES.**

CONSULTANT warrants that it has not employed or retained any company or person, other than a bona fide employee working solely for CONSULTANT, to solicit or secure this agreement and that it has not paid or agreed to pay any person, company, corporation, individual, or firm, other than a bona fide employee/contractor working solely for CONSULTANT any fee, commission, percentage, gift or other consideration contingent upon or resulting from the award of making of this agreement. For breach or violation of this provision, in addition to any and all remedies available to CITY, CITY shall have the right to terminate this agreement without liability and to deduct from the contract price, or otherwise recover, the full amount of such fee, commission, percentage, gift or consideration.

14. **GENERAL PROVISIONS.**

a. Assignment and Disclosure of Intellectual Property. All original works of authorship that are made by the CONSULTANT or its representatives (solely or jointly with others), within the scope of, those described as works for hire and during the period of CITY'S agreement with the CONSULTANT and that are protectable by copyright as that term is defined in the United States Copyright Act and that the CONSULTANT will be considered the author thereof and shall have expressly authorized the use thereof by CITY for all purposes consistent with this Agreement.

b. Pre-suit Mediation. Prior to, and as a condition precedent to the commencement of any lawsuit or administrative proceeding to resolve any disputes arising out of this Agreement the parties agree that the dispute first shall be summited to non-binding mediation for a minimum of eight hours before a business mediation organization approved by the parties. Such mediation shall be held at the CITY's offices at the address set forth in this Agreement. The part shall bear the costs of the mediation equally.

c. Waiver. The waiver by CITY of breach of any provision of this Agreement shall not be construed or operate as a waiver of any subsequent breach of such provision or of such provision itself and shall in no way affect the enforcement of any other provisions of this Agreement.

d. Severability. If any provision of this Agreement or the application thereof to any person or circumstance is to any extent invalid or unenforceable, such provision, or part thereof, shall be deleted or modified in such a manner as to make the Agreement valid and enforceable under applicable law, the remainder of this Agreement and the application of such a provision to other persons or circumstances shall be unaffected, and this Agreement shall be valid and

enforceable to the fullest extent permitted by applicable law.

e. Amendment. Except for as otherwise provided herein, this Agreement may not be modified or amended except by an Agreement in writing signed by both parties.

f. Entire Agreement. This Agreement including the documents incorporated by reference contains the entire understanding of the parties hereto and supersedes all prior and contemporaneous agreements between the parties with respect to the performance of services by CONSULTANT.

g. Assignment. This Agreement is personal to the parties hereto and may not be assigned by CONSULTANT, in whole or in part, without the prior written consent of CITY.

h. Venue. The parties agree that the sole and exclusive venue for any cause of action arising out of this Agreement shall be Lake County, Florida.

i. Applicable Law. This Agreement and any amendments hereto are executed and delivered in the State of Florida and shall be governed, interpreted, construed and enforced in accordance with the laws of the State of Florida.

j. Records. CONSULTANT expressly understands and acknowledges that any and all documents related to the services provided herein, may be considered records that are subject to examination and production in accordance with Florida's Public Records Law. In accordance therewith CONSULTANT agrees to act as follows:

1. Keep and maintain public records that ordinarily and necessarily would be required by the CITY in order to perform the services contemplated herein.
2. Provide the public with access to public records on the same terms and conditions that the CITY would provide the records and at a cost that does not exceed the cost provided in this Florida's Public Records Law or as otherwise provided by law.
3. Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law.
4. Meet all requirements for retaining public records and transfer, at no cost, to the public agency all public records in possession of the CONSULTANT upon termination of the contract and destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. All records stored electronically must be provided to the CITY in a format that is compatible with the information technology systems of the public agency.

5. IF CONSULTANT HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONSULTANT'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONSULTANT SHALL CONTACT THE CITY'S CUSTODIAN OF PUBLIC RECORDS AT CITY CLERK'S OFFICE, 352-241-7331.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement for the purposes herein expressed on the date first above written.

Attest:

CITY OF CLERMONT, FLORIDA

BY: _____
Tracy Ackroyd, City Clerk

BY: _____
Darren Gray, City Manager
Date: _____

CROSSWORDS COMMUNICATION
COMPANY, LLC

Doris Bloodsworth, Manager
Date: _____



SCOPE OF WORK

Strategic Communications

March 1, 2018

EXHIBIT "A" TO PROFESSIONAL SERVICES AGREEMENT

Overview

The City of Clermont has requested strategic communications services from Crosswords Communications Co. The need is due in part to the City's robust growth and the Council's ambitious timetable for its award-winning Master Plan. Doris Bloodsworth, APR, president of Crosswords Communications Co., has the unique experience of having served as the City's former communications director in addition to having a broad background in marketing, public relations, media relations and social-media marketing.

Although the City currently has multiple marketing and communications initiatives, this Scope of Work seeks to integrate, streamline and improve coordination of those operations.

The following strategic plan also proposes to augment traditional and social-media services to promote greater awareness of the city's programs and achievements.

Project Description

- **Assess strategic communications, including, but not limited to the following:**
 - 1) City Manager and Council priorities
 - 2) Master Plan Communications
 - 3) Clermont Performing Arts Center (CPAC)
 - 4) Economic development and downtown – not directly covered by Master Plan
 - 5) Clermont Parks & Recreation programs, including city-sponsored events
 - 6) Public Safety programs
 - 7) Other city departments' communications needs
 - 8) City's communication resources (social media, email database, newsletter, etc.)
- **Meet with city manager to discuss assessment and to prioritize the following:**
 - 1) Immediate and time-sensitive communications needs
 - a) Set objectives (goal, timeline, measurable results)
 - 2) Strategic plan for ongoing communications
 - a) Set objectives (goal, timeline, measurable results)
- **Provide the following services to augment city's other communications:**
 - 1) Regular roundup of news items related to Clermont distributed to the city manager, city council and directors
 - 2) One or more news releases a week
 - 3) Social media posts several times a week
 - 4) Newsletter – including writing, photos, layout, printing and distribution
 - 5) City manager's e-newsletter and video message
 - 6) Other services may be necessary -- to be determined after the assessment and discussion with the city manager.

Contact

Phone or text: 407-797-9393

Email: dorisbloodsworth@gmail.com

Address: 13119 Anderson Hill Road, Clermont, FL 34711

Special Notes

- Work will commence upon signing of this agreement or a contract provided by the city.
- The length of this agreement will be determined by mutual consent of the city manager and Crosswords Communications Co.
- Doris Bloodsworth will make arrangements with the city manager for any time off due to previous commitments, such as family vacation.
- The city manager and contractor (Doris Bloodsworth) agree that a successful communications plan requires collaboration and access. Meetings will be scheduled on a mutually agreed upon schedule and on an as-need basis.

Professional Fees

DESCRIPTION	FEES
Assess current communications. Develop an integrated, streamlined, strategic communications plan that includes all major areas and marketing contractors. Meet with the city manager on a regular basis. Work with directors as needed. Provide the following services: • Provide key messages for new initiatives or in response to questions or concerns from citizens and the media. • Capture news items related to Clermont and distribute to the city manager, city council and directors. • Research, write and distribute news releases at least once a week (more often as needed) to inform the public about city achievements. • Post items of community interest regularly on social media.	\$2,500 monthly retainer Invoiced at the first of each month. Pro-rated for partial months.
Newsletter Provide content, design layout, arrange for printing and distribution.	\$500
City manager's e-newsletter "Hello, Clermont" and video updates (once monthly for each)	\$150
Hard costs <i>These fees are for service only. Hard costs for the printed newsletter and for boosting social media posts, in addition to other advertising, would be additional.</i>	
Other Services A complete marketing program often includes community relations, events, speaking engagements, crisis communications and other tactics. The timing, necessity and fees for these can be worked out by mutual consent of the city manager and contractor.	TBD



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date			
Tuesday, March 13, 2018			
Agenda Item Name			
Withdrawal of Boat Ramp Permit			
Requested Action			
Recommend to withdraw St. Johns River Water Management District permit to construct a boat ramp at Lake Hiawatha Preserve and consider alternative sites.			
Staff Report			
Staff recommends approval of withdrawal of St. Johns River Water Management District permit to construct a boat ramp at Lake Hiawatha Preserve and consider alternative sites.			
Additional Analysis			
Fiscal Impact Summary			
Fiscal Impact	Fund Number and Description	Available Budget Amount	
Exhibits Attached (copies of original agreements)			



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date														
Tuesday, March 13, 2018														
Agenda Item Name														
Ordinance No. 2017-37 <i>Final</i> <i>Hancock Public Works/Keating</i>														
Requested Action														
Recommend approval of Ordinance 2017-37.														
Staff Report														
The applicant, John Kingman Keating, is requesting voluntary annexation of the subject property. The property is located south of Hooks Street, north of Trade Avenue, and east of Hancock Road. The City limits are bordering the eastern property line and a portion of the northeast property line. This meets the requirement of contiguous under Chapter 171 of the Florida Statutes for annexation. The property is approximately 35.87 +/- acres in size and is in the City's water and sewer service area. The property is located within the Interlocal Service Boundary Agreement (ISBA) and the Joint Planning Area (JPA). The applicant wishes to receive services from the City in order to develop a portion of the property into an industrial warehouse complex with outside storage. The remaining portion is under contract by the City for a future public works facility. This request is being heard concurrently with a request for a large-scale comprehensive plan amendment and will follow shortly with a rezoning to a PUD with M-1 Industrial uses. The related request for a comprehensive plan amendment would change the Future Land Use from Lake County's Regional Commercial to the City's Industrial designation. The rezoning request is to change the zoning from Urban Estate (currently Planned Industrial District in Lake County) to the City's Planned Unit Development (PUD) zoning classification to allow M-1 Industrial uses. Since the subject property is adjacent to the City limits and the City can provide urban services, staff recommends approval.														
Additional Analysis														
Fiscal Impact Summary														
Fiscal Impact	Fund Number and Description	Available Budget Amount												
Exhibits Attached (copies of original agreements)														
<table><tr><td>1.</td><td>Ordinance 2017-37</td><td>2017-37HancockStor Annex.doc</td></tr><tr><td>2.</td><td>Maps</td><td>Hancock Public Works Maps.pdf</td></tr><tr><td>3.</td><td>Application</td><td>ANN application.pdf</td></tr><tr><td>4.</td><td>Legal Ad</td><td>ANN Hancock PW legal ad.docx</td></tr></table>			1.	Ordinance 2017-37	2017-37HancockStor Annex.doc	2.	Maps	Hancock Public Works Maps.pdf	3.	Application	ANN application.pdf	4.	Legal Ad	ANN Hancock PW legal ad.docx
1.	Ordinance 2017-37	2017-37HancockStor Annex.doc												
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3.	Application	ANN application.pdf												
4.	Legal Ad	ANN Hancock PW legal ad.docx												



CITY OF CLERMONT
ORDINANCE NO. 2017-37

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

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

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

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

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

SECTION 1.

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

LEGAL DESCRIPTION

That part of the West 1,660 feet of the Northwest one-quarter (1/4) of Section 34, Township 22 South, Range 26 East, less the South 1,575 feet of the North one-half (1/2) of the West 1,660 feet of said Northwest one-quarter (1/4) and less the road right-of-way of Hancock Road on the West, being more particularly described as follows:

Commence at the Northwest corner of said Section 34 for a point of reference; Thence, run South 89°07'07" East, along the North line of said Northwest one-quarter (1/4), a distance of 25.00 feet to a point lying on the Easterly right-of-way line of Hancock Road (County Road 3-1255) as described in Official Records Book 474, Page 999 of the Public Records of Lake County, Florida, said point being the Point of Beginning; Thence, departing said right-of-way line, run South 89°07'07" East, along said North line, a distance of 1,635.24 feet to the East line



CITY OF CLERMONT
ORDINANCE NO. 2017-37

of the aforesaid West 1,660.00 feet; Thence, departing said North line, run South 00°05'31" East, parallel with and 1,660.00 feet East of, perpendicular measure, the West line of said Northwest one-quarter (1/4), a distance of 949.48 feet to the North line of the aforesaid South 1,575.00 feet; Thence run North 89°33'12" West, along said North line, a distance of 1,635.07 feet to the aforesaid East right-of-way line, Thence run North 00°05'31" West, along said right-of-way line, a distance of 961.89 feet to the Point of Beginning.
Containing a total of 35.87 acres, more or less.

SECTION 2.

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

SECTION 3.

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

SECTION 4.

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

SECTION 5.

This Ordinance shall be recorded in the Public Records of Lake County, Florida.

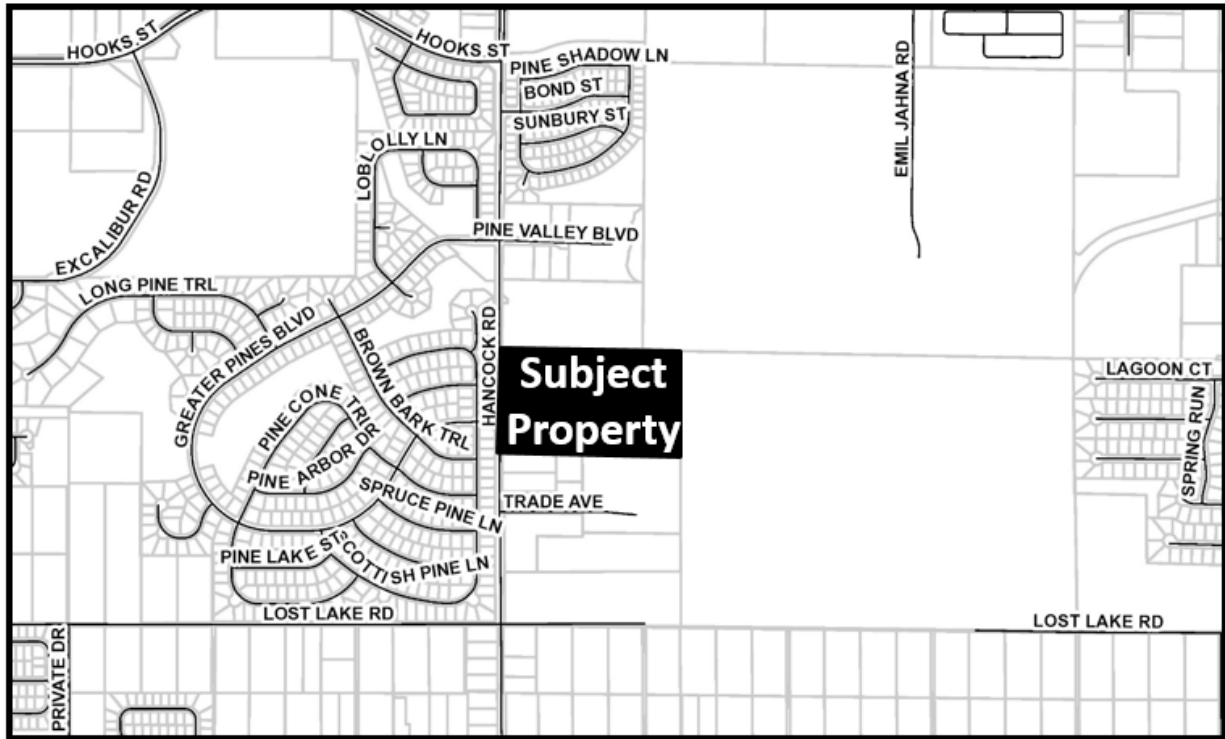
SECTION 6.

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



CITY OF CLERMONT
ORDINANCE NO. 2017-37

Location map:





CITY OF CLERMONT
ORDINANCE NO. 2017-37

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 23rd day of January, 2018.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Exhibit - Location Map

Keating/Hancock Public Works Site

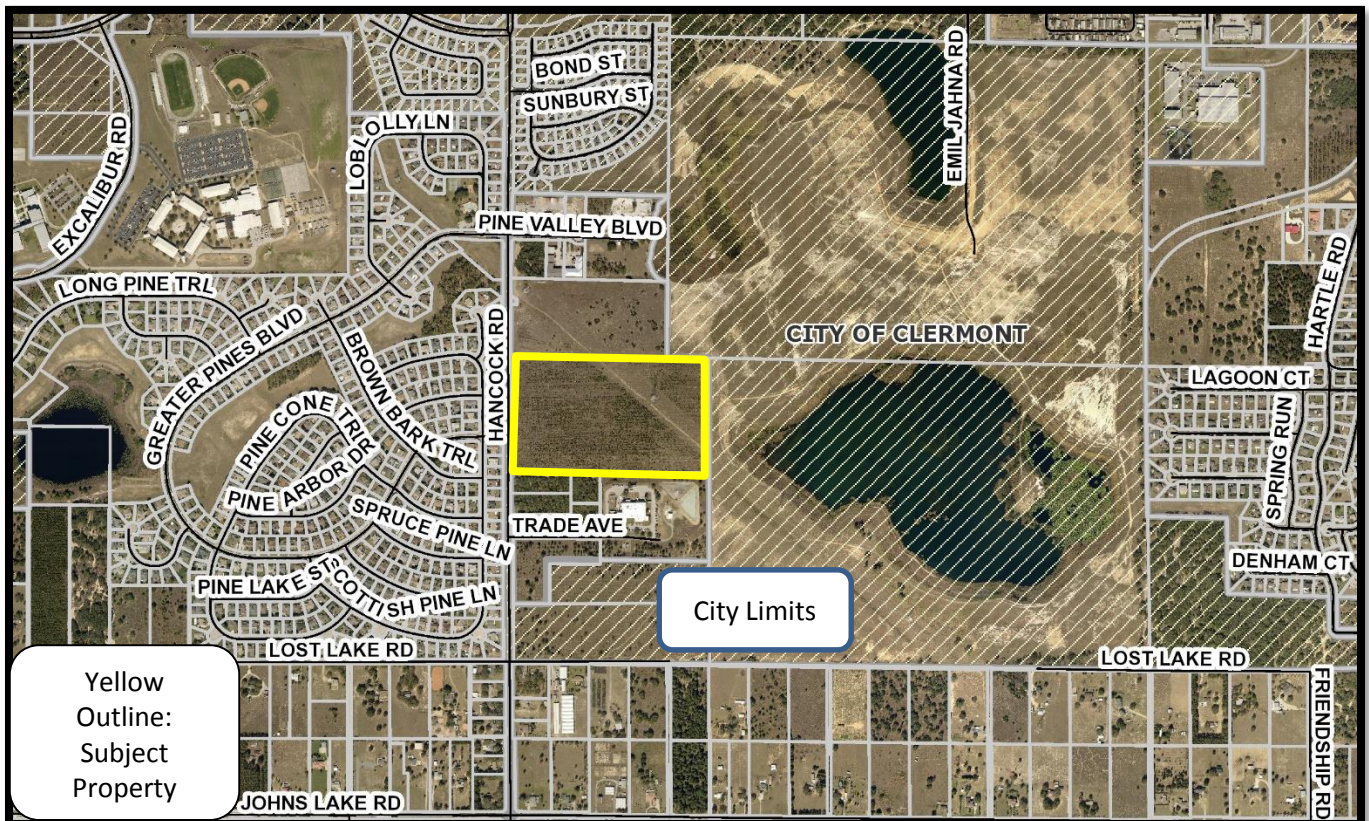
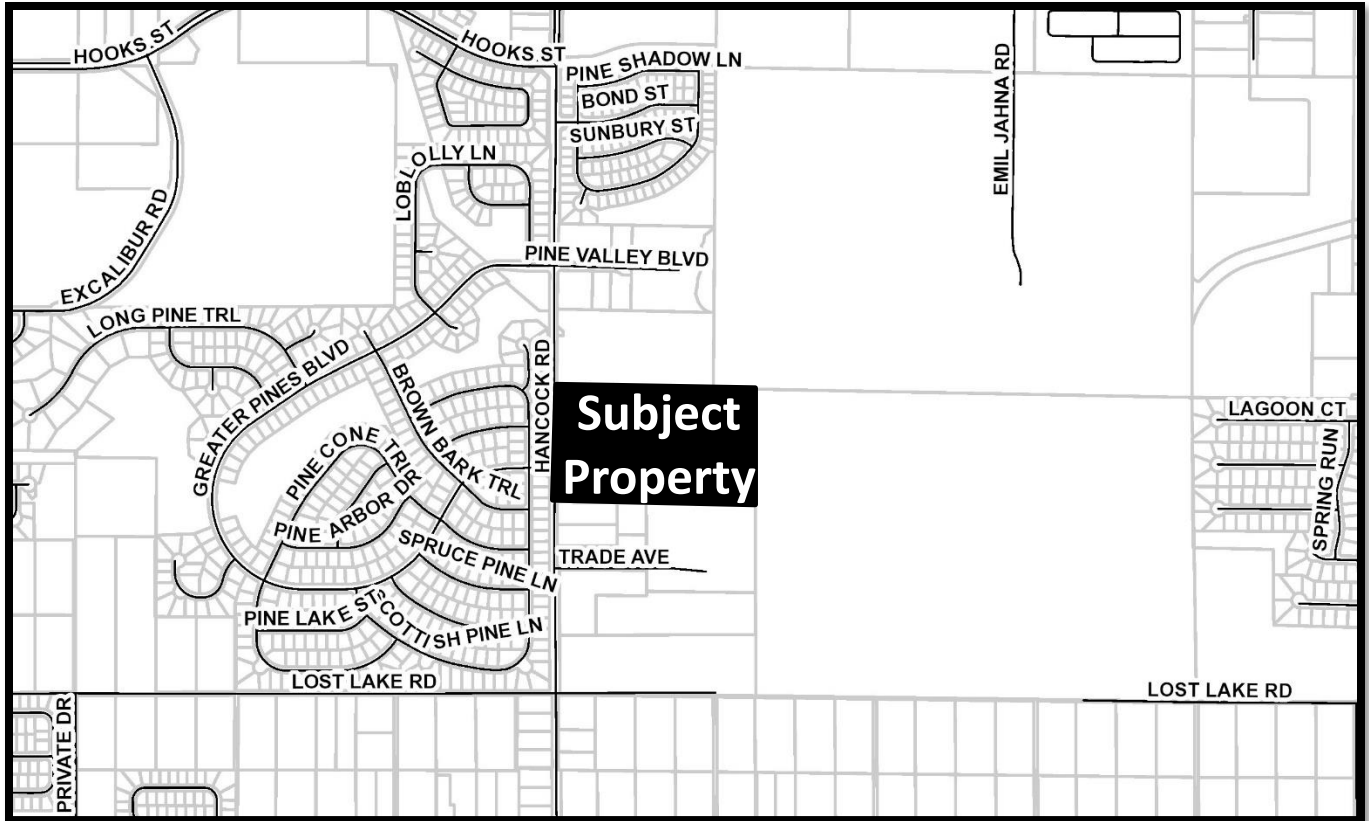


Exhibit – Future Land Use Map
Keating/Hancock Public Works Site

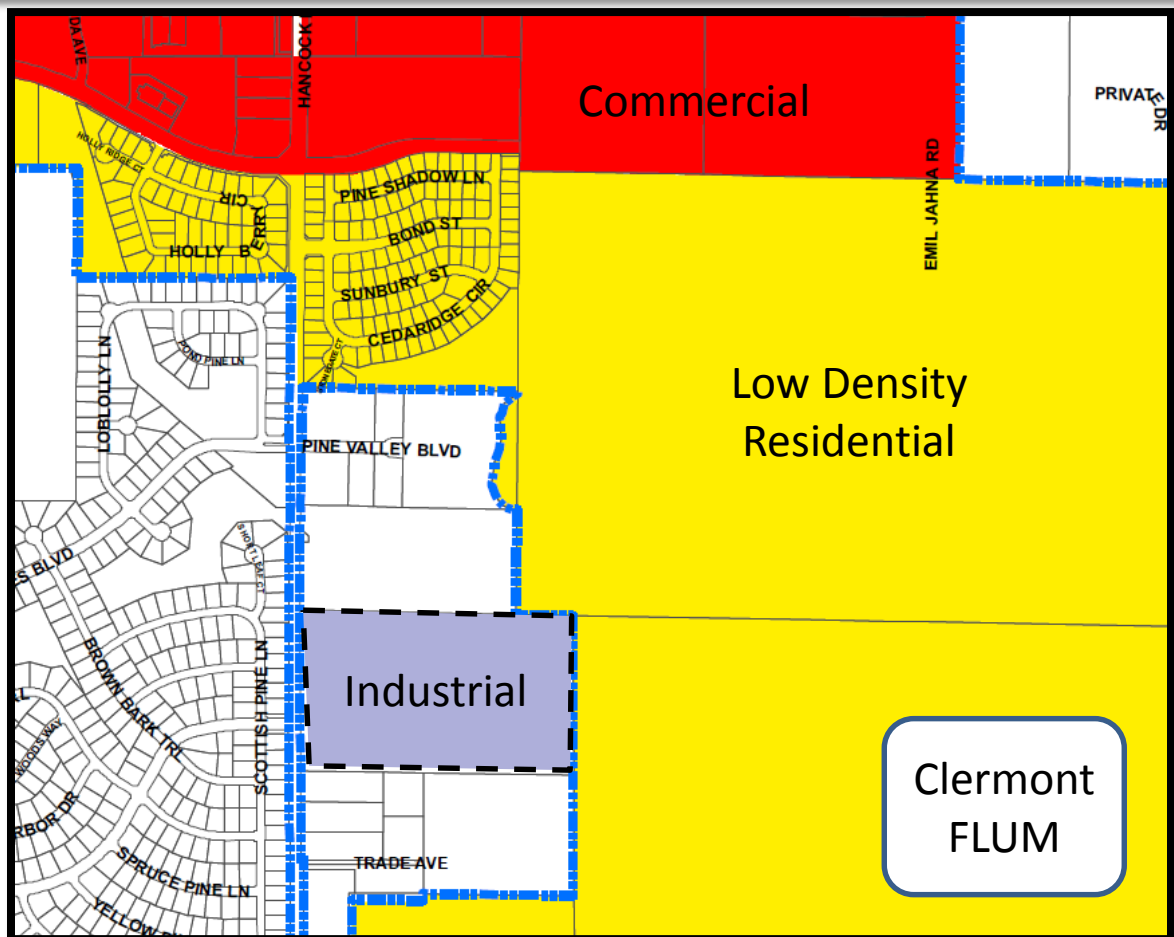
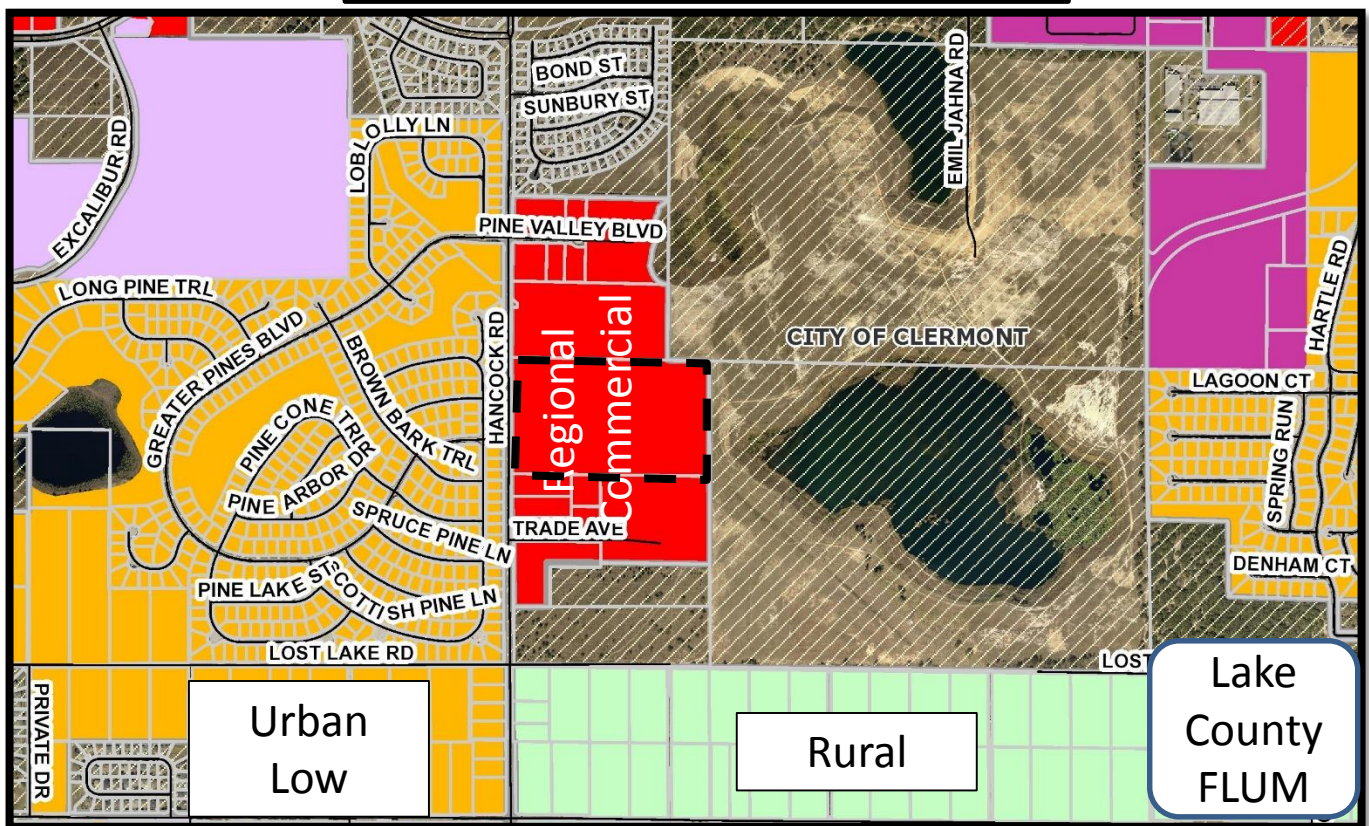
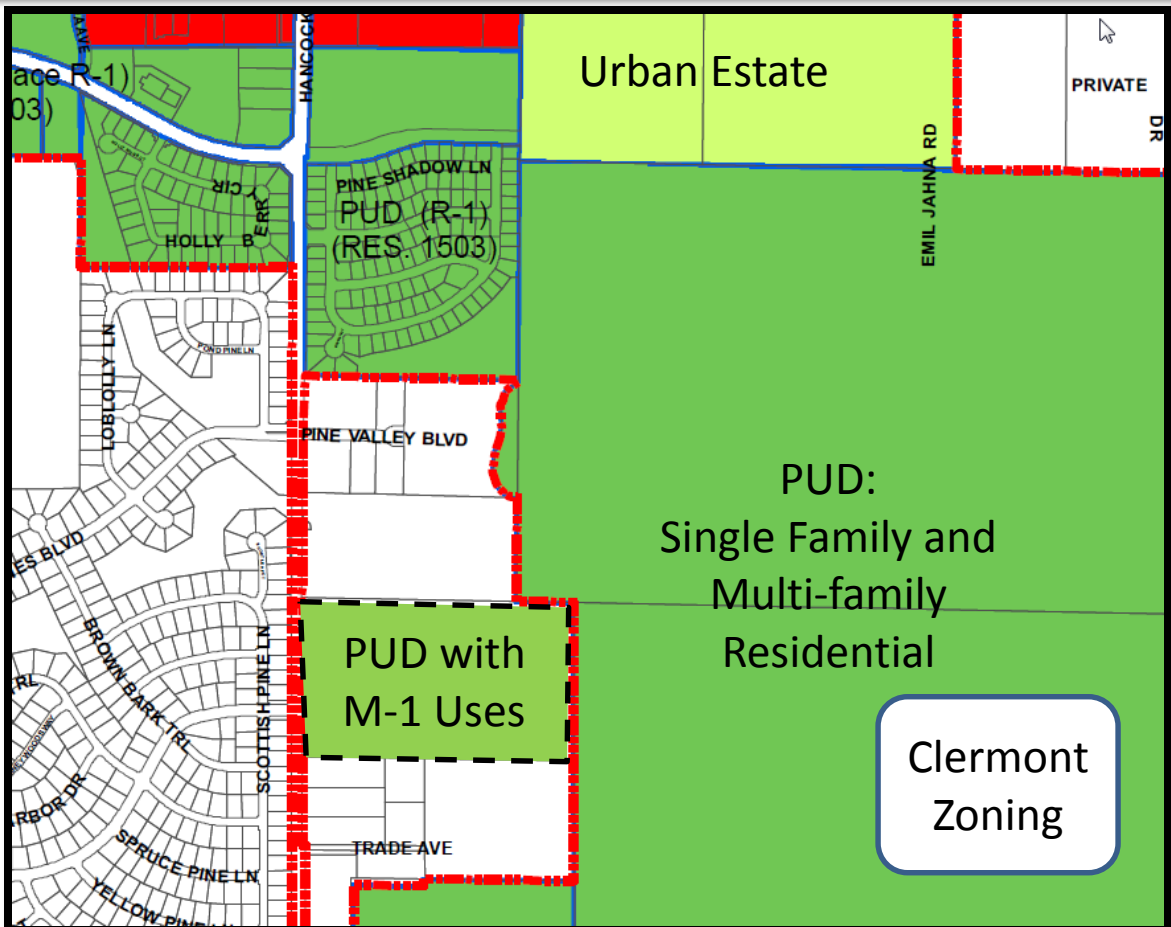
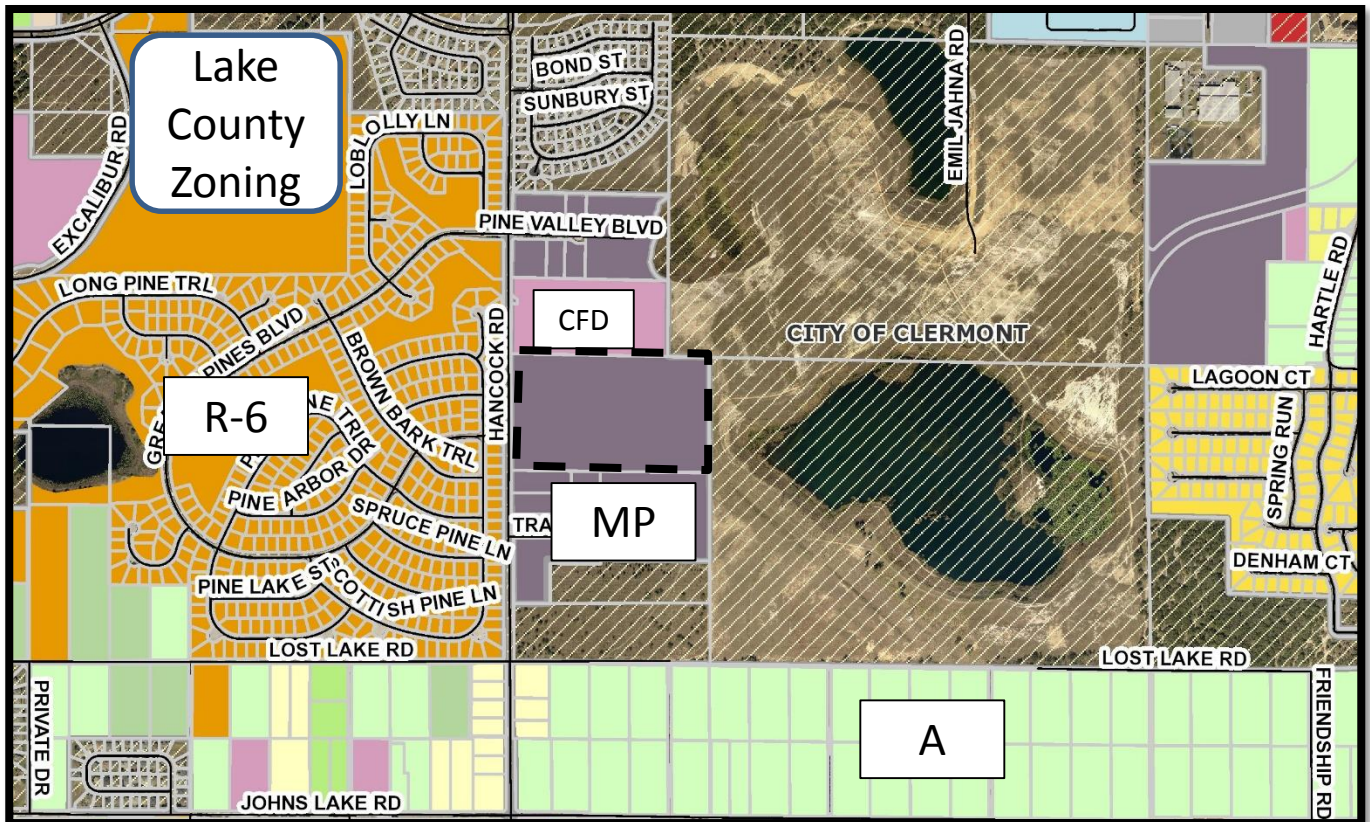


Exhibit - Zoning Map
Keating/Hancock Public Works Site





CHECK LIST & FILING INSTRUCTIONS

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

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

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

PROCEDURES:

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



APPLICATION & PETITION

✓ DATE: August 22, 2017

FEE: \$155.⁰⁰
+ cost of advertising

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

PROJECT NAME (if applicable): Hancock Road Property

APPLICANT: John Kingman Keating

Address: 250 East Colonial Drive, Suite 300

City: Orlando State: Florida Zip: 32801

Phone: 407-425-2907 Fax: 407-843-8964

Applicant is: Owner: ☒ Agent: ☒ Purchaser: ☐ Lessee: ☐ Optionee: ☐

OWNER: See Schedule "F," Item 1

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____

AGENT NAME (Affidavit required): Same as Applicant

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____

E-Mail: _____

Property address and/or general location: 1/4 mile south of Highway 50
on east side of Hancock Road

Area of property: 36 +/- acres, and/or _____ +/- sq. ft.

The property is PRESENTLY used for: Agricultural

The property is PROPOSED to be used for: See Schedule "F," Item 2



Existing Lake County Land Use* : Regional Commercial (Lake County)

Existing Lake County Zoning* : MP (Planned Industrial District) (Lake County)

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

Number of existing structures on the property and their present use: _____

Power Lines

State the reason or basis for this request: _____

See Schedule "F", Item 3

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

Section 34, Township 22, Range 26

See Schedule "F", Item 4

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



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

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

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

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

IN WITNESS WHEREOF, we, the undersigned landowners, as petitioners, have hereunto set our hands and seals as of the ____ day of _____, 20__.

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

See attached Exhibit "A"
Landowner (Petitioner)

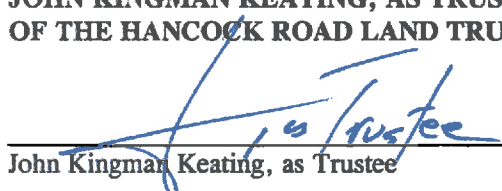
Notary Public

Date

My Commission Expires

EXHIBIT "A" - OWNER SIGNATURE PAGE
FOR PETITION OF LANDOWNER(S) FOR ANNEXATION OF CERTAIN
PROPERTY TO THE CITY OF CLERMONT

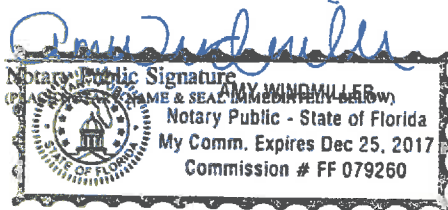
**JOHN KINGMAN KEATING, AS TRUSTEE
OF THE HANCOCK ROAD LAND TRUST**



John Kingman Keating, as Trustee

**STATE OF FLORIDA
COUNTY OF ORANGE**

I HEREBY CERTIFY that John Kingman Keating personally appeared before me and executed this instrument and that he is the same person executing the foregoing instrument because: ☒ I personally know him/her/them OR ☐ I have satisfactory evidence of same based upon a ☐ Florida driver's license. WITNESS my hand and official seal in the State and County aforesaid this 8th day of August, 2017.



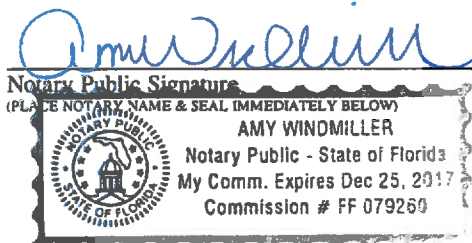
TONY H. ROPER



Tony H. Roper

**STATE OF FLORIDA
COUNTY OF ORANGE**

I HEREBY CERTIFY that Tony H. Roper personally appeared before me and executed this instrument and that he is the same person executing the foregoing instrument because: ☒ I personally know him/her/them OR ☐ I have satisfactory evidence of same based upon a ☐ Florida driver's license. WITNESS my hand and official seal in the State and County aforesaid this 8th day of August, 2017.



**BERT E. ROPER AND BARBARA C. ROPER
FAMILY LIMITED LIABILITY LIMITED
PARTNERSHIP**

By: _____
Charles F. Roper
As its General Partner

**STATE OF FLORIDA
COUNTY OF ORANGE**

I HEREBY CERTIFY that John Kingman Keating personally appeared before me and executed this instrument as General Partner of the Bert E. Roper and Barbara C. Roper Family Limited Liability Limited Partnership and that he is the same person executing the foregoing instrument because: ☐ I personally know him/her/them OR ☐ I have satisfactory evidence of same based upon a ☐ Florida driver's license. WITNESS my hand and official seal in the State and County aforesaid this _____ day of August, 2017.

Notary Public Signature
(PLACE NOTARY NAME & SEAL IMMEDIATELY BELOW)



OWNER / AGENT AFFIDAVIT (ANNEXATION)

Date: _____

Before me, the undersigned authority personally appeared _____
(owner(s) name), who being by me duly sworn on oath,
deposes and says:

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

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

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

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

X _____ X _____
Owner (signature) Agent's (signature)

Sworn to and subscribed before
me this _____ day of _____,
20____.

Sworn to and subscribed before
me this _____ day of _____,
20____.

Notary Public, State of FL
My commission expires:

Notary Public, State of FL
My commission expires:

***Note:** Owner must sign affidavit. When agent is representing case, both agent and owner must sign affidavit.

OWNER/AGENT SIGNATURE PAGE
ATTACHED TO OWNER / AGENT AFFIDAVIT (ANNEXATION)

**JOHN KINGMAN KEATING, AS TRUSTEE
OF THE HANCOCK ROAD LAND TRUST
(OWNER)**

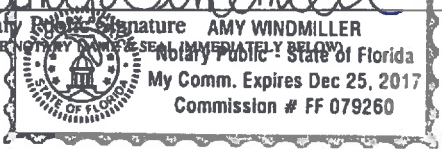


John Kingman Keating, as Trustee

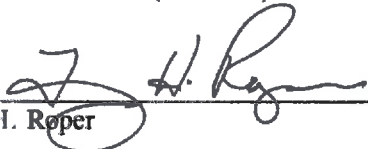
**STATE OF FLORIDA
COUNTY OF ORANGE**

I HEREBY CERTIFY that John Kingman Keating personally appeared before me and executed this instrument and that he is the same person executing the foregoing instrument because: ☒ I personally know him/her/them OR ☐ I have satisfactory evidence of same based upon a ☐ Florida driver's license. WITNESS my hand and official seal in the State and County aforesaid this 8th day of August, 2017.



Notary Public Signature AMY WINDMILLER
(PLACE NOTARY NAME & SEAL IMMEDIATELY BELOW)

Notary Public - State of Florida
My Comm. Expires Dec 25, 2017
Commission # FF 079260

TONY H. ROPER (OWNER)



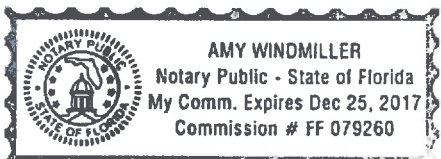
Tony H. Roper

**STATE OF FLORIDA
COUNTY OF ORANGE**

I HEREBY CERTIFY that Tony H. Roper personally appeared before me and executed this instrument and that he is the same person executing the foregoing instrument because: ☒ I personally know him/her/them OR ☐ I have satisfactory evidence of same based upon a ☐ Florida driver's license. WITNESS my hand and official seal in the State and County aforesaid this 8th day of August, 2017.



Notary Public Signature
(PLACE NOTARY NAME & SEAL IMMEDIATELY BELOW)


AMY WINDMILLER
Notary Public - State of Florida
My Comm. Expires Dec 25, 2017
Commission # FF 079260

**BERT E. ROPER AND BARBARA C. ROPER
FAMILY LIMITED LIABILITY LIMITED
PARTNERSHIP (OWNER)**

By: _____
Charles F. Roper
As its General Partner

**STATE OF FLORIDA
COUNTY OF ORANGE**

I HEREBY CERTIFY that John Kingman Keating personally appeared before me and executed this instrument as General Partner of the Bert E. Roper and Barbara C. Roper Family Limited Liability Limited Partnership and that he is the same person executing the foregoing instrument because: ☐ I personally know him/her/them OR ☐ I have satisfactory evidence of same based upon a ☐ Florida driver's license. WITNESS my hand and official seal in the State and County aforesaid this _____ day of August, 2017.

Notary Public Signature
(PLACE NOTARY NAME & SEAL IMMEDIATELY BELOW)

JOHN KINGMAN KEATING (AGENT)

John Kingman Keating, as Agent

**STATE OF FLORIDA
COUNTY OF ORANGE**

I HEREBY CERTIFY that John Kingman Keating personally appeared before me and executed this instrument and that he is the same person executing the foregoing instrument because: ☐ I personally know him/her/them OR ☐ I have satisfactory evidence of same based upon a ☐ Florida driver's license. WITNESS my hand and official seal in the State and County aforesaid this _____ day of August, 2017.

Notary Public Signature
(PLACE NOTARY NAME & SEAL IMMEDIATELY BELOW)

LEGAL NOTICE

The City Council of the City of Clermont will consider the enactment of the following proposed Ordinance at the regularly scheduled meeting to be held Tuesday, January 23, 2018 at 6:30 P.M. at City Hall located at 685 West Montrose Street. All interested parties will be given an opportunity to express their views on this matter.

ORDINANCE NO. 2017-37

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

LOCATION:

South of Hooks Street, North of Trade Avenue, East of Hancock Road
Alternate key 1593093

LEGAL DESCRIPTION

That part of the West 1,660 feet of the Northwest one-quarter (1/4) of Section 34, Township 22 South, Range 26 East, less the South 1,575 feet of the North one-half (1/2) of the West 1,660 feet of said Northwest one-quarter (1/4) and less the road right-of-way of Hancock Road on the West, being more particularly described as follows:

Commence at the Northwest corner of said Section 34 for a point of reference; Thence, run South 89°07'07" East, along the North line of said Northwest one-quarter (1/4), a distance of 25.00 feet to a point lying on the Easterly right-of-way line of Hancock Road

(County Road 3-1255) as described in Official Records Book 474, Page 999 of the Public Records of Lake County, Florida, said point being the Point of Beginning; Thence, departing said right-of-way line, run South 89°07'07" East, along said North line, a distance of 1,635.24 feet to the East line of the aforesaid West 1,660.00 feet; Thence, departing said North line, run South 00°05'31" East, parallel with and 1,660.00 feet East of, perpendicular measure, the West line of said Northwest one-quarter (1/4), a distance of 949.48 feet to the North line of the aforesaid South 1,575.00 feet; Thence run North 89°33'12" West, along said North line, a distance of 1,635.07 feet to the aforesaid East right-of-way line, Thence run North 00°05'31" West, along said right-of-way line, a distance of 961.89 feet to the Point of Beginning.

Containing a total of 35.87 acres, more or less. Alternate Key 1593093

See Map Below

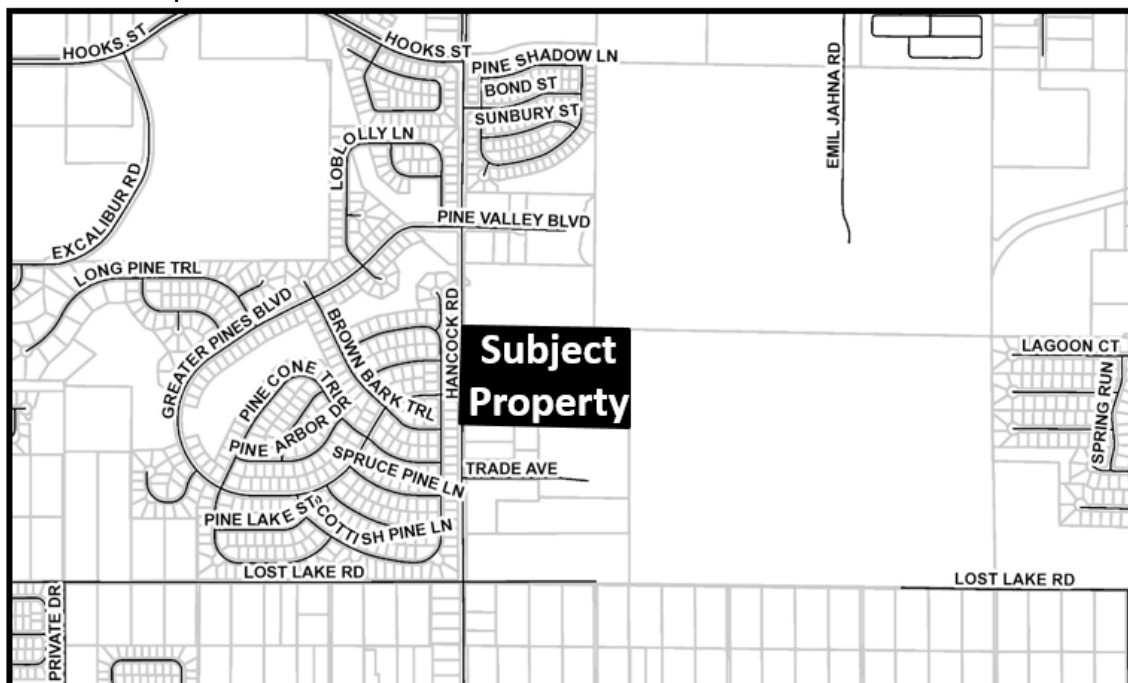
This ordinance is available for public inspection in the office of the City Clerk, 685 W. Montrose Street, Monday through Friday between the hours of 8:00 A.M. and 5:00 P.M.

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 Howe, MMC

City Clerk
Daily Commercial
January 9 & January 16, 2018

Location Map:





CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, March 13, 2018		
Agenda Item Name		
Ordinance No. 2017-38 <i>Final</i> <i>Hancock Public Works/Keating</i>		
Requested Action		
Recommend approval of Ordinance 2017-38.		
Staff Report		
The applicant, John Kingman Keating, is requesting a large-scale comprehensive plan amendment for the subject property. The property is approximately 35.87 +/- acres in size. The property is located within the Interlocal Service Boundary Agreement (ISBA) and the Joint Planning Area (JPA) between the City and Lake County. This request is being heard concurrently with a request for annexation. The rezoning will come before the City Council within the following month. The large-scale comprehensive plan amendment would change the Future Land Use from Lake County's Regional Commercial to the City's Industrial designation. The property is currently zoned Planned Industrial in Lake County and the applicant desires to continue those permitted uses in the City of Clermont. The City's Industrial Future Land Use designation is supported by the physical characteristics of the site, such as a high voltage transmission line with a 200-foot power easement extending over a third of the property and the location of the property to major transportation corridors with the existing industrial uses in the area. In addition, Industrial uses are permitted through the current Lake County zoning classification, which would continue under the City's Industrial future land use designation. Lake County's Regional Commercial FLU, under Policy I-1.2.2, Table FLUE 2 in their comprehensive plan, allows a floor area ratio of 3.0 FAR. The City's Industrial Land Use, under Policy 1.10.3 limits the floor area ratio to 1.0 FAR, which is considerably less than allowable under Lake County and decreases the intensity. The City has received responses from the State agencies that have provided reviews. No objections or comments have been received. Therefore, staff recommends approval of the large scale comprehensive plan amendment to change the future land use from Lake County Regional Commercial to Industrial in the City.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)

1.	Ordinance 2017-38	2017-38+Hancock+Storage++LScale+CPA Updated.doc
2.	Maps	Hancock Public Works Maps.pdf
3.	City/County Comp Plan Policies	Comp Plan Exhibit.pdf
4.	State Agency Response	Keating CPA Agency Responses.pdf
5.	Application	CPA Application.pdf
6.	Legal ad	CPA AD Hancock Pub Works.docx

CITY OF CLERMONT
ORDINANCE No. 2017-38

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

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

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

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

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

Section 1.

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

LEGAL DESCRIPTION

That part of the West 1,660 feet of the Northwest one-quarter (1/4) of Section 34, Township 22 South, Range 26 East, less the South 1,575 feet of the North one-half (1/2) of the West 1,660 feet of said Northwest one-quarter (1/4) and less the road right-of-way of Hancock Road on the West, being more particularly described as follows:

Commence at the Northwest corner of said Section 34 for a point of reference; Thence, run South 89°07'07" East, along the North line of said Northwest one-quarter (1/4), a

CITY OF CLERMONT
ORDINANCE No. 2017-38

distance of 25.00 feet to a point lying on the Easterly right-of-way line of Hancock Road (County Road 3-1255) as described in Official Records Book 474, Page 999 of the Public Records of Lake County, Florida, said point being the Point of Beginning; Thence, departing said right-of-way line, run South 89°07'07" East, along said North line, a distance of 1,635.24 feet to the East line of the aforesaid West 1,660.00 feet; Thence, departing said North line, run South 00°05'31" East, parallel with and 1,660.00 feet East of, perpendicular measure, the West line of said Northwest one-quarter (1/4), a distance of 949.48 feet to the North line of the aforesaid South 1,575.00 feet; Thence run North 89°33'12" West, along said North line, a distance of 1,635.07 feet to the aforesaid East right-of-way line, Thence run North 00°05'31" West, along said right-of-way line, a distance of 961.89 feet to the Point of Beginning.

Containing a total of 35.87 acres, more or less. AK 1593093

**CHANGE IN FUTURE LAND USE CLASSIFICATION
FROM LAKE COUNTY – REGIONAL COMMERCIAL
TO CITY OF CLERMONT INDUSTRIAL**

Section 2.

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

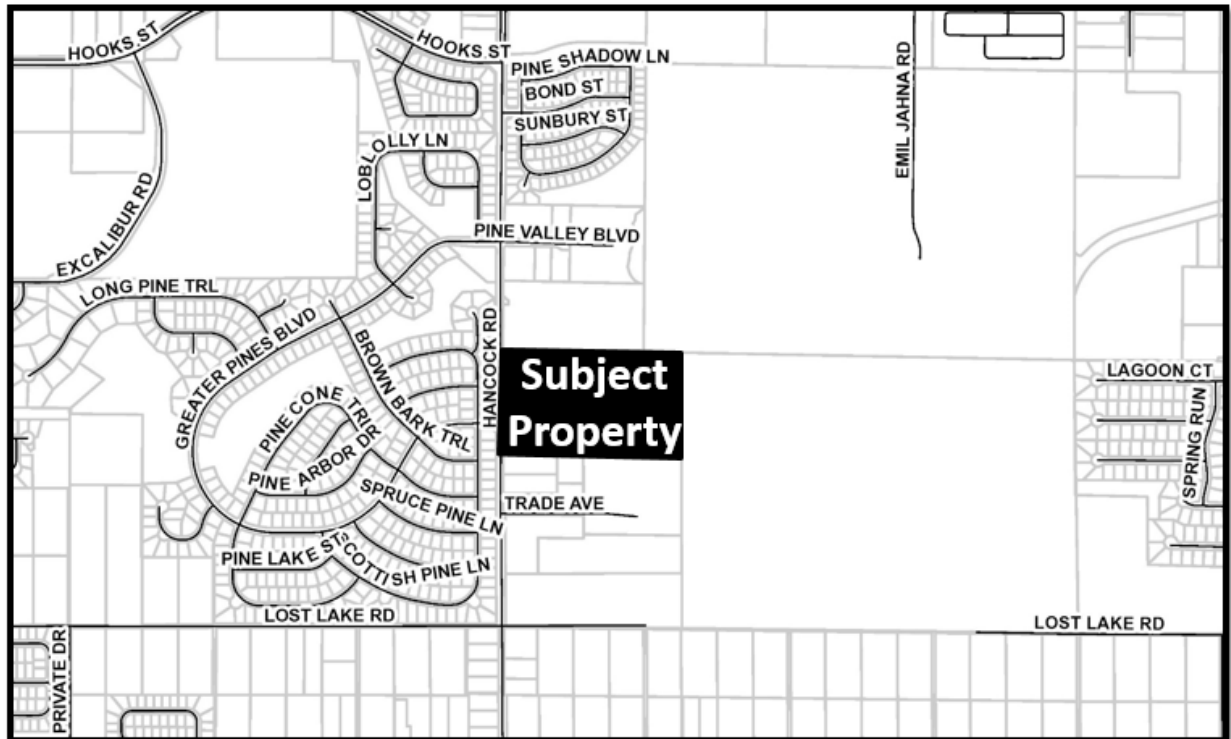
Section 3.

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

Section 4.

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

CITY OF CLERMONT
ORDINANCE No. 2017-38



CITY OF CLERMONT
ORDINANCE No. 2017-38

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida, this 23rd day of January, 2018.

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Exhibit - Location Map

Keating/Hancock Public Works Site

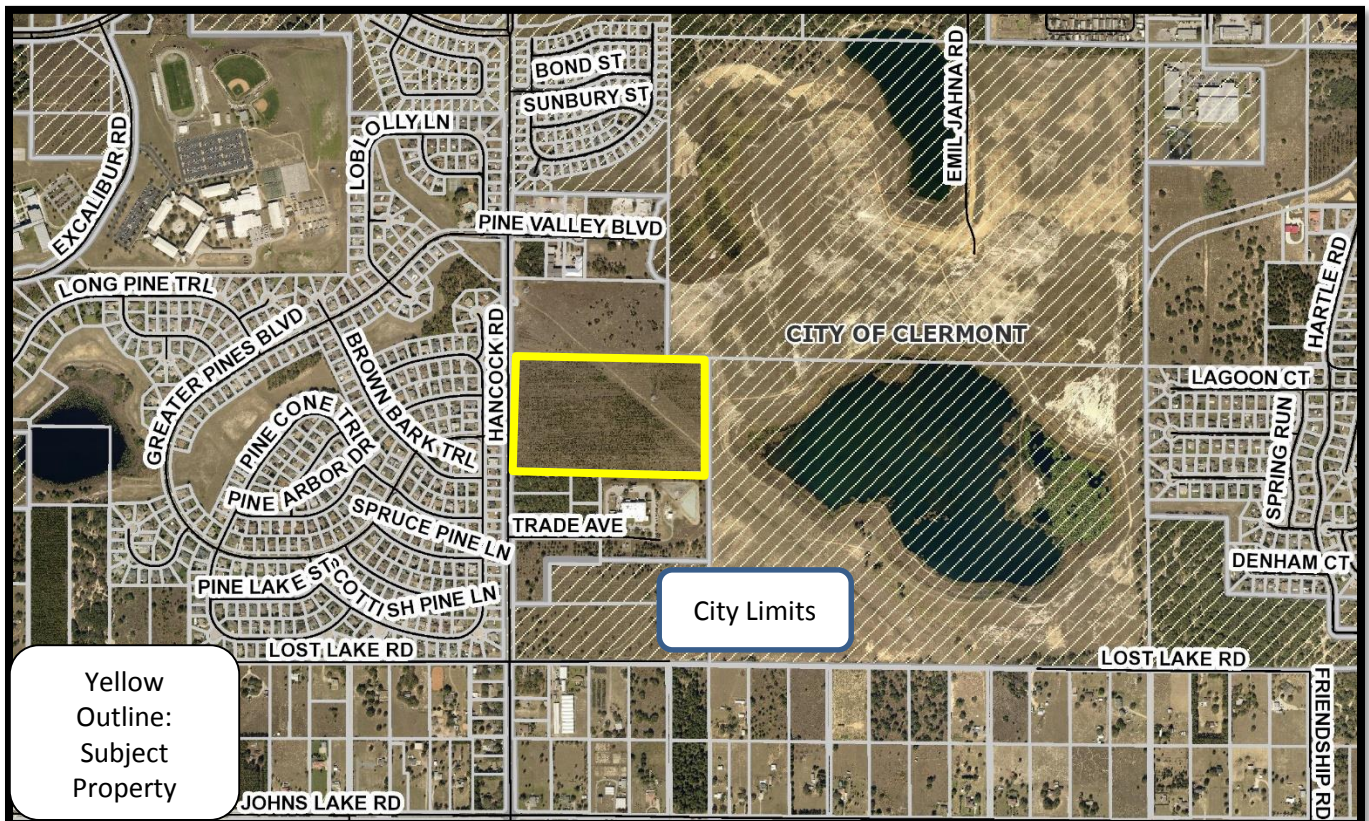
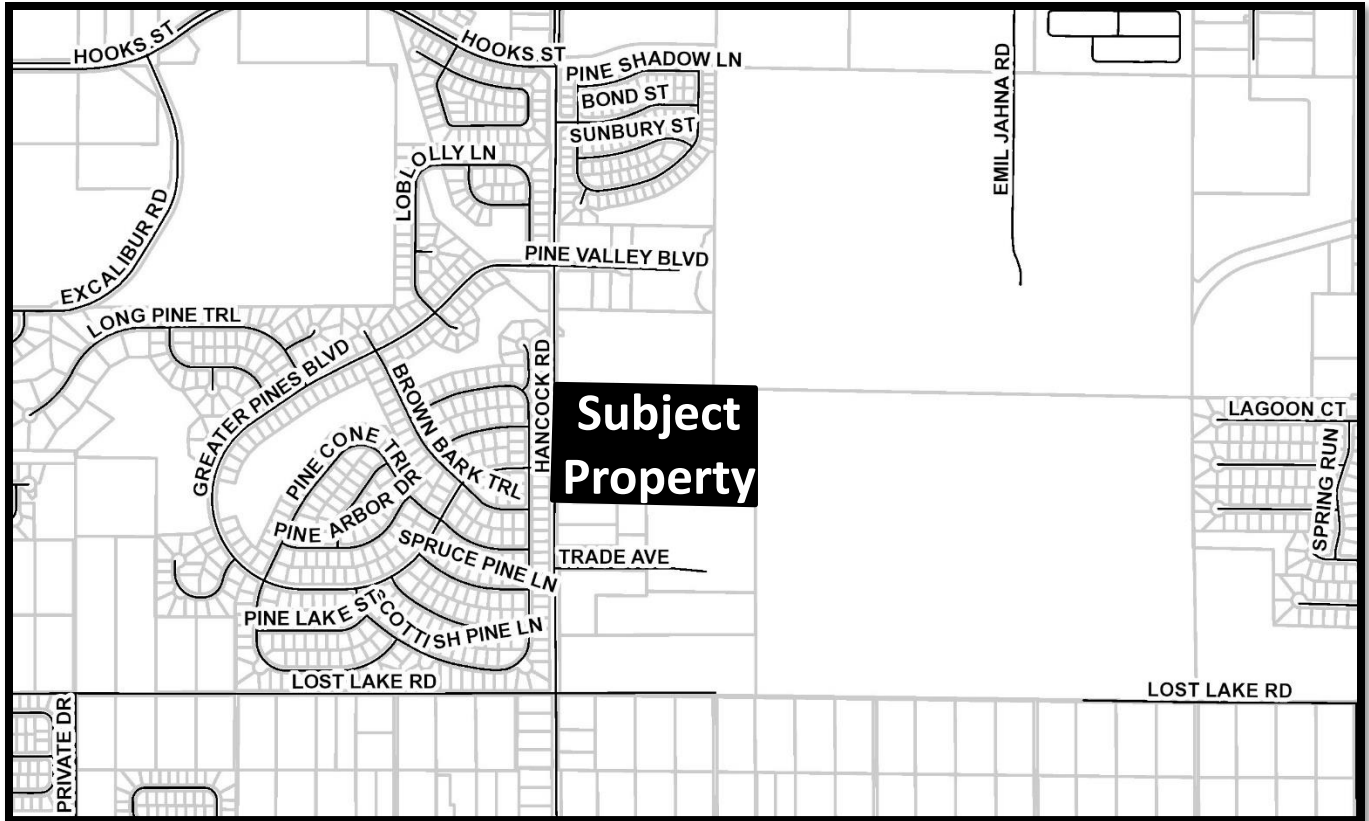


Exhibit – Future Land Use Map
Keating/Hancock Public Works Site

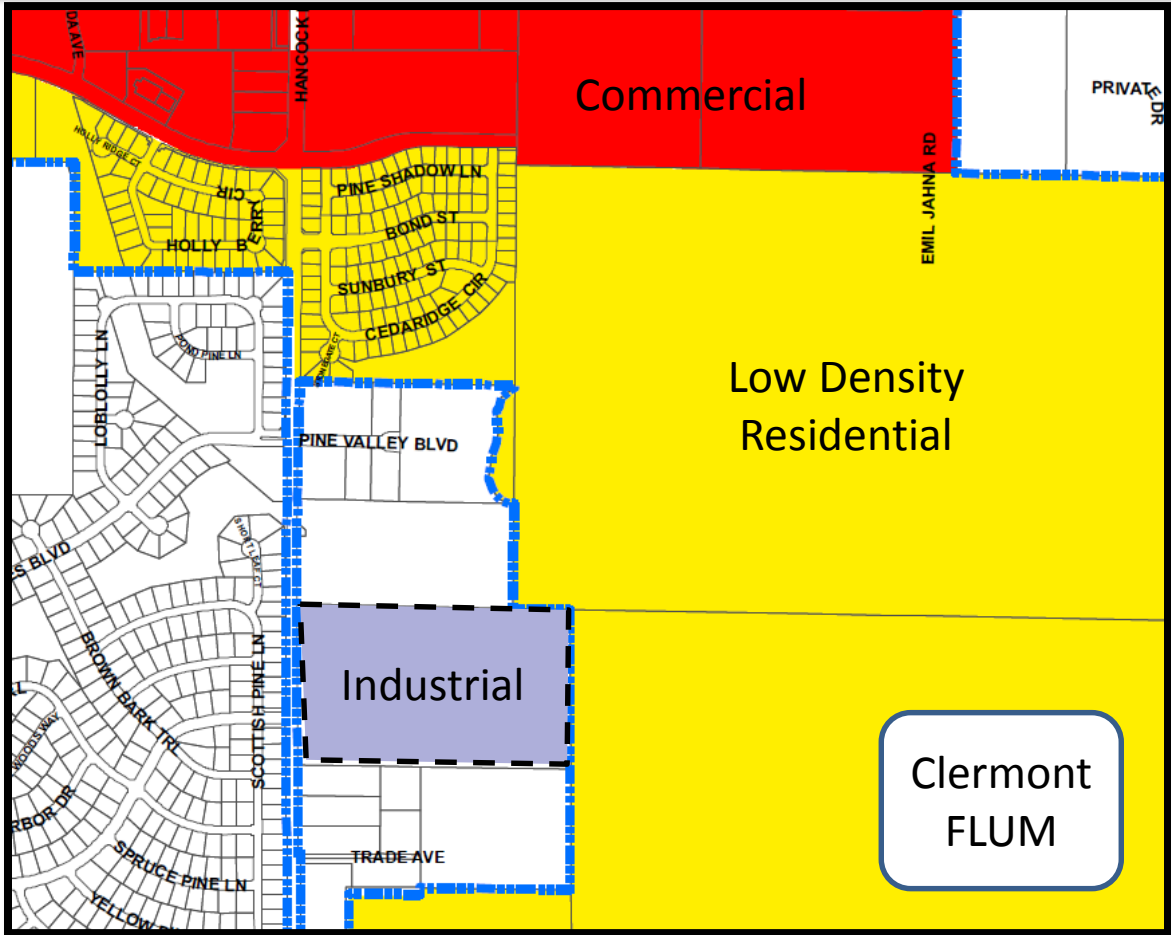
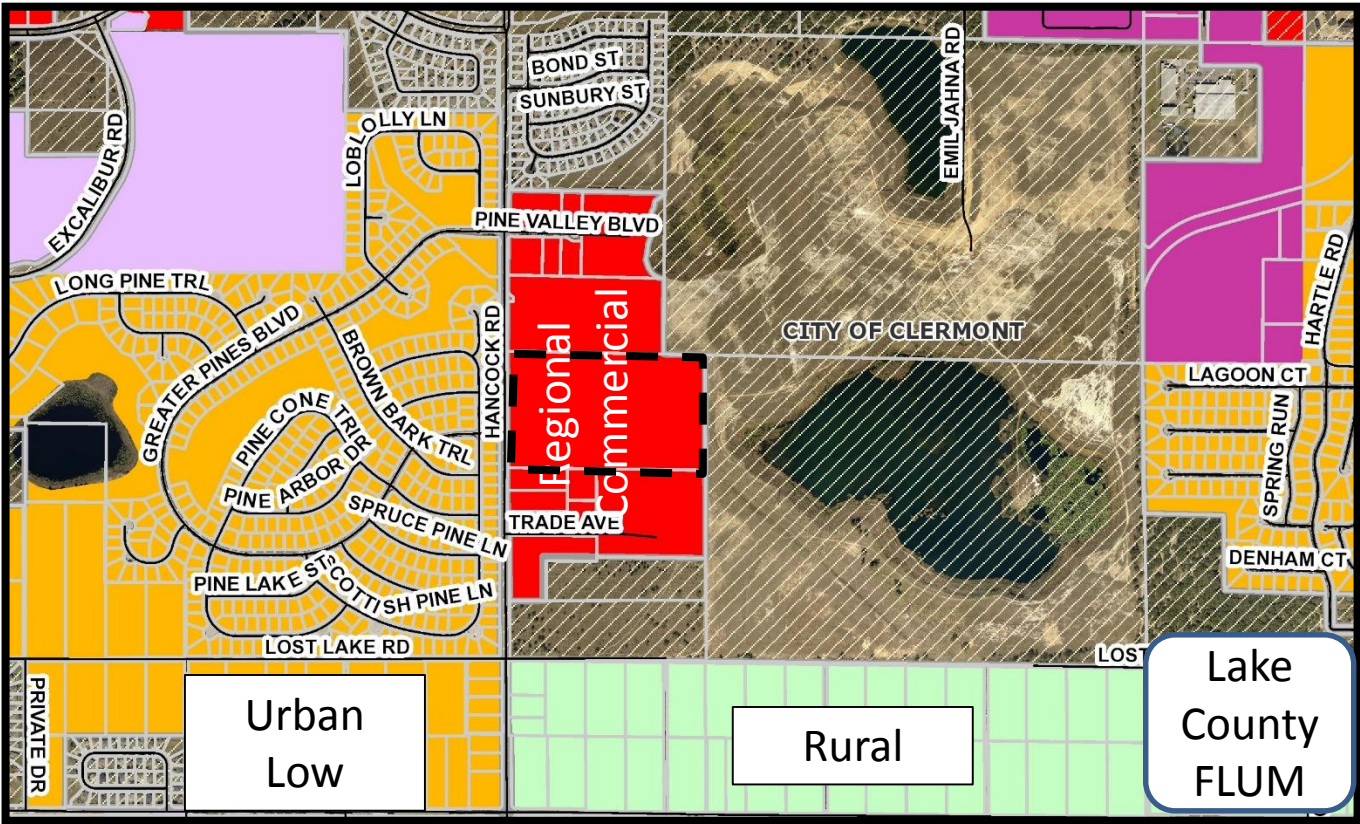
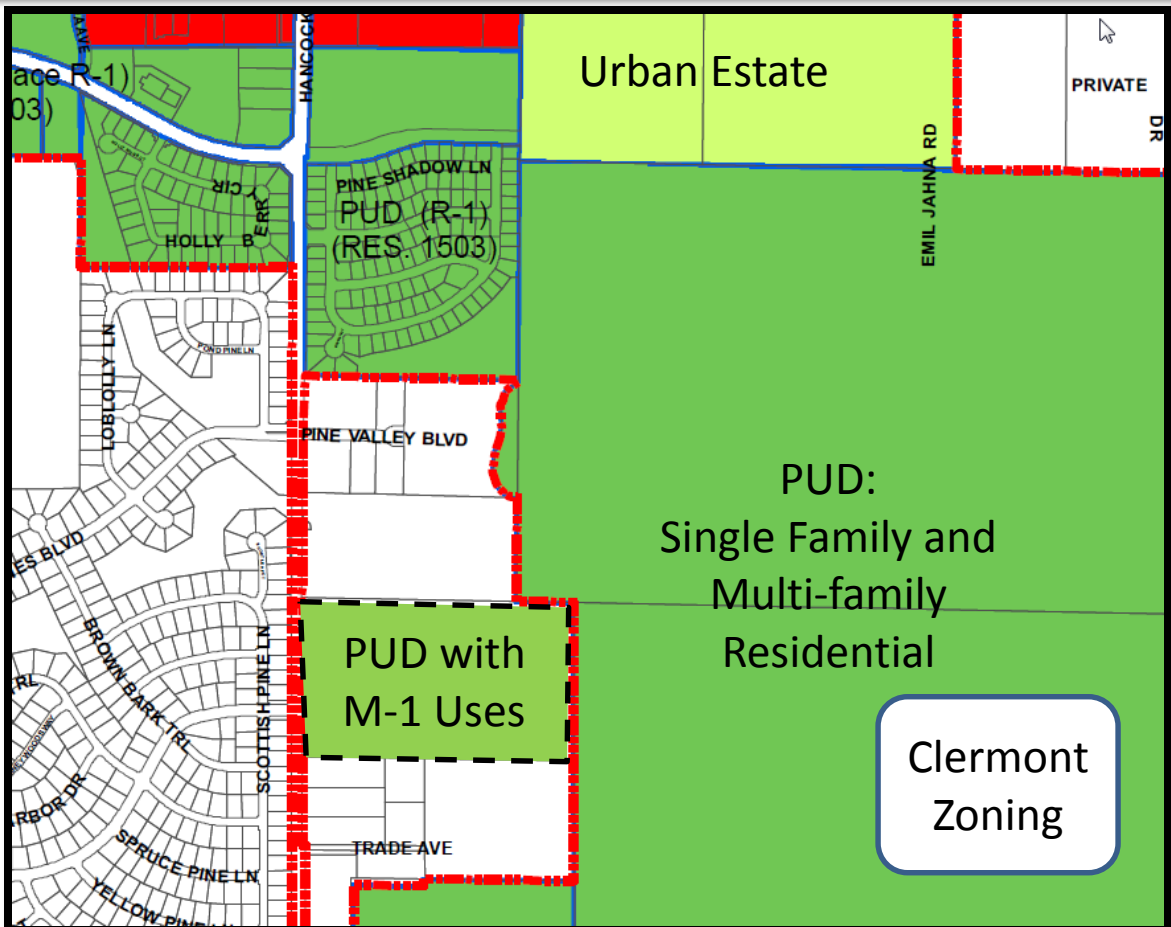
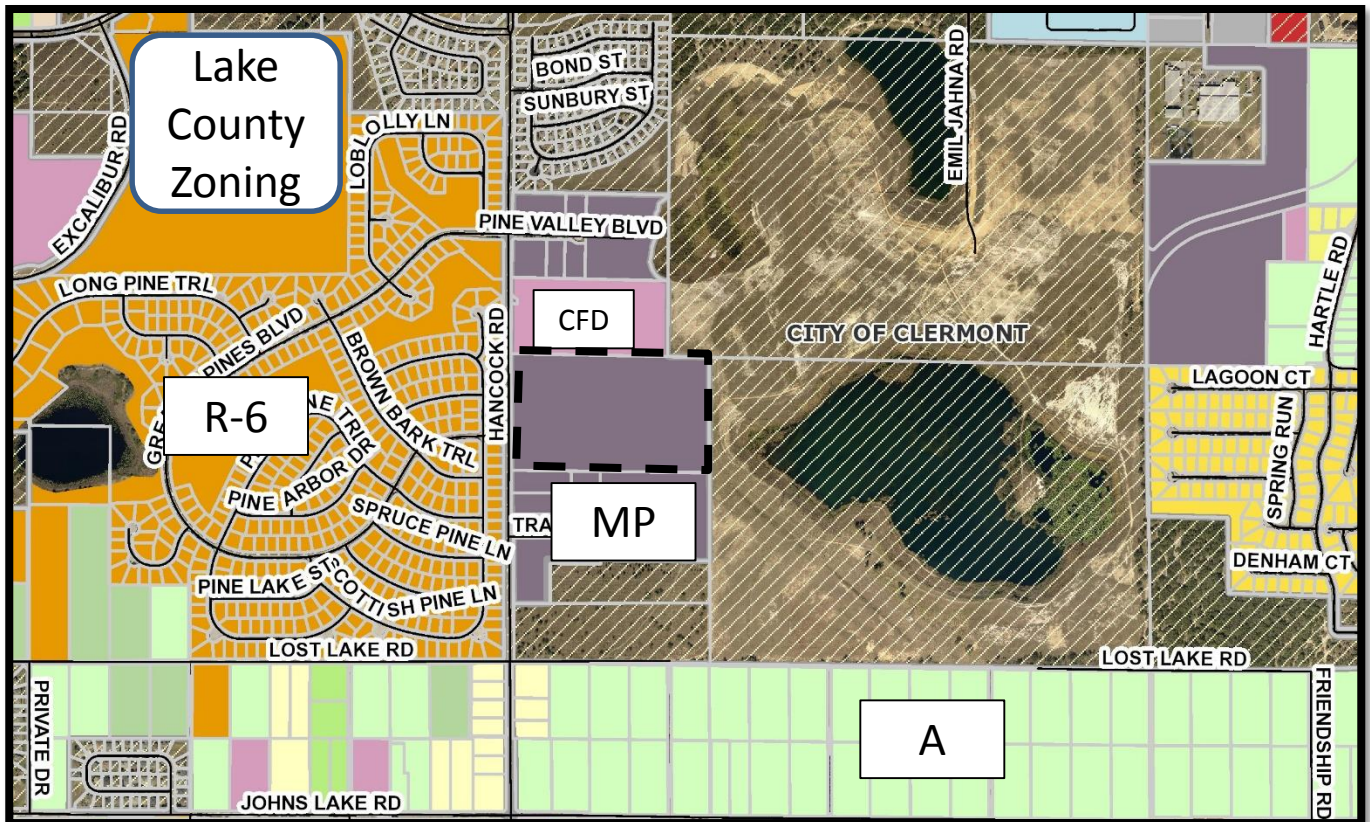


Exhibit - Zoning Map
Keating/Hancock Public Works Site



Supporting Comprehensive Plan Policies

Future Land Use Element
Goals, Objectives & Policies

Table FLUE 2 - Future Land Use Categories Table

FUTURE LAND USE CATEGORY	DENSITY (1)	F.A.R. (INTENSITY)	I.S.R	OPEN SPACE	BUILDING HEIGHT (2)(5)
Urban Low Density	4 d.u./1 acre	0.25 to 0.35	0.60	25%	Note (3)
Urban Medium Density	7 d.u./1 acre	0.35 to 0.50	0.70	20%	Note (3)
Urban High Density	Min. 4 d.u./1 acre Max 12 d.u./1 acre	2.0	0.80	10%	Note (3)
Bella Collina	868 d.u.	500,000 s.f.	0.60	25%	Note (3)
Summer Bay (351 acres) (7)	2,040 d.u.	Note (7)	NS	NS	Note (3)
Cagan Crossings (728.5 acres) (4)	8,000 d.u.	700,000 s.f.	NS	44%	Note (3)
Regional Office	1 multi-family du per 10,000 sq. ft. of commercial space (Note (6))	3.0	0.75	15%	Note (3)
Regional Commercial	1 multi-family du per 10,000 sq. ft. of commercial space (Note (6))	3.0	0.75	15%	Note (3)

CITY OF CLERMONT COMPREHENSIVE PLAN

FUTURE LAND USE

manufacturing or refining, rubber or plastics manufacturing or other uses generating potentially harmful environmental or nuisance impacts shall be prohibited.

Policy 1.10.3: The maximum intensity of industrial development shall be limited to 1.0 FAR.

Rick Scott
GOVERNOR



Shannon

Keating

Cissy Proctor
EXECUTIVE DIRECTOR

RECEIVED
11/22/17

November 17, 2017

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

Dear Mayor Ash:

The Department of Economic Opportunity ("Department") has completed its review of the proposed comprehensive plan amendment for the City of Clermont (Amendment No. 17-2ESR), which was received on October 18, 2017. We have reviewed the proposed amendment pursuant to the expedited state review process in Sections 163.3184(2) and (3), Florida Statutes (F.S.), and identified no comments related to important state resources and facilities within the Department's authorized scope of review that will be adversely impacted by the amendment if adopted.

The City is reminded that pursuant to Section 163.3184(3)(b), F.S., other reviewing agencies have the authority to provide comments directly to the City. If other reviewing agencies provide comments, we recommend the City consider appropriate changes to the amendment based on those comments. If unresolved, such reviewing agency comments could form the basis for a challenge to the amendment after adoption.

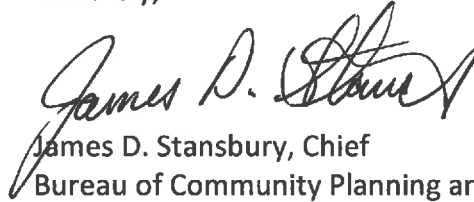
The City should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment. Also, please note that Section 163.3184(3)(c)1, F.S., provides that if the second public hearing is not held within 180 days of your receipt of agency comments, the amendment shall be deemed withdrawn unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment.

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
850.245.7105 | www.floridajobs.org
www.twitter.com/FLDEO | www.facebook.com/FLDEO

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "James D. Stansbury". The signature is fluid and cursive, with a large, stylized initial "J".

James D. Stansbury, Chief
Bureau of Community Planning and Growth

JDS/de

Enclosure(s): Procedures for Adoption

cc: Shannon Schmidt, Director, Clermont Office of Economic Development
Hugh W. Harling, Jr., Executive Director, East Central Florida Regional Planning Council

HANCOCK P.W.

John E. Kruse

From: Shannon Schmidt
Sent: Wednesday, November 15, 2017 3:08 PM
To: Curt Henschel; John E. Kruse; Regina McGruder
Subject: FW: Clermont 17-2ESR Proposed

From: Plan_Review [mailto:Plan.Review@dep.state.fl.us]
Sent: Wednesday, November 15, 2017 3:01 PM
To: Shannon Schmidt <sschmidt@clermontfl.org>; DCPexternalagencycomments <DCPexternalagencycomments@deo.myflorida.com>
Cc: Plan_Review <Plan.Review@dep.state.fl.us>
Subject: Clermont 17-2ESR Proposed

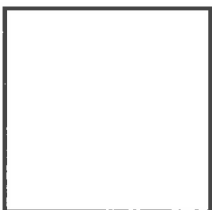
To: Shannon Schmidt, Director

Re: Clermont 17-2ESR – Expedited State Review of Proposed Comprehensive Plan Amendment

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

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

Please submit all future amendments by email to plan.review@dep.state.fl.us. If your submittal is too large to send via email or if you need other assistance, contact Suzanne Ray at (850) 717-9037.





**CITY OF CLERMONT
COMPREHENSIVE PLAN AMENDMENT
Application**

DATE: August 22, 2017

FEE: _____

Project Name (if applicable): Hancock Road Property

Applicant: John Kingman Keating

Contact Person: John Kingman Keating

Address: 250 East Colonial Drive, Suite 300

City: Orlando State: Florida Zip: 32801

Phone: 407-425-2907 Fax: 407-843-8964

E-Mail: jkk@keatlaw.com

OWNER: See Schedule "A", Item 1 attached

Address: 250 East Colonial Drive, Suite 300

City: Orlando State: Florida Zip: 32801

Phone: 407-425-2907 Fax: 407-843-8964

E-Mail: jkk@keatlaw.com

General Location: 12838 Hancock Road, Clermont, Florida

Legal Description (include copy of survey):
See Scheudle "A", Item 2 attached

Property size (in acres or square feet): 35.871 (+/-)

Flood hazard area (yes) _____ and approx. acreage _____ (no) _____

Existing (Actual) Land Use: Agricultural

Existing Zoning: MP (Planned Industrial District) (Lake County)

Existing Future Land Use: Regional Commercial (Lake County)

Proposed Future Land Use: See Schedule "A", Item 3

Type of development proposed: See Schedule "A", Item 4



Proposed density (dwelling units/acre) or intensity: See Schedule "A", Item 5 attached

Proposed Zoning District: See Schedule "A", Item 6 attached

Summary of the proposed amendment content and effect that describes any changed conditions that would justify the proposed amendment, and why there is a need for the proposed amendment (use additional sheets if necessary).

See Schedule "A", Item 7 attached

The City of Clermont may require additional information to justify, clarify or explain the necessity of the requested Comprehensive Plan Amendment which may include the following:

- Information regarding the compatibility of the proposed land use amendment(s) with the Goals, Objectives and Policies of the Future Land Use Element and any other affected comprehensive plan elements.
- A description of how the proposed amendment(s) will result in an orderly and logical development pattern with existing and proposed land use(s) of the area.
- A description of the present availability of, and estimated demand on the following public facilities: potable water, sanitary sewer, transportation system and recreation, as appropriate.

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



CFN 2010059734
Bk 03915 Pgs 2121 - 2123; (3pgs)
DATE: 06/11/2010 02:46:19 PM
NEIL KELLY, CLERK OF COURT
LAKE COUNTY
RECORDING FEES 27.00
DEED DOC 0.70

RECORDING INFORMATION ABOVE THIS LINE

THIS WARRANTY DEED is made and executed this 20th day of May, 2010 by John Kingman Keating, a married person (the "Grantor") with a mailing address of 250 East Colonial Drive, Suite 300, Orlando, Florida 32801, to John Kingman Keating, as Trustee of the *Hancock Road Land Trust*, with full power and authority either to protect, conserve and to sell, or to lease, or to encumber, or otherwise to manage and dispose of the real property described herein (the "Grantee") with a mailing address of 250 East Colonial Drive, Suite 300, Orlando, Florida 32801.

WITNESSETH: That the Grantor for and in consideration of the sum of \$10.00 and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain property situate in Lake County, Florida, viz:

See attached Exhibit "A".

THE GRANTOR WARRANTS THAT THE ABOVE-DESCRIBED PROPERTY CONVEYED HEREBY IS NOT HOMESTEAD PROPERTY AS DEFINED BY THE CONSTITUTION AND LAWS OF THE STATE OF FLORIDA.

THIS WARRANTY DEED IS EXEMPT FROM DOCUMENTARY STAMP TAX PURSUANT TO CHAPTER 12B-4.013(32), F.A.C., AS IT IS TO A TRUSTEE AND WITHOUT CONSIDERATION.

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

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

FURTHER, the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said real property in fee simple; that the Grantor has good right and lawful authority to sell and convey said real property; that the Grantor hereby fully warrants the title to said real property and will defend the same against the lawful claims of all persons whomsoever; and that said real property is free from all encumbrances; except, taxes and assessments accruing subsequent to December 31, 2009 and all subsequent years, and all conditions, restrictions, reservations, limitations, easements of record, if any, zoning and other governmental regulations and other matters of record, provided, however, this reference shall not serve to reimpose same.

IN WITNESS WHEREOF, the said Grantor has executed this Warranty Deed on the day and year first above written.

WITNESSES:



WITNESS SIGNATURE

PAMELA E. KLECKER

WITNESS NAME PRINTED



WITNESS SIGNATURE

MARY L. YARBROUGH

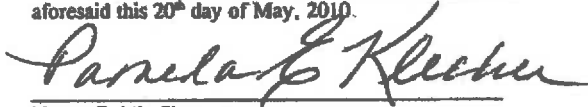
WITNESS NAME PRINTED

GRANTOR
JOHN KINGMAN KEATING


John Kingman Keating

STATE OF FLORIDA
COUNTY OF ORANGE

I HEREBY CERTIFY, as an officer duly authorized to take acknowledgments and oaths in the State and County aforesaid, that at the execution of this instrument on the date set forth below, John Kingman Keating personally appeared before me, and executed or acknowledged his/her/their previous execution of this instrument. I HEREBY FURTHER CERTIFY, that John Kingman Keating is/are the same person(s) either executing or acknowledging execution of the foregoing instrument because: ☒ I personally know him/her/them OR ☐ I have satisfactory evidence of same based upon a ☐ Florida driver's license or ☐ Other identification: _____, WITNESS my hand and official seal in the State and County aforesaid this 20th day of May, 2010.


Notary Public Signature

(PLACE NOTARY NAME & SEAL IMMEDIATELY BELOW)



EXHIBIT "A" - LEGAL DESCRIPTION

An undivided fifty percent (50.00%) interest in the real property described as follows:

PARCEL 1

That part of the West 1,660 feet of the Northwest one-quarter ($\frac{1}{4}$) of Section 34, Township 22 South, Range 26 East, less the South 1,575 feet of the North one-half ($\frac{1}{2}$) of the West 1,660 feet of said Northwest one-quarter ($\frac{1}{4}$) and less the road right-of-way of Hancock Road on the West, being more particularly described as follows:

Commence at the Northwest corner of said Section 34 for a point of reference; Thence, run South 89°07'07" East, along the North line of said Northwest one-quarter ($\frac{1}{4}$), a distance of 25.00 feet to a point lying on the Easterly right-of-way line of Hancock Road (County Road 3-1255) as described in Official Records Book 474, Page 999 of the Public Records of Lake County, Florida, said point being the Point of Beginning; Thence, departing said right-of-way line, run South 89°07'07" East, along said North line, a distance of 1,635.24 feet to the East line of the aforesaid West 1,660.00 feet; Thence, departing said North line, run South 00°05'31" East, parallel with and 1,660.00 feet East of, perpendicular measure, the West line of said Northwest one-quarter ($\frac{1}{4}$), a distance of 949.48 feet to the North line of the aforesaid South 1,575.00 feet; Thence run North 89°33'12" West, along said North line, a distance of 1,635.07 feet to the aforesaid East right-of way line, Thence run North 00°05'31" West, along said right-of-way line, a distance of 961.89 feet to the Point of Beginning.

The above tract of land lies in Lake County, Florida and contains 35.871 acres more or less.

Alternately described as:

PARCEL 1

That part of the West 1,660 feet of the Northwest one-quarter ($\frac{1}{4}$) of Section 34, Township 22 South, Range 26 East, less the South 1,575 feet of the North one-half ($\frac{1}{2}$) of the West 1,660 feet of said Northwest one-quarter ($\frac{1}{4}$) and less the road right-of-way of Lake Hancock Road on the West, being more particularly described as follows:

Commence at the Northwest corner of said Section 34 for a point of reference; Thence, run North 90°00'00" East, along the North line of said Northwest one-quarter ($\frac{1}{4}$), a distance of 25.00 feet to a point lying on the Easterly right-of-way line of Lake Hancock Road (County Road 3-1255) as described in Official Records Book 474, Page 999 of the Public Records of Lake County, Florida, said point being the Point of Beginning; Thence, departing said right-of-way line, run North 90°00'00" East, along said North line, a distance of 1,635.24 feet to the East line of the aforesaid West 1,660.00 feet; Thence, departing said North line, run South 00°57'45" East, parallel with and 1,660.00 feet East of, perpendicular measure, the West line of said Northwest one-quarter ($\frac{1}{4}$), a distance of 949.22 feet to the North line of aforesaid South 1,575.00 feet; Thence run South 89°43'18" West, along said North line, a distance of 1,635.12 feet to the aforesaid East right-of way line, Thence run North 00°57'47" West, along said right-of-way line, a distance of 957.16 feet to the Point of Beginning.

SCHEDULE "D"
OWNER SIGNATURE PAGE
ATTACHED TO OWNERS'S AFFIDAVIT
(COMPREHENSIVE PLAN AMENDMENT APPLICATION)

**JOHN KINGMAN KEATING, AS TRUSTEE
OF THE HANCOCK ROAD LAND TRUST
(OWNER)**

John Kingman Keating, as Trustee

**STATE OF FLORIDA
COUNTY OF ORANGE**

I HEREBY CERTIFY that John Kingman Keating personally appeared before me and executed this instrument and that he is the same person executing the foregoing instrument because: ☐ I personally know him/her/them OR ☐ I have satisfactory evidence of same based upon a ☐ Florida driver's license. WITNESS my hand and official seal in the State and County aforesaid this ____ day of August, 2017.

Notary Public Signature
(PLACE NOTARY NAME & SEAL IMMEDIATELY BELOW)

TONY H. ROPER (OWNER)

Tony H. Roper

**STATE OF FLORIDA
COUNTY OF ORANGE**

I HEREBY CERTIFY that Tony H. Roper personally appeared before me and executed this instrument and that he is the same person executing the foregoing instrument because: ☐ I personally know him/her/them OR ☐ I have satisfactory evidence of same based upon a ☐ Florida driver's license. WITNESS my hand and official seal in the State and County aforesaid this ____ day of August, 2017.

Notary Public Signature
(PLACE NOTARY NAME & SEAL IMMEDIATELY BELOW)

**BERT E. ROPER AND BARBARA C. ROPER
FAMILY LIMITED LIABILITY LIMITED
PARTNERSHIP (OWNER)**

By: _____
Charles F. Roper
As its General Partner

**STATE OF FLORIDA
COUNTY OF ORANGE**

I HEREBY CERTIFY that John Kingman Keating personally appeared before me and executed this instrument as General Partner of the Bert E. Roper and Barbara C. Roper Family Limited Liability Limited Partnership and that he is the same person executing the foregoing instrument because: ☐ I personally know him/her/them OR ☐ I have satisfactory evidence of same based upon a ☐ Florida driver's license. WITNESS my hand and official seal in the State and County aforesaid this ____ day of August, 2017.

Notary Public Signature
(PLACE NOTARY NAME & SEAL IMMEDIATELY BELOW)

JOHN KINGMAN KEATING (APPLICANT)

John Kingman Keating, as Applicant

**STATE OF FLORIDA
COUNTY OF ORANGE**

I HEREBY CERTIFY that John Kingman Keating personally appeared before me and executed this instrument and that he is the same person executing the foregoing instrument because: ☐ I personally know him/her/them OR ☐ I have satisfactory evidence of same based upon a ☐ Florida driver's license. WITNESS my hand and official seal in the State and County aforesaid this ____ day of August, 2017.

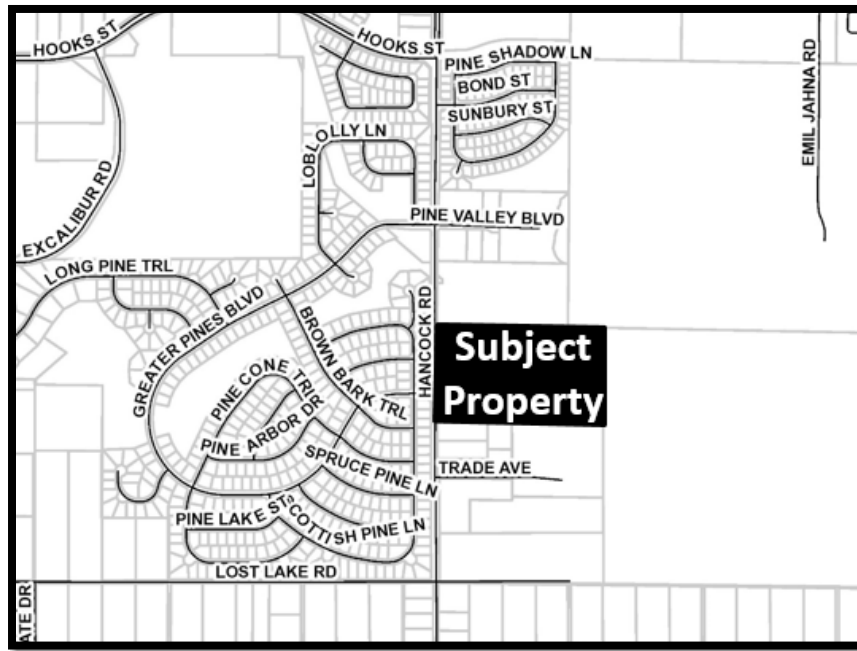
Notary Public Signature
(PLACE NOTARY NAME & SEAL IMMEDIATELY BELOW)

CITY OF CLERMONT

NOTICE OF PROPOSED AMENDMENT TO COMPREHENSIVE PLAN ORDINANCE NO. 2017-38

The City of Clermont will hold public hearings on Tuesday, October 3, 2017 at 6:30 p.m. before the Planning and Zoning Commission to consider a proposed change to the City's Future Land Use Map; and on Tuesday, October 10, 2017 at 6:30 p.m. before the City Council to consider introduction of the ordinance and transmittal of the proposed amendment. The map amendment would change the Future Land Use designation for the parcel below from Lake County Regional Commercial to Industrial.

The City of Clermont will hold a public hearing on Tuesday, December 12, 2017 (final hearing) beginning at 6:30 p.m. before the City Council to consider the adoption of the proposed change to the City's Future Land Use Map.



***Location: South of Hooks Street, North of Trade Avenue, East of Hancock Road.
Alternate Key 1593093 35.87 +/- acres***

Ordinance #2017-38:

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

The public hearings are in the Council chambers of City Hall, 685 W. Montrose Street, and are open to public comment. Please call (352) 241-7302 if you have any questions.

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

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

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

Tracy Ackroyd Howe, MMC
City Clerk

Daily Commercial
September 22 and November 28, 2017



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date	
Tuesday, March 13, 2018	
Agenda Item Name	
Ordinance No. 2017-39 <i>Final</i> <i>Hancock Road Industrial Park</i>	
Requested Action	
Recommend approval of Ordinance 2017-39.	
Staff Report	
The applicant, John Kingman Keating, is requesting a rezoning to a Planned Unit Development (PUD) with C-1 Light Commercial, C-2 General Commercial, and M-1 Industrial uses consisting of up to 125,000 square feet of building area and outside storage on 21.53+/- acres. The property is located south of Hooks Street, north of Trade Avenue, and east of Hancock Road. The property is currently in Lake County with a zoning designation of Industrial and a future land use of Regional Commercial. Once the property is annexed, it will become Urban Estate. The applicant has provided a conceptual site plan, prepared by SK Consortium, Inc., showing the proposed layout of the six (6) buildings and outdoor storage area. The total square footage of all the buildings shall not exceed 125,000 square feet. The applicant is requesting buildings facing Hancock Road uses are for office, retail, wholesale and personal service uses. The remaining buildings would be used for light manufacturing, warehousing, and other permitted uses in the Industrial zoning designation. Prohibited uses would include: airport, junkyards, outdoor repair on any type of machinery or vehicles, adult entertainment, RV and mobile home parks, and automotive sales. The applicant has requested the following waivers to allow development flexibility for the project: 1. Light manufacturing with a floor space greater than 7,000 square feet. Section 122-263 (a)(2) 2. Outdoor storage area of equipment or material. Section 122-263 (c) 3. Wholesale/retail establishment greater than 100,000 square feet. Section 122-264 (b)(4) 4. Designated service areas may allow parking in front of grade overhead doors and be reduced to 9 feet by 20 feet. In addition, a 12 feet by 30 feet space in front of each overhead door may be counted towards required parking spaces. Section 98-3 5. Parking will be provided for a mixture of uses. The buildings facing Hancock Road will be parked at a ratio of 1:250 square feet instead of 1:200 square feet. The other buildings will be parked at 1:500 square feet. Section 98-14 6. Bicycle parking will only be provided for buildings facing Hancock Road instead of all the buildings. Section 98-16 7. At grade loading spaces are provided in the designated service area. Therefore, only one 12 feet by 60 feet loading berth will be provided as a common loading dock. Section 98-8 8. Building façade landscaping shall not be required along building façades facing designated service areas. This is primarily the interior buildings. Section 118-37(l) 9. Vehicular Use Interior Landscaping shall not be required in the designated service areas. This is primarily the interior buildings. Section 118-38 10. In order to provide security of the outdoor storage areas, the applicant is requesting a maximum 8 feet high fence. Section 122-343 (c)	

Staff has reviewed the applicant's proposal and believes the proposed use at this location is compatible with the uses in the area and consistent with the zoning that currently exists in Lake County. Staff believes the proposal meets the standards in regards to Section 122-315, Review Criteria for a PUD. Staff recommends approval of Ordinance 2017- 39 for a Planned Unit Development with M-1 Industrial uses to be developed in substantial accordance with the conceptual site plan, exhibit A, prepared by SK Consortium, Inc.

Additional Analysis

Fiscal Impact Summary

Fiscal Impact

Fund Number and Description

Available Budget Amount

Exhibits Attached (copies of original agreements)

- | | | |
|----|-----------------------------------|---------------------------------------|
| 1. | Ordinance 2017-39 PUD | PZ PUD 2017-39.docx |
| 2. | Hancock Keating Maps | Hancock Keating Maps.pdf |
| 3. | Exhibit A PUD Concept Plan 3-1-18 | Exhibit A PUD Concept Plan 3-1-18.pdf |
| 4. | Exhibit C - Screening Areas | Exhibit C - Screening Areas.pdf |
| 5. | Waiver Map | Waiver Map.pdf |
| 6. | REZ Keating Legal Ad for PUD | REZ Keating Legal Ad for PUD.docx |

CITY OF CLERMONT
ORDINANCE No. 2017-39

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

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

SECTION 1:

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

LEGAL DESCRIPTION

LEGAL DESCRIPTION-PARCEL "A":

A PARCEL OF LAND LYING IN THE NORTHWEST 1/4 OF SECTION 34, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 34; THENCE RUN NORTH 90°00'00" EAST ALONG THE NORTH LINE OF SAID NORTHWEST 1/4 A DISTANCE OF 25.00 FEET TO THE EASTERLY RIGHT OF WAY LINE OF HANCOCK ROAD (COUNTY ROAD 3-1255), AS DESCRIBED IN OFFICIAL RECORDS BOOK 474, PAGE 999 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, SAID POINT BEING THE POINT OF BEGINNING; THENCE DEPARTING SAID EASTERLY RIGHT OF WAY LINE, RUN NORTH 90°00'00" EAST ALONG SAID NORTH LINE A DISTANCE OF 579.99 FEET TO THE WESTERLY LINE OF A 30 FOOT UTILITY EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 925, PAGE 230 OF AFORESAID PUBLIC RECORDS; THENCE DEPARTING SAID NORTH LINE, RUN SOUTH 50°14'58" EAST ALONG SAID WESTERLY LINE FOR A DISTANCE OF 611.57 FEET; THENCE DEPARTING SAID WESTERLY LINE, RUN SOUTH 90°00'00" WEST FOR A DISTANCE OF 512.82 FEET; THENCE RUN SOUTH 00°00'00" EAST FOR A DISTANCE OF 285.00 FEET; THENCE RUN SOUTH 90°00'00" WEST FOR A DISTANCE OF 526.00 FEET TO THE AFORESAID EASTERLY RIGHT OF WAY LINE OF HANCOCK ROAD; THENCE RUN NORTH 00°57'47" WEST ALONG SAID EASTERLY RIGHT OF WAY LINE FOR A DISTANCE OF 676.16 FEET TO THE POINT OF BEGINNING.

CONTAINING 468,061.42 SQUARE FEET (10.75 ACRES), MORE OR LESS.

AND

CITY OF CLERMONT
ORDINANCE No. 2017-39

LEGAL DESCRIPTION-PARCEL "B":

A PARCEL OF LAND LYING IN THE NORTHWEST 1/4 OF SECTION 34, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 34; THENCE RUN NORTH 90°00'00" EAST ALONG THE NORTH LINE OF SAID NORTHWEST 1/4 A DISTANCE OF 25.00 FEET TO THE EASTERLY RIGHT OF WAY LINE OF HANCOCK ROAD (COUNTY ROAD 3-1255), AS DESCRIBED IN OFFICIAL RECORDS BOOK 474, PAGE 999 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE DEPARTING SAID EASTERLY RIGHT OF WAY LINE, RUN NORTH 90°00'00" EAST ALONG SAID NORTH LINE A DISTANCE OF 579.99 FEET TO THE WESTERLY LINE OF A 30 FOOT UTILITY EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 925, PAGE 230 OF AFORESAID PUBLIC RECORDS, SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUE NORTH 90°00'00" EAST ALONG SAID NORTH LINE FOR A DISTANCE OF 312.77 FEET TO THE EASTERLY LINE OF A 170 FOOT UTILITY EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 320, PAGE 610 OF AFORESAID PUBLIC RECORDS; THENCE DEPARTING SAID NORTH LINE RUN SOUTH 50°14'58" EAST ALONG SAID EASTERLY LINE FOR A DISTANCE OF 979.41 FEET TO THE EAST LINE OF THE WEST 1660 FEET OF THE AFORESAID NORTHWEST 1/4 OF SECTION 34; THENCE RUN SOUTH 00°57'45" EAST ALONG SAID EAST LINE FOR A DISTANCE OF 263.86 FEET TO THE AFORESAID WESTERLY LINE OF A 30 FOOT UTILITY EASEMENT; THENCE DEPARTING SAID EAST LINE RUN NORTH 50°14'58" WEST ALONG SAID WESTERLY LINE A DISTANCE OF 1391.99 FEET TO THE POINT OF BEGINNING.

CONTAINING 237,139.56 SQUARE FEET (5.44 ACRES), MORE OR LESS.

AND

LEGAL DESCRIPTION-PARCEL "C":

A PARCEL OF LAND LYING IN THE NORTHWEST 1/4 OF SECTION 34, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 34; THENCE RUN NORTH 90°00'00" EAST ALONG THE NORTH LINE OF SAID NORTHWEST 1/4 A DISTANCE OF 25.00 FEET TO THE EASTERLY RIGHT OF WAY LINE OF HANCOCK ROAD (COUNTY ROAD 3-1255), AS DESCRIBED IN OFFICIAL RECORDS BOOK 474, PAGE 999 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE DEPARTING SAID EASTERLY RIGHT OF WAY LINE, RUN NORTH 90°00'00" EAST ALONG SAID NORTH LINE A DISTANCE OF 892.76 FEET TO THE EASTERLY LINE OF A 170 FOOT UTILITY EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 320, PAGE 610 OF SAID PUBLIC RECORDS, SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUE NORTH 90°00'00" EAST ALONG SAID NORTH LINE

CITY OF CLERMONT
ORDINANCE No. 2017-39

FOR A DISTANCE OF 742.48 FEET TO THE EAST LINE OF THE WEST 1660 FEET OF THE AFORESAID NORTHWEST 1/4 OF SECTION 34; THENCE RUN SOUTH 00°57'45" EAST ALONG SAID EAST LINE FOR A DISTANCE OF 626.37 FEET TO THE EASTERLY LINE OF A 170 FOOT UTILITY EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 320, PAGE 610 OF AFORESAID PUBLIC RECORDS; THENCE RUN NORTH 50°14'58" WEST ALONG SAID EASTERLY LINE A DISTANCE OF 979.41 FEET TO THE POINT OF BEGINNING.

CONTAINING 232,501.86 SQUARE FEET (5.34 ACRES), MORE OR LESS.

LOCATION

South of Hooks Street, North of Trade Avenue, East of Hancock Road.
Alternate Keys 3909648, 3909649, 3909650
21.53 +/- Acres

From: Urban Estate (UE)
To: Planned Unit Development (PUD)

SECTION 2 - General Conditions:

This application for a Planned Unit Development (the "Project") to allow for a multi-tenant commercial/industrial development, including, without limitation, industrial uses including office/warehouse, warehouse and "flex space" uses (including small bay warehouses comprised of warehouse/storage and office and reception areas), all permitted uses in the M-1 Industrial, C-1 Light Commercial and C-2 General Commercial zoning districts, the permitted uses specified in the body of this Ordinance, and those permitted uses set forth on Exhibit "B" attached hereto, on and subject to the terms and conditions of this Ordinance (as hereinafter defined) (the "Permitted Uses"); be granted subject to the following conditions:

1. The terms, conditions, rights and interests as set forth in this Planned Unit Development shall be legally binding upon and inure to the benefit of the Property and the current fee simple owner of the Property (the "Owner") and any successors and/or assigns in title or interest to the Property, or any portions thereof.
2. The Property shall be developed pursuant to the terms and conditions of this Ordinance and in substantial accordance with the Concept Plan attached hereto as Exhibit "A" (the "Concept Plan"). Any reference to this Ordinance shall be deemed to include and incorporate the Concept Plan. Formal construction plans incorporating all terms and conditions stated in this Ordinance shall be submitted for review and approved by the Site Review Committee prior to the issuance of a Zoning Clearance or other development permits.
3. Except for agricultural uses and operations, which may continue unabated, and mass clearing, grading, excavation, cut and fill work to be performed by the City on the Property and the parcel immediately to the south of the Property to be sold by the Owner

CITY OF CLERMONT
ORDINANCE No. 2017-39

to the City (the "Clermont Parcel"), 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 permits in accordance with the City Rules and those of other appropriate jurisdictional entities. The City acknowledges and agrees the Property has been openly used for agricultural purposes for many years. The City shall take no action or fail to take any action which would prohibit, restrict or hinder the agricultural use of the Property or any portions thereof, prior to their improvement as contemplated hereby. Any improvement of any particular phase or portion of the Property shall not mitigate or lessen the City's obligations with regard to the foregoing with regard to any remaining portions of the Property which have not yet been developed.

4. Where in conflict, the terms and conditions of this Ordinance shall take precedence over applicable provisions of the Concept Plan. To the extent the City Land Development Regulations are more restrictive than the terms and conditions of this Ordinance, this Ordinance shall control. The City, its Site Review Committee, administrative official, and other any officials thereof shall abide by the terms and conditions of this Ordinance and shall not take any actions, or fail to take any actions, which are inconsistent with this Ordinance.
5. This Ordinance, including the Concept Plan, complies with all applicable requirements of the City Comprehensive Plan and City Rules.
6. Recognizing that development plans can have minor changes between the planning and permitting stages, the City Manager or authorized designee may approve minor modifications and design modifications to signs, landscaping, Building elevations, driveway locations and other minor changes if the City Manager or authorized designee finds that the proposed modification is consistent with the applicable goals, objectives, and policies of the City Comprehensive Plan, is compatible with nearby existing land uses, would not result in inadequate public facilities, and is otherwise consistent with the public health, safety, and welfare.

SECTION 3 - Uses and Specific Conditions:

1. The Project may consist of Building Gross Floor Area (the "Total Building Area") up to a floor area ratio of 0.35 for the Property; provided any Total Building Area in excess of 125,000 square feet on the Property shall require (a) the submission of a substitute Concept Plan (which shall modify the Concept Plan), and (b) approval of the City (subject to this Ordinance). No free standing Buildings shall exceed 60,000 square feet in Gross Floor Area; provided, the Buildings facing Hancock Road shall not be any larger than as shown on the Concept Plan.
2. In addition to the uses specified in the body of this Ordinance, those permitted uses set forth on Exhibit "B" attached hereto shall be allowed on the Property.

CITY OF CLERMONT
ORDINANCE No. 2017-39

3. The following criteria shall apply to the development, improvement, operation and use of the Property, all of which shall be permitted and not require a conditional use permit or additional approvals:

(a) The total maximum floor space allowed in each Building for Permitted Uses and light manufacturing as referenced in Section 122-263(a)(2) shall be the total of the Gross Floor Area of such Building (in lieu of the 7,000 square foot maximum specified in Section 122-263(a)(2)). The total Gross Floor Area of any Building may be up to a maximum of 60,000 square feet; provided, the Buildings facing Hancock Road shall not be any larger than as shown on the Concept Plan.

(b) The total maximum floor space allowed for any single tenant, occupant or business establishment within any Building shall be up to a maximum of the Gross Floor Area of such Building (in lieu of the 5,000 or 20,000 square foot maximum above which a conditional use permit shall be required as specified in Sections 122-203(b) (5,000 square feet), 122-204(a)(1) (5,000 square feet), 122-223(b) (20,000 square feet), 122-263(a)(2) (7,000 square feet)).

(c) The screening requirement for the outdoor Storage Areas shall be as follows:

(i) The screen structure may be a block or masonry wall, chain link fence, PVC, wood, aluminum or other similar fencing structure. Barbed wire shall be allowed on the top of the wall or fence.

(ii) If screen structure is a chain link or similar fence which is not opaque, a vinyl screening material of any color placed on the face of the fence shall be allowed. This does not include the placements of slats in the fencing.

(iii) Visual screening material shall only be required along the perimeter of the Storage Areas as depicted on the attached Exhibit "C".

(iv) Not exceed eight (8) feet in height, including barbed wire placed on the top of any fence or wall structure.

The fencing, screening and other improvement requirements for the Storage Area within the 200 foot Duke Energy easement area shall be subject to any requirements or prohibitions imposed by Duke Energy. The fence and wall criteria set forth in Section 3(i) of the City's Architectural Standards shall not apply to the wall and/or fencing around the Storage Areas if in conflict herewith. Landscaping in lieu of walls and/or fencing shall be allowed along the north and east borders of the Stormwater Pond (Parcel C).

4. The Project shall be allowed to construct, place, operate, manage and rent (either ancillary to the lease of portions of a Building or to third parties who are not tenants or occupants of any portions of a Building) outdoor storage areas and facilities for the

CITY OF CLERMONT
ORDINANCE No. 2017-39

storage of vehicles, boats, RVs, and equipment in the outdoor Storage Areas identified on the Concept Plan. These Storage Areas shall be visually screened as set forth in Section 3(c) above. No outdoor repair of machinery or vehicles is permitted. The Owner shall also be allowed to utilize all or portions of the Storage Areas for parking lots, including parking spaces and related driveways and improvements, for use by occupants of the Buildings and Property. Any parking spaces located within the Storage Areas shall count toward the parking space requirements for the Project. All parking spaces, driveways and other surface improvements within the Storage Area may be constructed from asphalt, concrete, crushed rock or stone or similar materials.

5. Setbacks for Building facades only:

From Hancock Road:	50 feet from the Property line
East Property line (along residential development):	25 feet from the Property line
East Property line (next to New Open Storage Area):	15 feet from the Property line
North Property line:	15 feet from the Property line
South Property line:	15 feet from the Property line
6. Maximum building height will be 55 feet, measured at the highest point.
7. The maximum impervious surface area ratio for the Property shall be 80% with a floor area ratio for the Property not to exceed 0.35.
8. Vehicle parking spaces in designated service areas (between facing overhead doors), as depicted on the Concept Plan, may be reduced to 9 feet wide by 20 feet long to accommodate at grade overhead doors. The loading space in front of each at grade overhead door may be counted towards the required number of parking spaces and loading spaces.
9. The minimum parking space requirements for the Project shall be as follows:
 - (a) Except as provided in Section 9(b) below, 1 parking space for each 500 square feet of Gross Floor Area of Building (1:500).
 - (b) Notwithstanding the foregoing Section 9(a), those Buildings which face Hancock Road and which have commercial/retail uses, shall have 1 parking space for each 250 square feet of Gross Floor Area of Building.
 - (c) Bicycle parking racks shall be required only for those Buildings which face Hancock Road and which have commercial/retail uses.

The overall number of parking spaces for the Buildings and Building uses as shown on the Concept Plan are deemed sufficient.
10. At grade loading spaces are provided in the designated service area, therefore, a loading berth may be provided as a common loading dock at the Owner's discretion.

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11. Building façade landscape shall not be required along building facades facing designated service areas.
12. Interior landscape and vehicular use area landscape shall not be required in designated service areas.
13. The Project may have elevation changes of up to 15 feet in height over the Project site through the use of cut and fill. These changes will be submitted to the City Engineer at the time of final engineering.
14. The cross slope of all landscape buffers shall not exceed a 4:1 slope ratio (in lieu of ten percent (10.00%) grade on the high, and the 4:1 maximum maximum grade on the remaining (Section 118-37(e)(1)a.
15. The Buildings and Project shall be constructed in a manner that shall meet the City's Architectural Standards.
16. The improvements to Hancock Road shall be (a) left turn lanes at the Project's southern entrance driveway, (b) the Project's northern entrance driveway shall be right in – right out only and turn lanes shall not be required at this entrance, (c) a northbound deceleration lane at the Project's southern entrance driveway (adjacent to the Clermont Parcel's northwest corner) at a minimum, these may include turn lanes and paved shoulders within the limits of the offsite road improvements. All of this is subject to approval by Lake County Public Works Department.
17. A twenty-five foot (25') additional right-of-way along the eastern boundary of Hancock Road shall be dedicated to Lake County, Florida. A detailed right-of-way survey for Hancock Road along the Property frontage will be required with plan and permit submittals.
18. A Traffic Impact Study (TIS) shall be completed and reviewed by the Lake-Sumter Metropolitan Planning Organization. The study and comments shall be shared with all jurisdictions within the traffic impact area. If the study identifies a deficiency in the Level of Service of transportation facilities due to the proposed Project, the Owner shall be required to participate in mitigation strategies.
19. Fiber optic conduit and pull boxes may be required to be installed by the Owner in the easements to extend the City's fiber optic network. The City will reimburse the Owner at one hundred percent (100%) for all costs including design, permitting, materials, and construction of the fiber optic conduit and pull boxes.

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20. The Project, as currently set forth on the Concept Plan, shall be developed according to the M-1 Industrial zoning designation in the City's Land Development Code, with permitted uses in C-1 Light Commercial and C-2 General Commercial zoning designations, subject to the terms, conditions, requirements and waivers set forth in this Ordinance.
21. The Owner shall be allowed to create a condominium form of ownership provided each condominium unit shall be comprised of a no less than a whole Building or the building pad upon which a whole Building is to be constructed. No Building or building pad upon which a whole Building is to be constructed shall be subdivided into more than one condominium unit.
22. The Project may be developed in multiple phases but if developed in multiple phases, each phase must be developed in a manner that allows the individual phases to function independently of one another. The purpose of this requirement is to ensure that each phase can fully function and operate as intended by the Concept Plan in the event that subsequent phases are delayed or abandoned. The Owner shall only be required to pay any and all impact fees, reservation fees (if any), infrastructure and subdivision improvement guarantees, sureties, letters of credit, etc. specifically and directly applicable for uses on the specific phase or portion of the Property or Project for which improvements permits are being issued, and only upon the issuance of such permits and not prior to such issuance.
23. The Project shall be allowed a maximum of two (2) ground monument signs with maximum dimensions of ten (10) feet wide by fifteen (15) feet in height with 60 square feet of copy area on each side and such other signage as shall be allowed by the City Land Development Code. In addition, tenants within the Buildings shall have the right to have signs advertising their business on the Building façade in front of their premises.
24. By its review, acceptance and approval of this Ordinance and the Concept Plan, and the planned development thereunder, the City has confirmed and made a determination that all of the foregoing and the the land uses, densities or intensities, and other aspects of development permitted by this Ordinance are compatible with and further the objectives, policies, land uses, and densities or intensities in the City Comprehensive Plan and is allowed by and meets all other criteria of the City Rules and the City Comprehensive Plan.

SECTION 4 – Repeal of Conflicting Ordinances:

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

CITY OF CLERMONT
ORDINANCE No. 2017-39

SECTION 5 - Definitions:

Definitions. As used in this Ordinance, the following terms shall have the meanings set forth below:

1. “Building” means an enclosed structure with four walls and a roof within the Project.
2. “City” means the City of Clermont, Florida, a Florida municipal corporation.
3. “City Comprehensive Plan” means City of Clermont Comprehensive Plan and Future Land Use Map.
4. “City Rules” means the Land Development Regulations, Ordinances or Resolutions, other rules and regulations of the City, and any amendments or modifications thereto.
5. “Concept Plan” means that certain Clermont Commerce Park PUD Concept Plan prepared by SK Consortium, Inc., attached to this Ordinance as Exhibit “A”.
6. “Gross Floor Area” means the area within a Building as measured from the interior façade of the exterior Building walls.
7. “Loading Spaces” means that area in front of the at grade overhead doors within Buildings with approximate dimensions of 12 feet wide and 30 feet long.
8. “Storage Areas” means those areas within the Project designated as a “Storage Area” on the Concept Plan and as described in Section 3, Item 4 of this Ordinance.

SECTION 6 - Severability:

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

SECTION 7 – Scrivener’s Errors:

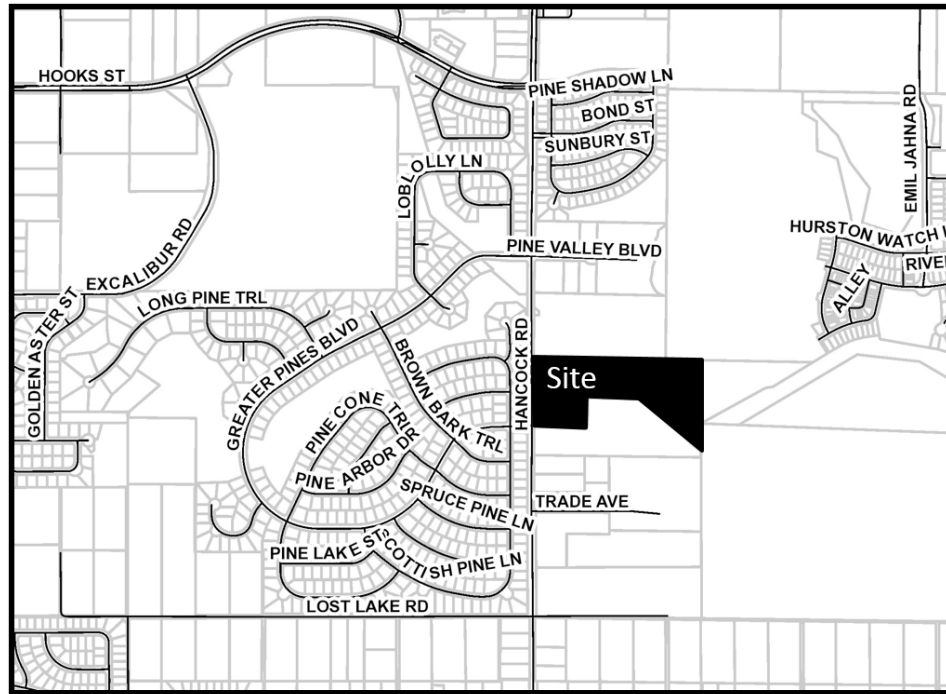
The City Attorney’s Office is authorized to correct scrivener’s errors found in this Ordinance by filing a corrected copy of this Ordinance with the City Clerk.

CITY OF CLERMONT
ORDINANCE No. 2017-39

SECTION 8 - Effective:

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

Location map:



CITY OF CLERMONT
ORDINANCE No. 2017-39

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida
on this 13th day of March, 2018.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

CITY OF CLERMONT
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EXHIBIT “B” – PERMITTED USES

1. Buildings, structures or uses maintained or operated by the City and other governments.
2. Trade, contractor, sales, manufacturing and other businesses and persons, including those which store goods, equipment and inventory for resale or use in their business. Units may be comprised of warehouse storage areas and office and reception areas.
3. Residential storage warehouses where storage facility uses are exclusively for storing excess personal property generally stored in residential accessory buildings. Such residential storage warehouses shall not include the storage of manufacturing or commercial products.
4. Agricultural service operations.
5. Clinics and nursing homes.
6. Kennels or veterinary clinics, provided that all animal services and confinement areas; including runs, are in air conditioned and sound-attenuated buildings.
7. Private schools.

Exhibit - Location Map

Keating/Hancock Public Works Site

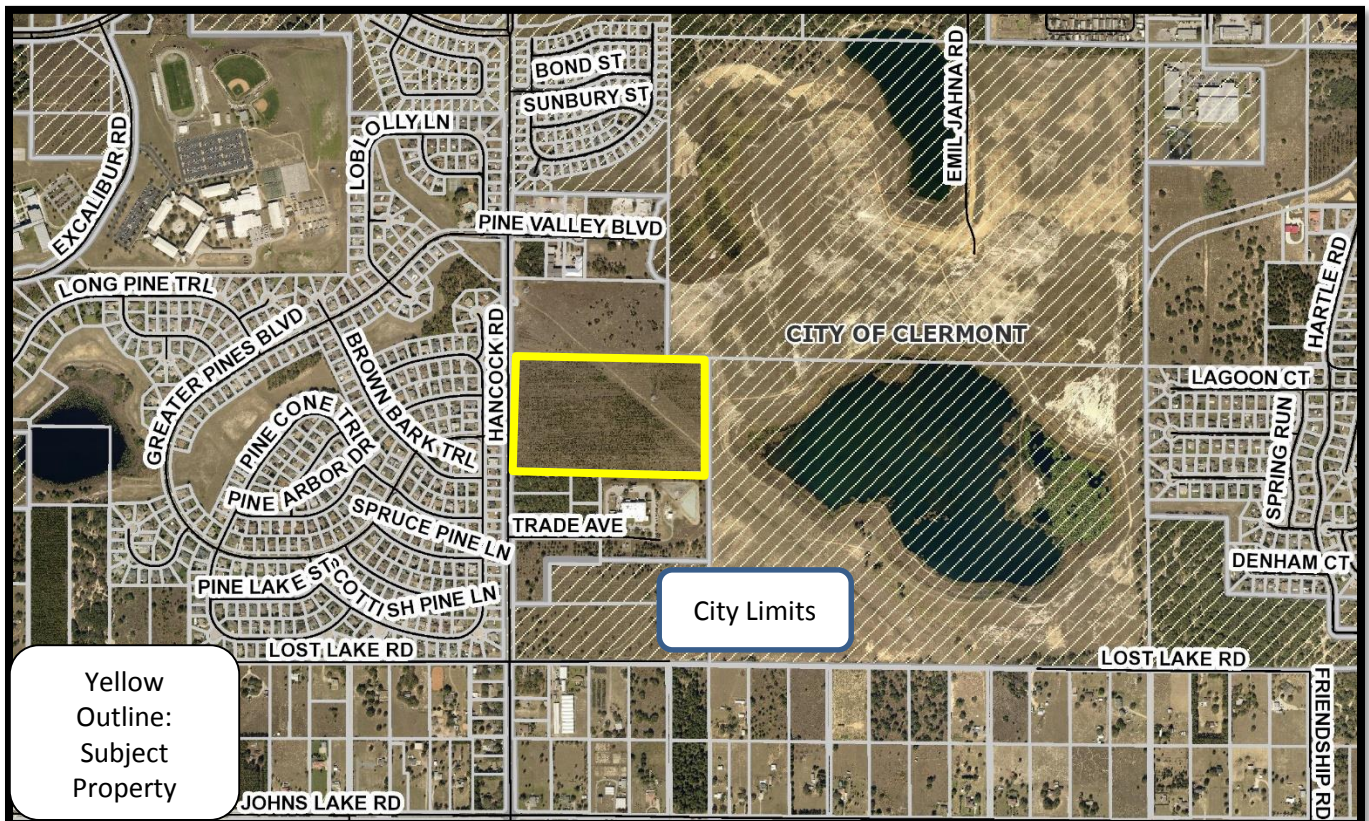
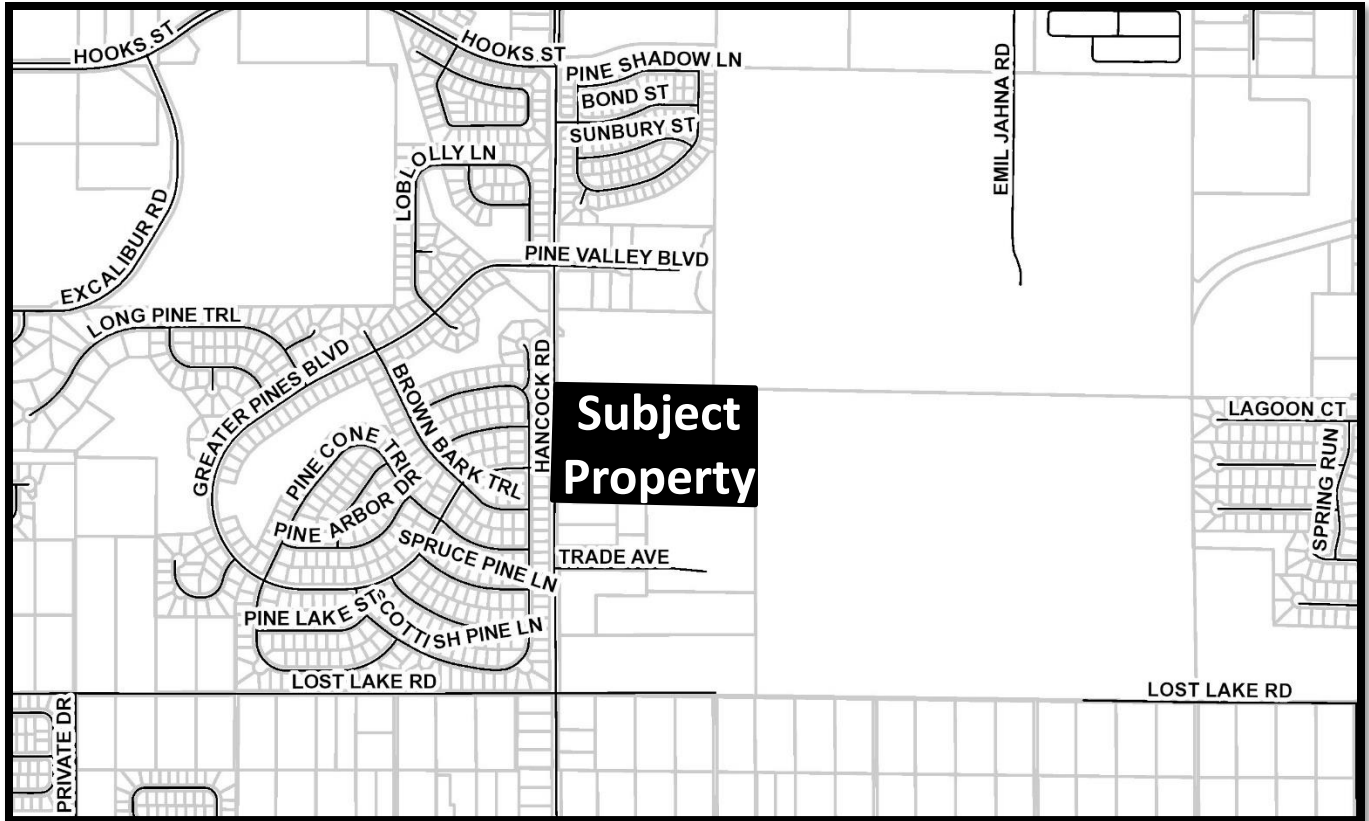


Exhibit - Zoning Map Keating/Hancock Public Works Site

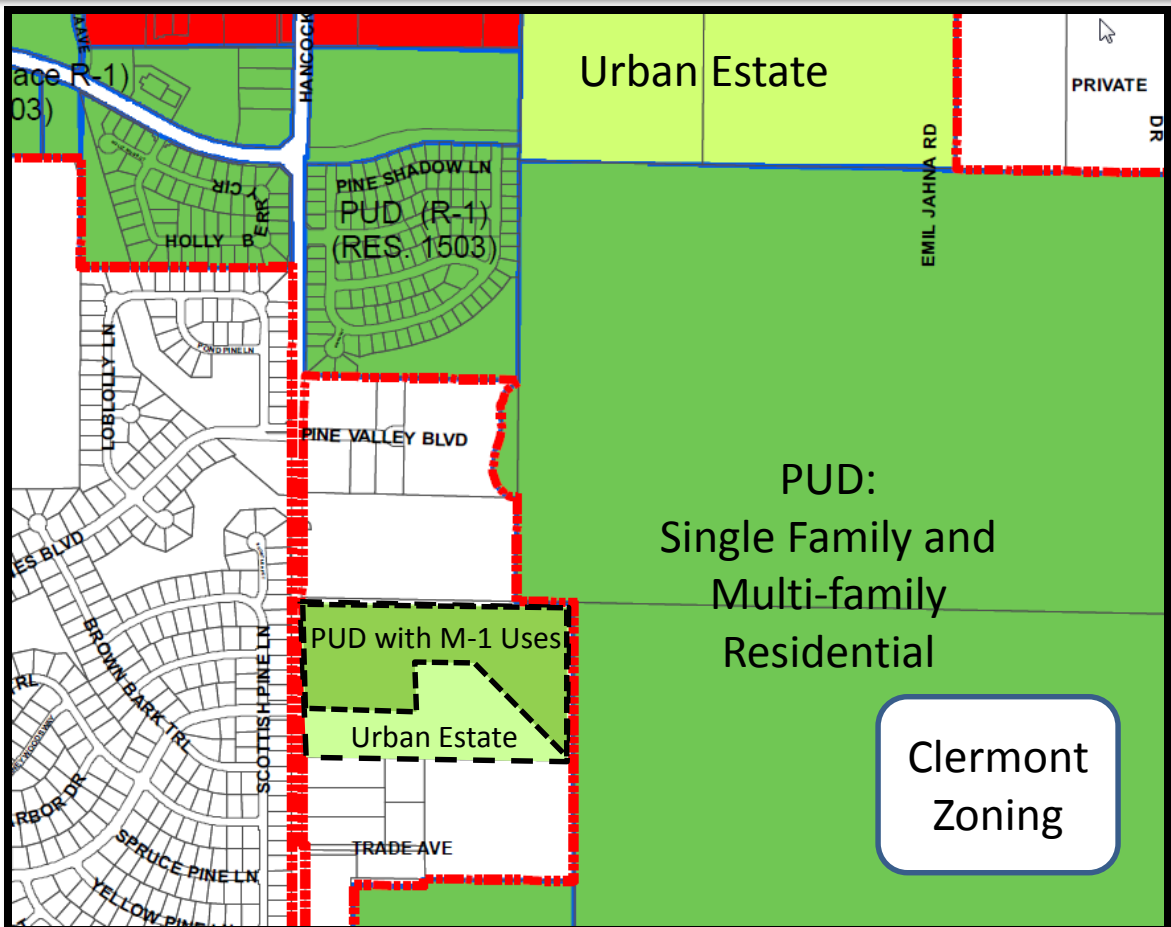
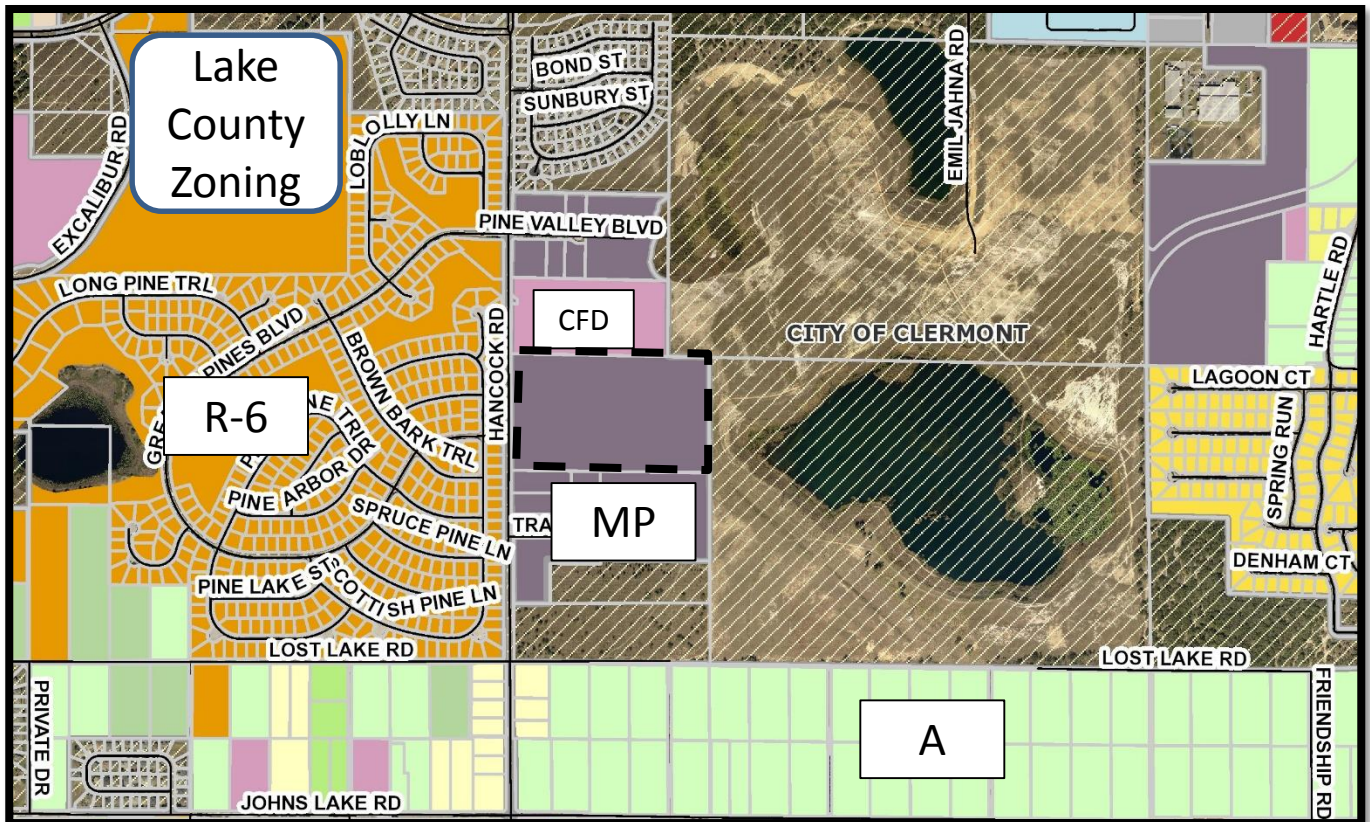
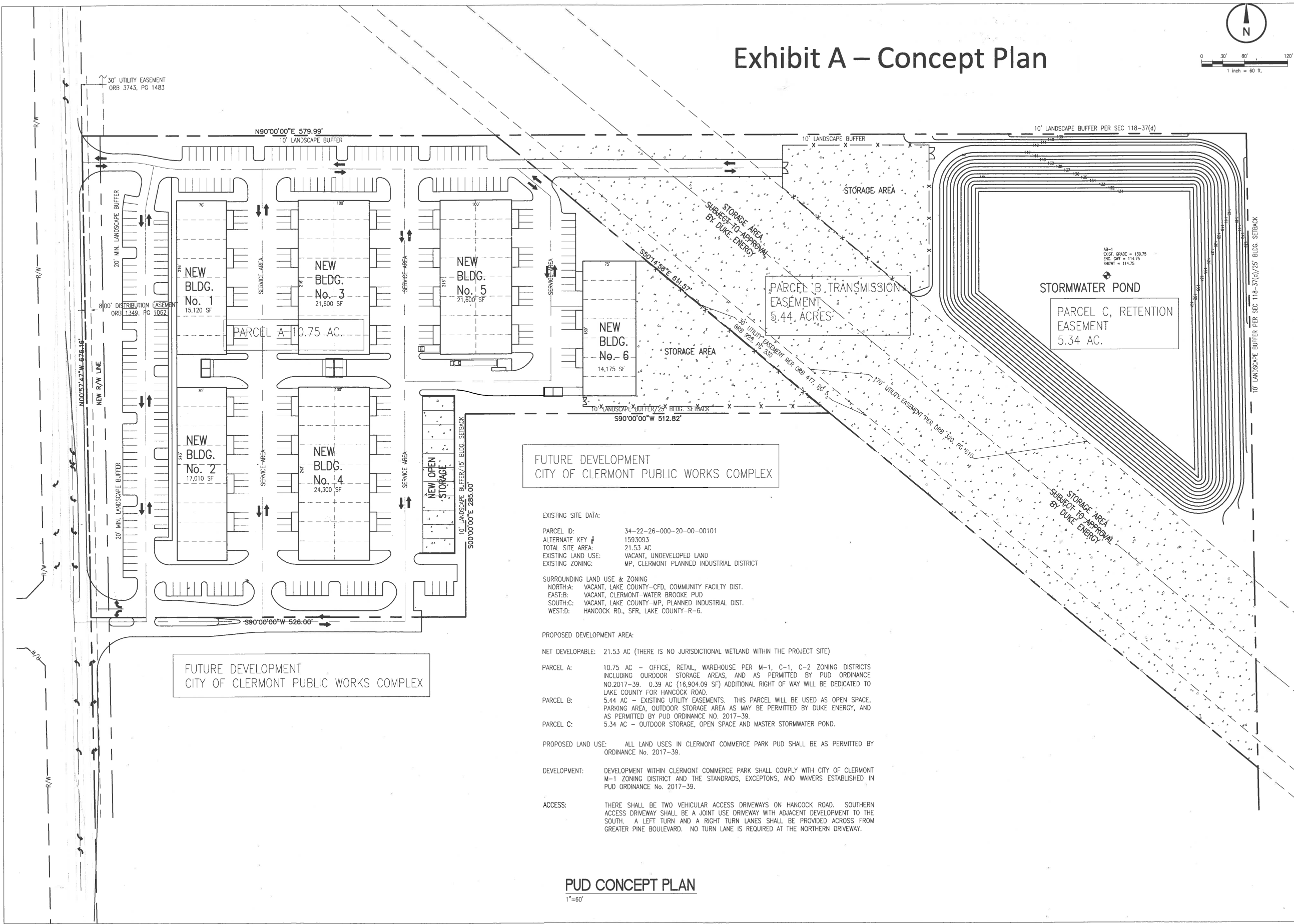
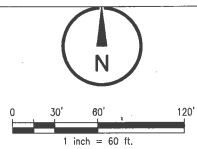


Exhibit A – Concept Plan



FUTURE DEVELOPMENT
CITY OF CLERMONT PUBLIC WORKS COMPLEX

EXISTING SITE DATA:
PARCEL ID: 34-22-26-000-20-00-00101
ALTERNATE KEY # 1593093
TOTAL SITE AREA: 21.53 AC
EXISTING LAND USE: VACANT, UNDEVELOPED LAND
EXISTING ZONING: MP, CLERMONT PLANNED INDUSTRIAL DISTRICT
SURROUNDING LAND USE & ZONING
NORTH-A: VACANT, LAKE COUNTY-CFD, COMMUNITY FACILITY DIST.
EAST-B: VACANT, CLERMONT-WATER BROOKE PUD
SOUTH-C: VACANT, LAKE COUNTY-MP, PLANNED INDUSTRIAL DIST.
WEST-D: HANCOCK RD., SFR, LAKE COUNTY-R-6.

PROPOSED DEVELOPMENT AREA:
NET DEVELOPABLE: 21.53 AC (THERE IS NO JURISDICTIONAL WETLAND WITHIN THE PROJECT SITE)
PARCEL A: 10.75 AC - OFFICE, RETAIL, WAREHOUSE PER M-1, C-1, C-2 ZONING DISTRICTS INCLUDING OUTDOOR STORAGE AREAS, AND AS PERMITTED BY PUD ORDINANCE NO.2017-39. 0.39 AC (16,904.09 SF) ADDITIONAL RIGHT OF WAY WILL BE DEDICATED TO LAKE COUNTY FOR HANCOCK ROAD.
PARCEL B: 5.44 AC - EXISTING UTILITY EASEMENTS. THIS PARCEL WILL BE USED AS OPEN SPACE, PARKING AREA, OUTDOOR STORAGE AREA AS MAY BE PERMITTED BY DUKE ENERGY, AND AS PERMITTED BY PUD ORDINANCE NO. 2017-39.
PARCEL C: 5.34 AC - OUTDOOR STORAGE, OPEN SPACE AND MASTER STORMWATER POND.

PROPOSED LAND USE: ALL LAND USES IN CLERMONT COMMERCE PARK PUD SHALL BE AS PERMITTED BY ORDINANCE No. 2017-39.

DEVELOPMENT: DEVELOPMENT WITHIN CLERMONT COMMERCE PARK SHALL COMPLY WITH CITY OF CLERMONT M-1 ZONING DISTRICT AND THE STANDARDS, EXCEPTIONS, AND WAIVERS ESTABLISHED IN PUD ORDINANCE No. 2017-39.

ACCESS: THERE SHALL BE TWO VEHICULAR ACCESS DRIVEWAYS ON HANCOCK ROAD. SOUTHERN ACCESS DRIVEWAY SHALL BE A JOINT USE DRIVEWAY WITH ADJACENT DEVELOPMENT TO THE SOUTH. A LEFT TURN AND A RIGHT TURN LANES SHALL BE PROVIDED ACROSS FROM GREATER PINE BOULEVARD. NO TURN LANE IS REQUIRED AT THE NORTHERN DRIVEWAY.

PUD CONCEPT PLAN
1"=60'

URBAN DESIGN PLANNING ENGINEERING
SKConsortium, Inc.
1053 N. ORLANDO AVE., SUITE 300 • MAITLAND, FLORIDA 32751
TELEPHONE 407-629-4288 • FACSIMILE 407-629-1656 • E# 7080

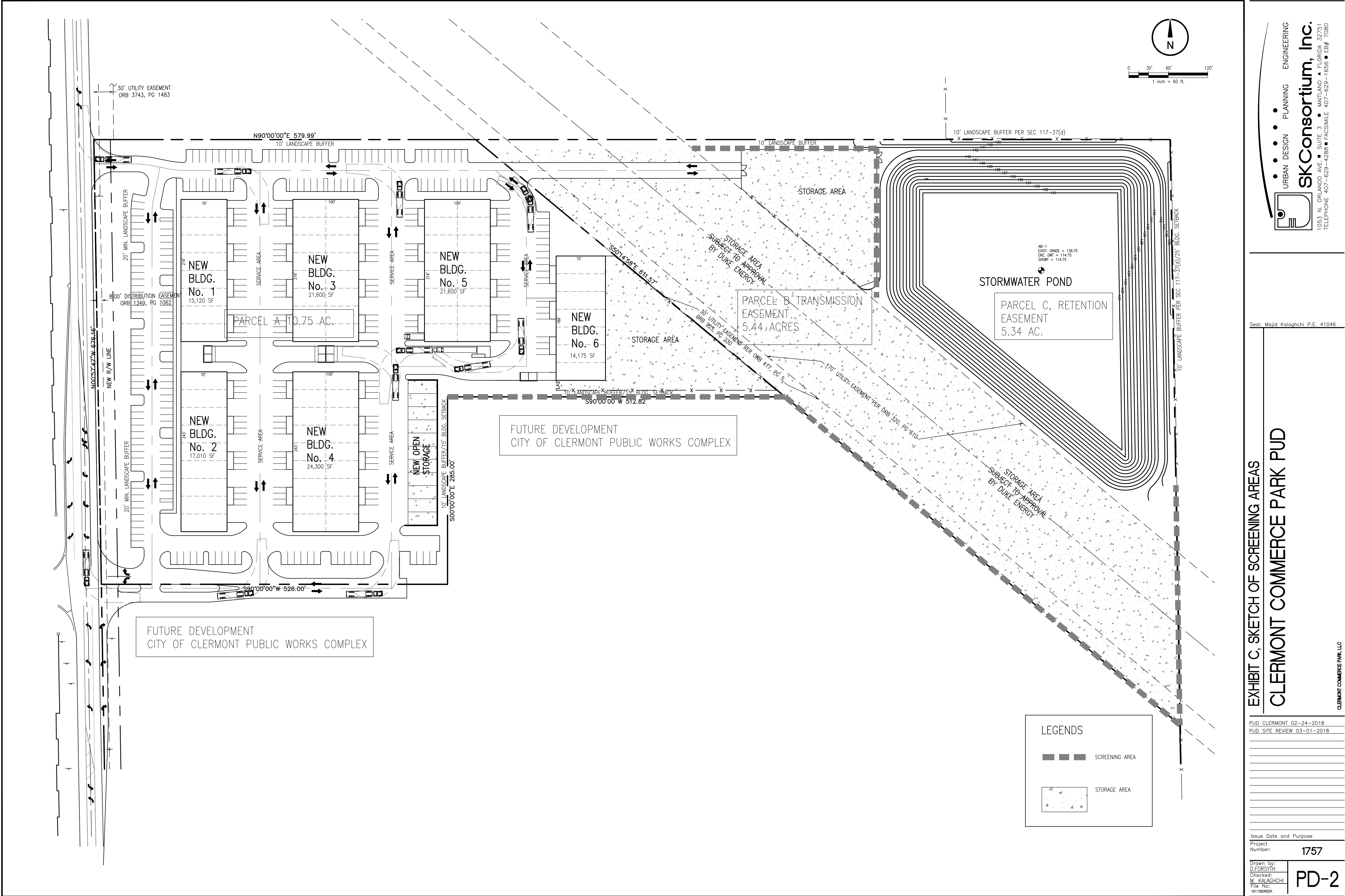
Seal: Majid Kalaghchi P.E. 41045

PUD CONCEPT PLAN
CLERMONT COMMERCE PARK PUD

PUD CLERMONT 02-24-2018
PUD SITE REVIEW 03-01-2018

Issue Date and Purpose
Project Number: 1757

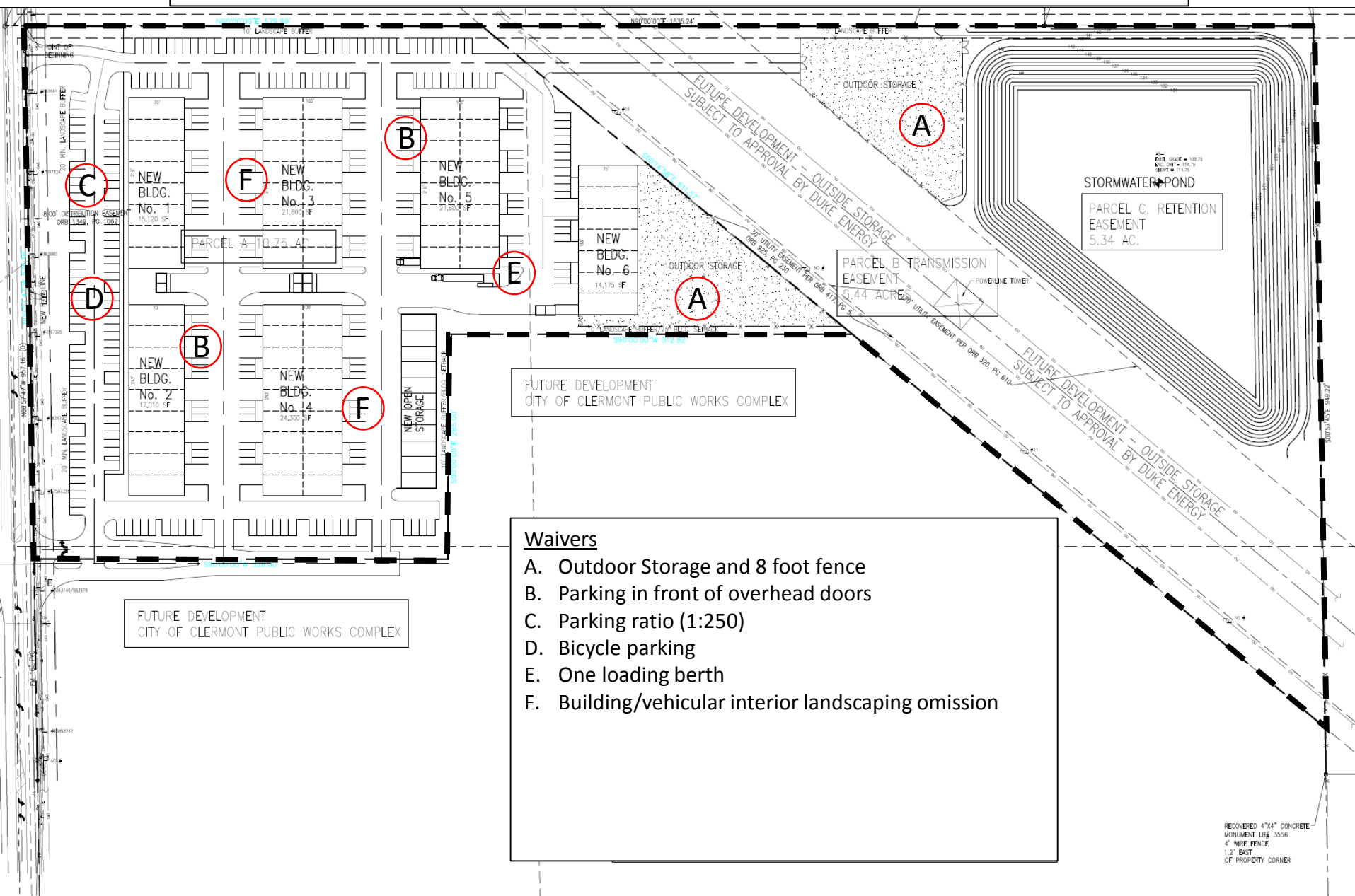
Drawn by: D.FORSYTH
Checked: M. KALAGHCHI
File No: 161160000R
PD-1



Seal: Majid Kalaghchi P.E. 41046

EXHIBIT C, SKETCH OF SCREENING AREAS
CLERMONT COMMERCE PARK PUD

Hancock Road Industrial Park - Waiver Locations



LEGAL NOTICE

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

ORDINANCE NO. 2018-08

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

LOCATION

South of Hooks Street, North of Trade Avenue, East of Hancock Road.
Alternate Keys 3909648, 3909649, 3909650
21.53 +/- Acres

LEGAL DESCRIPTION

LEGAL DESCRIPTION-PARCEL "A":

A PARCEL OF LAND LYING IN THE NORTHWEST 1/4 OF SECTION 34, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 34; THENCE RUN NORTH 90°00'00" EAST ALONG THE NORTH LINE OF SAID NORTHWEST 1/4 A DISTANCE OF 25.00 FEET TO THE EASTERLY RIGHT OF WAY LINE OF HANCOCK ROAD (COUNTY ROAD 3-1255), AS DESCRIBED IN OFFICIAL RECORDS BOOK 474, PAGE 999 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, SAID POINT BEING THE POINT OF BEGINNING; THENCE DEPARTING SAID EASTERLY RIGHT OF WAY LINE, RUN NORTH 90°00'00" EAST ALONG SAID NORTH LINE A DISTANCE OF 579.99 FEET TO THE WESTERLY LINE OF A 30 FOOT UTILITY EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 925, PAGE 230 OF AFORESAID PUBLIC RECORDS; THENCE DEPARTING SAID NORTH LINE, RUN SOUTH 50°14'58" EAST ALONG SAID WESTERLY LINE FOR A DISTANCE OF 611.57 FEET; THENCE DEPARTING SAID WESTERLY LINE, RUN SOUTH 90°00'00" WEST FOR A DISTANCE OF 512.82 FEET; THENCE RUN SOUTH 00°00'00" EAST FOR A DISTANCE OF 285.00 FEET; THENCE RUN SOUTH 90°00'00" WEST FOR A DISTANCE OF 526.00 FEET TO THE AFORESAID EASTERLY RIGHT OF WAY LINE OF HANCOCK ROAD; THENCE RUN NORTH 00°57'47" WEST ALONG SAID EASTERLY RIGHT OF WAY LINE FOR A DISTANCE OF 676.16 FEET TO THE POINT OF BEGINNING.

CONTAINING 468,061.42 SQUARE FEET (10.75 ACRES), MORE OR LESS.

AND

LEGAL DESCRIPTION-PARCEL "B":

A PARCEL OF LAND LYING IN THE NORTHWEST 1/4 OF SECTION 34, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 34; THENCE RUN NORTH 90°00'00" EAST ALONG THE NORTH LINE OF SAID NORTHWEST 1/4 A DISTANCE OF 25.00 FEET TO THE EASTERLY RIGHT OF WAY LINE OF HANCOCK ROAD (COUNTY ROAD 3-1255), AS DESCRIBED IN OFFICIAL RECORDS BOOK 474, PAGE 999 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE DEPARTING SAID EASTERLY RIGHT OF WAY LINE, RUN NORTH 90°00'00" EAST ALONG SAID NORTH LINE A DISTANCE OF 579.99 FEET TO THE WESTERLY LINE OF A 30 FOOT UTILITY EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 925, PAGE 230 OF AFORESAID PUBLIC RECORDS, SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUE NORTH 90°00'00" EAST ALONG SAID NORTH LINE FOR A DISTANCE OF 312.77 FEET TO THE EASTERLY LINE OF A 170 FOOT UTILITY EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 320, PAGE 610 OF AFORESAID PUBLIC RECORDS; THENCE DEPARTING SAID NORTH LINE RUN SOUTH 50°14'58" EAST ALONG SAID EASTERLY LINE FOR A DISTANCE OF 979.41 FEET TO THE EAST LINE OF THE WEST 1660 FEET OF THE AFORESAID NORTHWEST 1/4 OF SECTION 34; THENCE RUN SOUTH 00°57'45" EAST ALONG SAID EAST LINE FOR A DISTANCE OF 263.86 FEET TO THE AFORESAID WESTERLY LINE OF A 30 FOOT UTILITY EASEMENT; THENCE DEPARTING SAID EAST LINE RUN NORTH 50°14'58" WEST ALONG SAID WESTERLY LINE A DISTANCE OF 1391.99 FEET TO THE POINT OF BEGINNING.

CONTAINING 237,139.56 SQUARE FEET (5.44 ACRES), MORE OR LESS.

AND

LEGAL DESCRIPTION-PARCEL "C":

A PARCEL OF LAND LYING IN THE NORTHWEST 1/4 OF SECTION 34, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 34; THENCE RUN NORTH 90°00'00" EAST ALONG THE NORTH LINE OF SAID NORTHWEST 1/4 A DISTANCE OF 25.00 FEET TO THE EASTERLY RIGHT OF WAY LINE OF HANCOCK ROAD (COUNTY ROAD 3-1255), AS DESCRIBED IN OFFICIAL RECORDS BOOK 474, PAGE 999 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE DEPARTING SAID EASTERLY RIGHT OF WAY LINE, RUN NORTH 90°00'00" EAST ALONG SAID

NORTH LINE A DISTANCE OF 892.76 FEET TO THE EASTERLY LINE OF A 170 FOOT UTILITY EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 320, PAGE 610 OF SAID PUBLIC RECORDS, SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUE NORTH 90°00'00" EAST ALONG SAID NORTH LINE FOR A DISTANCE OF 742.48 FEET TO THE EAST LINE OF THE WEST 1660 FEET OF THE AFORESAID NORTHWEST 1/4 OF SECTION 34; THENCE RUN SOUTH 00°57'45" EAST ALONG SAID EAST LINE FOR A DISTANCE OF 626.37 FEET TO THE EASTERLY LINE OF A 170 FOOT UTILITY EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 320, PAGE 610 OF AFORESAID PUBLIC RECORDS; THENCE RUN NORTH 50°14'58" WEST ALONG SAID EASTERLY LINE A DISTANCE OF 979.41 FEET TO THE POINT OF BEGINNING.

CONTAINING 232,501.86 SQUARE FEET (5.34 ACRES), MORE OR LESS.

FROM Urban Estate
TO Planned Unit Development

This request will be considered by the Planning & Zoning Commission on Tuesday, March 6, 2018 at 6:30 p.m.

A public meeting to consider the request will be held before the City Council on Tuesday, March 13, 2018 at 6:30 p.m. for final enactment.

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

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

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

Daily Commercial
February 27, 2018

Tracy Ackroyd Howe, MMC
City Clerk



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date														
Tuesday, March 13, 2018														
Agenda Item Name														
Variance Request <i>At Home</i>														
Requested Action														
Recommend approval of variance requests.														
Staff Report														
The applicant, At Home Retail Store is requesting two sign variances to the Clermont Land Development Code. The variance request are as follows, 1) To allow for a wall sign copy area greater than 200 square feet, the maximum allowed by the Land Development Code, Section 102-15 and 2) to allow a second wall sign of 77 square feet copy area on the front building façade instead of one wall sign per building façade as permitted by the Land Development Code, Section 102 - Signs. The new retail business will be located at the Lake Regional Shopping Center in the Kmart building space, which is currently going out of business and vacating the premises. The retail space has the largest floor area square foot in the shopping center and is located approximately 845 feet from State Road 50. The proposed wall signs are 217 square feet and the code allows a maximum of 200 square feet of copy area. The applicant is also requesting a second wall sign of 77 square feet and the code only allows one sign per building façade. The proposed signs are part of the At-Home Store branding concept. The Kmart retail store currently has two wall signs; one for the Store and one for the Garden Center. Because of the site demographics and proximity of building location, the larger sign will provide more visibility and improve vehicular safety and identification of retail store location. The proposed signs will not be out of character with the surrounding business signs and surrounding areas. Section 86-174 of the Land Development Code requires a positive finding to grant a variance. Staff recommends approval of the variance request to the Clermont Land Development Code.														
Additional Analysis														
Fiscal Impact Summary														
Fiscal Impact	Fund Number and Description	Available Budget Amount												
Exhibits Attached (copies of original agreements)														
<table border="0"><tr><td>1.</td><td>New 86-174 Review Criteria-At Home</td><td>New 86-174 Review Criteria-At Home.pdf</td></tr><tr><td>2.</td><td>Location Map</td><td>Location Map.pdf</td></tr><tr><td>3.</td><td>Variance Justification Letter</td><td>Variance Justification Letter.pdf</td></tr><tr><td>4.</td><td>Sign Elevations</td><td>Sign Elevations.pdf</td></tr></table>			1.	New 86-174 Review Criteria-At Home	New 86-174 Review Criteria-At Home.pdf	2.	Location Map	Location Map.pdf	3.	Variance Justification Letter	Variance Justification Letter.pdf	4.	Sign Elevations	Sign Elevations.pdf
1.	New 86-174 Review Criteria-At Home	New 86-174 Review Criteria-At Home.pdf												
2.	Location Map	Location Map.pdf												
3.	Variance Justification Letter	Variance Justification Letter.pdf												
4.	Sign Elevations	Sign Elevations.pdf												

5.	Application	Application.pdf
6.	Legal AD	VARIANCE AT HOME.pdf

At Home Variance

The requirements for a variance are as follows:

“Sec. 86-174, Review Criteria and Finding. When reviewing an application for a variance, the City Council shall not vary the requirements of the land development code unless it makes a positive finding, based on substantial competent evidence, on each of the following:”

FINDINGS:

- (1) Granting the variance will not cause or allow interference with the reasonable enjoyment of adjacent or nearby property owners or negatively impact the standard of living of the citizens of the city;

Applicant response: *The signage request for a variance will not interfere with any resident’s enjoyment or negatively impact nearby property owners. The signage faces south, the main parking lot of the shopping center.*

Staff comments: *The requested sign variances will not interfere with the reasonable enjoyment of the adjacent property owners or negatively impact the surrounding area. The proposed building signs would be located approximately 845 feet from State Road 50.*

Positive finding

- (2) The variance will allow reasonable use of the property; which use is not out of character with other properties in the same zoning category;

Applicant response: *The variance requested for additional signage will still allow the at home store and shopping center to operate functionally. It is not out of character with other big box retailers. The size of the at home façade is over 9,600 square feet. The proposed signage amounts to 304 square feet, or 3.17% of the façade being covered.*

Staff comments: *The requested variances will allow reasonable use of the property and is not out of character with other commercial properties. The Land Development Code, Section 102 allows a maximum building sign copy area of 200 square feet, the applicant is requesting 227 square feet. The applicant is also requesting a second wall sign of 77 square feet and the Code only allows one sign per building façade. The signage is consistent with the existing Kmart signs and will provide reasonable use of the property.*

Positive finding

- (3) In the context presented, strict compliance with the land development regulation will not further any legitimate city objective, or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under this criteria if the variance was denied;

Applicant response: *This variance is requesting additional signage on the front elevation of a new “at home” retail store. The benefits of granting this variance do not outweigh any City objectives. It will only further enhance the quality of the store.*

Staff comments: *The requested sign variance will not further any legitimate city objective. The proposed signage will be for a new retail store that will be located in the Clermont Regional Shopping Center in the Kmart Building/Space which has recently closed. The new retailer will provide an opportunity for economic growth and prevent a vacant retail space.*

Positive finding

- (4) The granting of the variance is consistent with the city's comprehensive plan;
Applicant response: *The granting of this variance for additional signage is consistent with the City of Clermont comprehensive plan for this property as a commercial shopping center.*

Staff comments: *The requested sign variance is consistent with the City's Comprehensive Plan.*

Positive finding

- (5) The variance requested is the minimum variance that will make reasonable use of the land, building, or structure of the benefits that would be achieved under the other variance criteria by granting of the variance outweigh the benefits under this criteria if the variance was denied;

Applicant response: *We are requesting two variances (1) For additional square footage and (2) For the addition of a second sign. The subject property is located at the NE corner of State Road 50 and Grand Highway. The subject retail space is located at the far northern portion of the retail center approximately 845 feet from SR 50 and partially blocked by the Seacoast Bank building on the corner of SR 50 & Grand Highway. In addition to the distance from SR 50 the subject retail space is also situated on a lower grade than SR 50. The subject space is situated approximately 20 feet below grade of SR 50.*

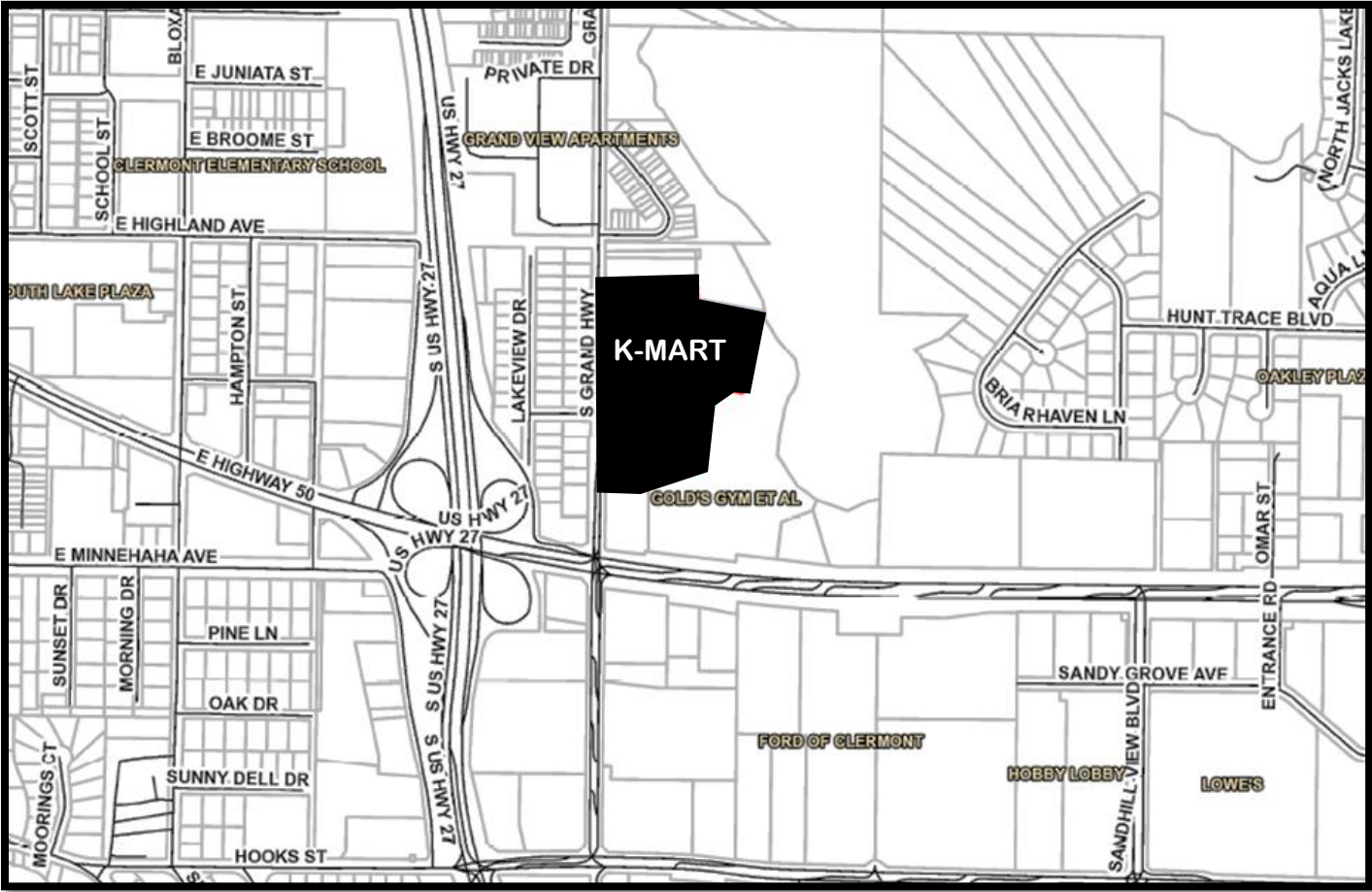
Staff comments: *The variance request is the minimum variance that will make reasonable use of the site. Because of the demographic location of the building in the shopping center, the proposed signage is the minimum required to create a visually appealing business climate and improve vehicular safety and reduce visual pollution.*

Positive finding

STAFF RECOMMENDATION:

Staff recommends **approval** of the variance request to the Clermont Land Development Code.

LOCATION MAP



February 8th, 2018

Curt Henshel
Planning Manager
City of Clermont – Development Services
685 W. Montrose St
Clermont, FL 34711

RE: At Home signage variance

Dear Curt,

Enclosed you will find the variance application and associated plans for the new 'at home' store located at 1002 E. SR 50 in the Clermont Regional Center. At home will be taking over the old K-Mart location at the very northern end of the center.

We are requesting a variance to the land development code in regards to the signage for this new store. The building was constructed back in 1990's and is over 20 years old. The development around the center and landscaping has matured over the past two decades. Due to various site conditions we are requesting a variance for the size & number of wall signs allowed by code for the new at home store.

We are proposing the following:

Front Elevation

- 'at home' channel letters over main entry – 227 sq ft (max of 200 allowed by code)
- 'The Home Décor Superstore' channel letters to the left of the entryway on the front elevation – 77 sq ft (only 1 wall sign allowed by code)

Side Elevation

- 'at home' channel letters – west elevation facing Grand Hwy – 117 sq ft (currently allowed by code)

With this proposal we are seeking two variances:

1. To have a main ID wall sign greater than 200 sq ft
2. To have a second wall sign on the front elevation at 77 sq ft

RECEIVED

FEB 12 2018

City Ordinance from which you are requesting relief? How does the code create a hardship?

We are seeking a variance from the Land Development Code section 102-15(a)2b. The current code restricts the 'at home' signage to 200 sq ft. This is too small for a store of this magnitude. The proposed 'at home' sign would be 227 sq ft. This is because the city uses a 4-line rule for

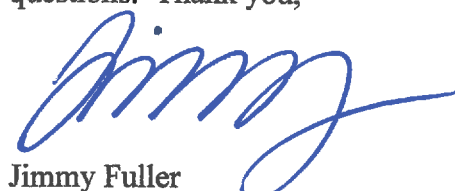
(5) The variance requested is the minimum variance that will make reasonable use of the land, building, or structure or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under this criteria if the variance were denied:

We are requesting two variances. (1) For additional square footage and (2) For the addition of a second wall sign. The subject property is located at the NE corner of SR 50 & Grand Highway. The subject retail space is located at the far northern portion of the retail center approximately 845 feet from SR 50 and partially blocked by the Seacoast Bank building on the corner of SR 50 & Grand Highway.

In addition to the distances from SR50 the subject retail space is also situated on a lower grade than the SR 50. The subject space is situated approximately 20 feet below the grade of SR 50.

The proposed signage is the minimum to create a visually appealing and architecturally balanced look for this property. During the build out of this location at home will construct a 44' tall x 60' wide 'house element'. The signage as allowed by code is too small for this element and the overall building. The proposed signage will be proportional in size to the house entryway. It will also provide enough visual branding for customers. The second sign, at home's tagline, "The Home Décor Superstore" will be located to the right of the house entryway. This sign serves two purposes. At home is new to the City of Clermont, and while their name accurately describes who they are, the tagline reinforces that they truly are "The Home Décor Superstore". The wall it sits on is also 175 feet long. This sign adds a level of architectural balance to the overall building façade. While not overpowering, it adds a unique feature to the wall without leaving it completely blank.

As you can see from our justifications above the variance being requested is consistent with a big box retail space of this size. The signage provided by the code does not allow the at home development to adequately brand the store. We are excited to enter the Clermont community and look forward to working with your staff on this request. Please feel free to contact me with any questions. Thank you,



Jimmy Fuller
Project Manager

Direct: 714.236.5510 x4105
Cell: 714.273.0776

10833 Valley View Street, Suite #450
Cypress, CA 90630

2655 International Parkway, Virginia Beach, VA 23452 (757) 427-1900
412 N. Cedar Bluff Road, Suite #306, Knoxville, TN 37923 (865) 692-1242
2 Kelli Clark Court, Cartersville, GA 30121 (770) 529-9331
10833 Valley View Street, Suite #450, Cypress, CA 90630 (714) 236-5510



BRANDING BOOK

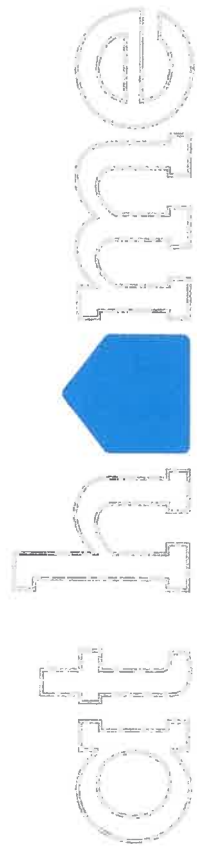
INVENTORY/SITE PLAN

Project Name: At Home - Clermont

Project Manager: A. McNabb

Designer: LCL/JER

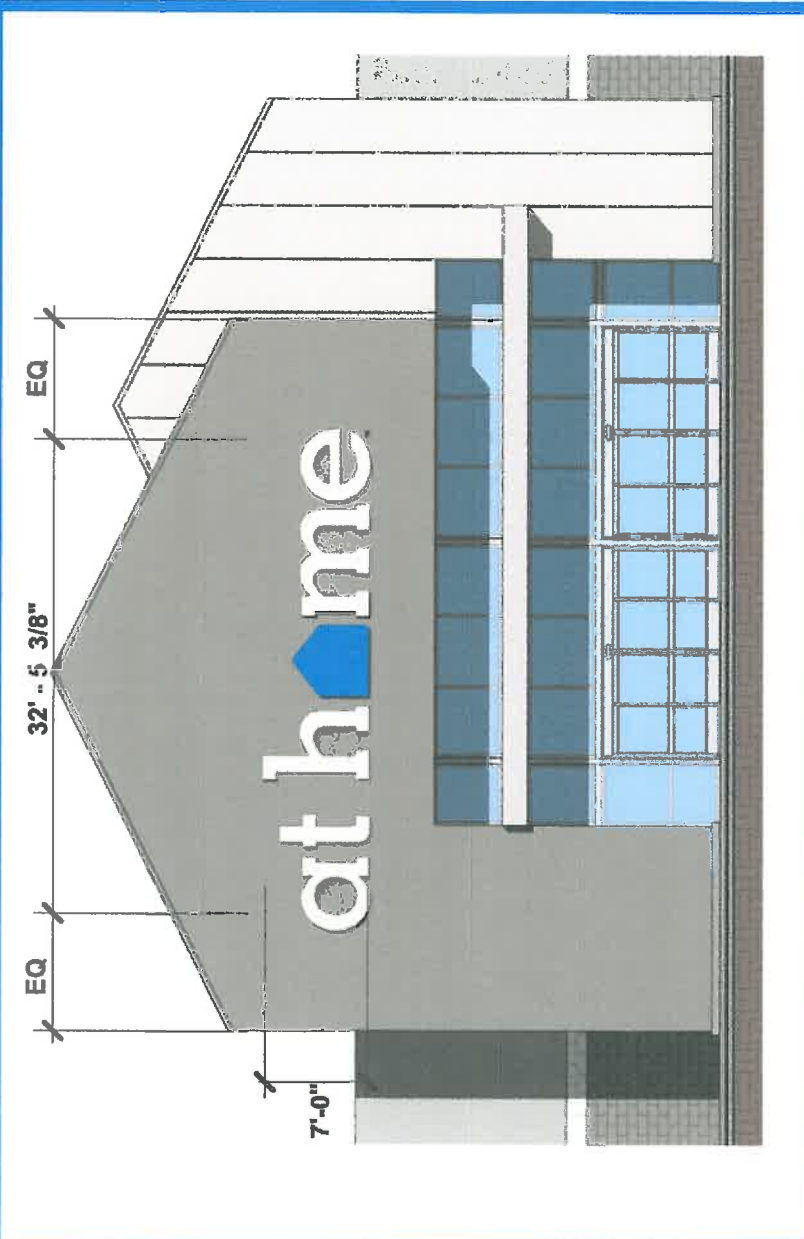
[illegible]

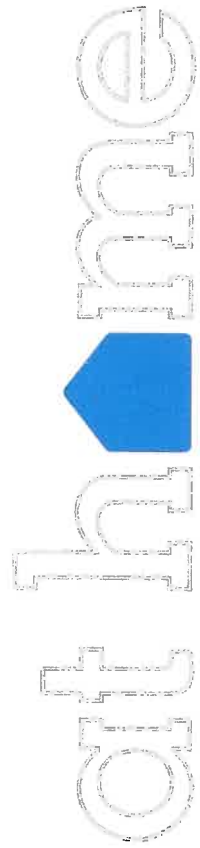


BRANDING BOOK

Project Name: At Home - Clermont
Project Manager: A. McNabb
Designer: LCL/JER

INVENTORY/RECOMMENDATION DETAIL

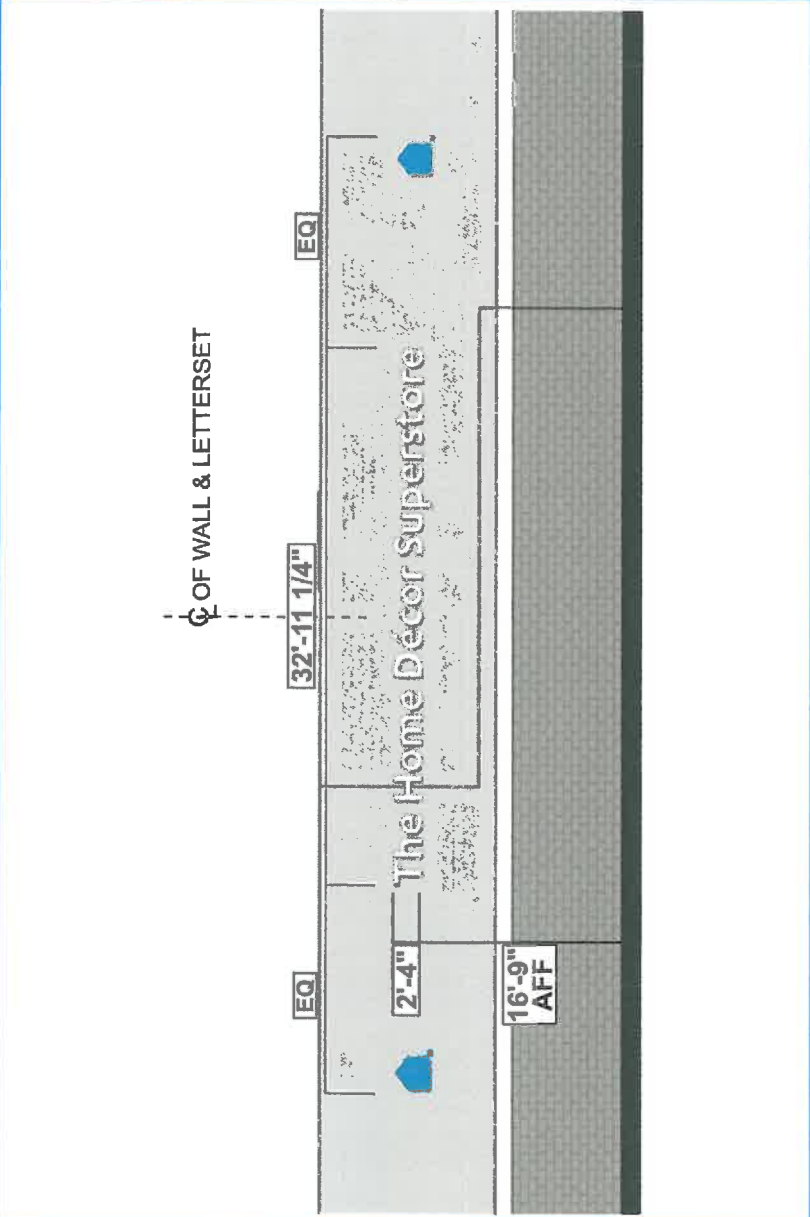
SIGN: 01	RR	EXISTING SIGNAGE
		
Existing Sign Description: <u>Channel Letters</u> Action: <u>RR</u> Height: _____ Width: _____ Depth: _____ Letter Height: _____ Sq Ft: _____ Wall Material: _____ Illuminated: _____ Flush or Raceway Mounted: _____ Double Faced: _____		
PROPOSED SIGNAGE		
		
Sign Type: <u>Ah84</u> Description: <u>7'-0" Channel Letters</u> Height: <u>7'-0"</u> Width: <u>32'-5 3/8"</u> Depth: <u>5"</u> Sq Ft: <u>227 sq ft</u> Illuminated: <u>Yes</u> Flush or Raceway Mounted: <u>Flush</u> Maximum Sq. Ft Allowed _____		
COMMENTS		
Variance required for this sign due to size. Maximum size w/ out variance is 200 sq ft which would be a 6' tall house.		

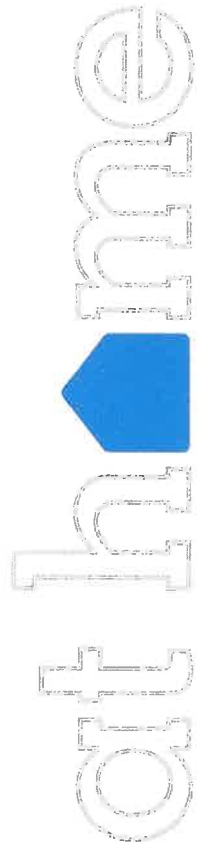


BRANDING BOOK

Project Name: At Home - Clermont
Project Manager: A. McNabb
Designer: LCL/JER

INVENTORY/RECOMMENDATION DETAIL

SIGN: 02	NI	EXISTING SIGNAGE
		
Existing Sign Description: <u>None</u> Action: _____ Height: _____ Width: _____ Depth: _____ Letter Height: _____ Sq Ft: _____ Wall Material: _____ Illuminated: _____ Flush or Raceway Mounted: _____ Double Faced: _____		
PROPOSED SIGNAGE		
		
Sign Type: <u>28" TL</u> Description: <u>28" Tagline Channel Letters</u> Height: <u>2' - 4"</u> Width: <u>±32'-11 1/4"</u> Depth: <u>5"</u> Sq Ft: <u>77 sq ft</u> Illuminated: <u>Yes</u> Flush or Raceway Mounted: <u>Flush</u> Maximum Sq. Ft Allowed _____		
COMMENTS		
<u>Variance required for tag line. Only (1) sign is allowed on the front of the building.</u> _____ _____ _____		



BRANDING BOOK

Project Name: At Home - Clermont
Project Manager: A. McNabb
Designer: LCL/JER

INVENTORY/RECOMMENDATION DETAIL

SIGN: 03

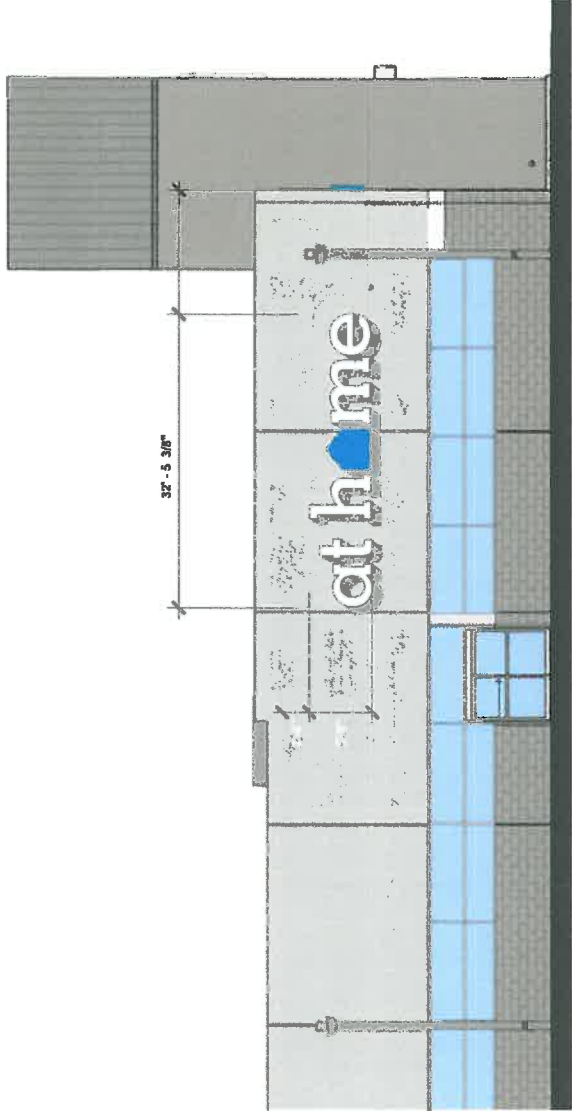
RR

EXISTING SIGNAGE



Existing Sign Description: None
Action: NI
Height: _____
Width: _____
Depth: _____
Letter Height: _____
Sq Ft: _____
Wall Material: _____
Illuminated: _____
Flush or Raceway Mounted: _____
Double Faced: _____

PROPOSED SIGNAGE



Sign Type: AH60
Description: AH60
Height: 5'-0"
Width: 23'-6 1/4"
Depth: 5"
Sq Ft: 117.60
Illuminated: Yes
Flush or Raceway Mounted: Flush
Maximum Sq. Ft Allowed _____

COMMENTS



CITY OF CLERMONT
VARIANCE
Application

VAR 1802-0002

DATE: 2-7-2018

FEE: \$600
OK 10710

PROJECT NAME (if applicable): At Home Signage

APPLICANT: Jimmy Fuller

CONTACT PERSON: Jimmy Fuller

Address: 10833 Valley View St #450

City: Cypress State: CA Zip: 90630

Phone: 714-273-0776 Fax: _____

E-Mail: jfuller@agisign.com

Clermont Regional Investors, LLC - Trey Vick

OWNER: ~~V3 Capital Group - Candyn Stanley~~

Address: 1420 Gray Road

City: Winter Park State: FL Zip: 32789

Phone: 407-734-3933 Fax: _____

Address of Subject Property: 1002 E. SR50

General Location: NE corner of SR50 + S. Grand Highway. In the Clermont Regional Center, old K-Mart location.

Legal Description (include copy of survey): _____

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FEB 13 2018

Land Use (City verification required): _____



Zoning (City verification required): _____

CITY OF CLERMONT
VARIANCE
Application
Page 2

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

City Zoning Ordinance (Land Development Code Section) from which you are requesting relief:

Section 102-15 (a) 2b

What are you proposing to do that would require a variance and why? (1) wall sign for "at home" of 227 sq ft + a second wall sign "The Home Decor Superstore" of 77 sq ft

How does the Code create a hardship? see attached

***** The following justifications must be completed *****
for any variance requested:

Variance requested – subject and code section: Land Dev. Code, section 102-15(a) 2b (signs in commercial centers)

Sec. 86-174. Review criteria and findings.

When reviewing an application for a variance, the City Council shall not vary the requirements of any provision of this land development code unless it makes a positive finding, based on substantial competent evidence, on each of the following:

- (1) Granting the variance will not cause or allow interference with the reasonable enjoyment of adjacent or nearby property owners or negatively impact the standard of living of the citizens of the city;

see attached



(2) The variance will allow a reasonable use of the property, which use is not out of character with other properties in the same zoning category;

see attached

CITY OF CLERMONT

VARIANCE

Application

Page 3

3) In the context presented, strict compliance with the land development regulation will not further any legitimate city objective, or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under this criteria if the variance were denied;

see attached

(4) The granting of the variance is consistent with the city's comprehensive plan; and

see attached

(5) The variance requested is the minimum variance that will make reasonable use of the land, building, or structure or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under this criteria if the variance were denied.

see attached



CITY OF CLERMONT
VARIANCE
Application
Page 4

Jimmy Fuller
Applicant Name (print)

X [Signature]
Applicant Name (signature)

John C. Vick III
Owner Name (print)

X [Signature]
Owner Name (signature)

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

IF THIS APPLICATION IS SUBMITTED INCOMPLETE OR INACCURATE, IT WILL BE SUBJECT TO A DELAY IN PROCESSING AND WILL NOT BE SCHEDULED UNTIL SUCH CORRECTIONS ARE MADE. APPLICATION FOR VARIANCE DOES NOT GUARANTEE APPROVAL. THE APPLICANT MUST BE PRESENT AT ANY MEETINGS TO JUSTIFY AND SUPPORT THE REQUEST.

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

Advertising Receipt

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

CITY OF CLERMONT
Cristina Andres
P.O. BOX 120219
CLERMONT, FL 34712

Account Number: 7101866
Order Number: 10074136
Phone: (352) 241-7331
Date: 03/01/18
Ad Taker: liana.rickman

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
LEGAL NOTICE Notice is hereby given that the City Council of the City of Cle	03/05/2018	03/05/2018	\$103.50

LEGAL NOTICE

Notice is hereby given that the City Council of the City of Clermont will consider a request for the following Variances: 1) To allow a wall sign copy area greater than 200 square feet - as required by Section 102-15(b) of the Land Development Code; and 2) To allow a second wall sign of 77 square feet of copy area on the front building façade - as required by Section 102-15 of the Land Development Code, at the following location:

LOCATION

At Home Retail Store
1002 East State Road 50

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

This request will be heard by the City Council at a public hearing to be held on Tuesday, March 13, 2018 at 6:30 P.M. in the Clermont City Hall located at 685 West Montrose Street, Clermont, FL 34711.

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 Howe
City Clerk, MMC

Ad No: 10074136
March 05, 2018

Payment Info	
Ad Price	\$103.50
Tax	\$0.00
Sub Total	\$103.50
Prepaid Amount	\$0.00
Balance Due	\$103.50



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, March 13, 2018		
Agenda Item Name		
Ordinance No. 2018-10 <i>Introduction</i> <i>Citrus Tower Commerce Center</i>		
Requested Action		
Recommend introduction of Ordinance No. 2018-10.		
Staff Report		
The applicant, is requesting a rezoning for the subject parcel located 423 Citrus Tower Boulevard. The subject property consists of approximately 5 acres. The property is currently zoned C-2 General Commercial and the Future Land Use Designation is Industrial. The applicant is requesting to rezone the property to Planned Unit Development (PUD). The Planned Unit Development (PUD) would allow for a multi-tenant mixed use development with approximately 15,600 square feet of Commercial/Retail in the front portion of parcel and 40,600 square feet of Office/Warehouse Flex Space in the rear of the subject parcel. The rezoning to Planned Unit Development (PUD) will be consistent with the City of Clermont Comprehensive Plan Goals, Objectives and Policies. The mixed use development is consistent with the character of the surrounding properties and will be in harmony with the general intent and purpose of the Land Development Codes. Staff recommends approval of Ordinance No. 2018-10, rezoning subject parcel from C-2 General Commercial to Planned Unit Development (PUD).		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Ordinance 2018-10-Citrus Tower Commerce-Rezoning-RM	Ordinance 2018-10-Citrus Tower Commerce-Rezoning-RM.pdf	
2. Citrus Tower Commerce Location Maps	Citrus Tower Commerce Location Maps.pdf	
3. Clermont Zoning Map	Clermont Zoning Map.pdf	
4. New Concept Site Plan	New Concept Site Plan.pdf	
5. Application	Application.pdf	
6. Legal Ad	ORDINANCE NO. 2018-10.pdf	



CITY OF CLERMONT
ORDINANCE NO. 2018-10

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

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

SECTION 1.

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

LEGAL DESCRIPTION

PARCEL 1: The Eastern one-half (1/2) of Tract 5, Section 20, Township 22 South, Range 26, East, according to the plat of Lake Highlands Company, recorded in Plat Book 3, Page 30, Public Records of Lake County, Florida.

PARCEL 2: The West 1/2 of Tract 5, Section 20, Township 22 South, Range 26, East, Lake Highlands Company, according to the plat thereof, as recorded in Plat Book 3, Page 30, Public Records of Lake County, Florida, LESS the West 268.72 feet thereof.

Also less and except the following described lands:

Commence at the North 1/4 corner of Section 20, Township 22 South, Range 26 East, Lake County, Florida, thence run S 89°56'13" W for a distance of 15.03 feet; thence run S 00°31'11" E for a distance of 15.00 feet to a point on the West line of a 15.00 feet wide right of way lying on the East side of Tract 5 as shown on the plat of LAKE HIGHLANDS COMPANY, in Section 20, Township 22 South, Range 26 East, LAKE HIGHLANDS COMPANY according to the plat thereof, as recorded in Plat Book 3, Page 30, Public Records of Lake County, Florida, said point being the POINT OF BEGINNING; thence continue S 00°31'11" E along said West line of a 15.00 feet wide right of way for a distance of 653.63 feet to the South line of said Tract 5; thence run S 89°57'52" W along said South line for a distance of 60.36 feet; thence leaving said South line run N 00°31'11" W for a distance of 250.70 feet to the beginning of a tangent curve concave to the Southeast and having a radius of 530.00 feet; thence run Northeasterly along the arc of said tangent curve for a distance of 147.92 feet through a central angle of 15°59'26" to a point of tangency; thence run N 14°00'19" for a distance of 120.34 feet; thence run N 00°31'11" W for a distance of 121.66 feet; thence run N 53°44'01" W for a distance of 30.97 feet to the South right of way line of Mohawk Road; thence run N 89°56'13" E along said South right of way line for a distance of 34.47 feet to the Point of Beginning.



CITY OF CLERMONT
ORDINANCE NO. 2018-10

LOCATION

423 Citrus Tower Blvd. Clermont, FL
(Alternate Key 1647746)
5.06 +/- Acres

From: General Commercial (C-2)
To: Planned Unit Development (PUD)

SECTION 2. General Conditions

This application for a Planned Unit Development to allow for a multi-tenant mixed use development with 15,600 square feet of Commercial/Retail in the front and 40,600 square feet of Office/Warehouse Flex Space in the rear of the parcel. The permitted uses specified herein on and subject to the terms and conditions of this Ordinance (as hereinafter defined) be granted subject to the following conditions:

1. The conditions as set forth in this Planned Unit Development shall be legally binding upon any heirs, assigns and successors in title or interest.
2. The Property shall be developed pursuant to the terms and conditions of this Ordinance and in substantial accordance with the Conceptual Plan attached hereto as Exhibit "A" (the "Conceptual Plan"). Formal construction plans incorporating all terms and conditions stated in this Ordinance shall be submitted for review and approved by the Site Review Committee prior to the issuance of a Zoning Clearance or other development permits.
3. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the parcel without first submitting necessary plans and obtaining required approvals and permits in accordance with City Codes and Land Development Regulations and those of other appropriate jurisdictional entities.
4. This Ordinance, including the Concept Plan, must comply with all applicable requirements of the City Comprehensive Plan and City Land Development Codes and Regulations.

SECTION 3. Land Uses and Specific Conditions

1. The Planned Unit Development (PUD) shall comply with the M-1 Industrial Zoning District Codes and Regulations as indicated in the Land Development Code, Section 122-261.
2. The following criteria shall apply to the development, improvement, operation and use of the Property:



CITY OF CLERMONT
ORDINANCE NO. 2018-10

(a) The total maximum floor space allowed is 15,600 square feet of Commercial/Retail in the front of the subject parcel and 40,600 square feet of Office/Warehouse Flex Space in the rear of the subject property. The site shall be developed in substantial accordance with the Exhibit A - Conceptual Plan prepared by McCoy and Associates.

(b) No automotive, truck, motorcycle or boat repairs, sales, storage, or leasing shall be conducted on site.

(c) Outdoor Storage is prohibited. All permitted uses and business operations shall be conducted inside the buildings.

(d) A wavier shall be granted to allow a 15-foot landscape buffer adjacent to Citrus Tower Boulevard instead of the 20 feet required by the Land Development Code.

(e) A wavier shall be granted to allow more than 10 parking spaces without a landscape buffer in front of the warehouse/flex space buildings located in the rear of the property. Parking spaces are still required to comply with ADA requirements and regulations.

(f) All Landscape buffers shall be planted with three canopy trees and five understory trees per 100 lineal feet and must provide a continuous three-foot-high opaque screen of landscape materials at time of plantings.

(g) The Property shall be allowed one (1) Master Development Multi-tenant ground monument sign that complies with City Code, Chapter 102 Signs. In addition, tenants within the buildings shall be allowed to have Building Façade Signs advertising their business that meet City Code, Chapter 102 Signs.

(h) A wavier shall be granted to allow a retaining wall with a maximum height of 8 feet along the Southeastern property line.

(i) The site shall be developed according to the City of Clermont Land Development Codes and all buildings must comply with the City of Clermont Architectural Design Standards.

(j) A minimum five-foot wide sidewalk shall be constructed along each street's right-of-way adjacent to parcel that comply with the American Disabilities Act requirements and provide pedestrian access. Sidewalks construction shall be coordinated with appropriate government entity for designated streets.

3. Building Setbacks:
- | | |
|--------------------|-----------------------------|
| Citrus Tower Blvd: | 25 Feet from Property Lines |
| Side Setback: | 12 feet from Property Lines |
| Side Street: | 25 feet from Property Lines |
| Rear Setback: | 25 feet from Property Lines |



CITY OF CLERMONT
ORDINANCE NO. 2018-10

4. The maximum building height shall be 55 feet, measured at the highest point.
5. The maximum impervious surface area ratio for the Property shall be 80% with a floor area ratio for the Property not to exceed 0.35.
6. Building façade landscape shall be required for the buildings designated as commercial/retail located in the front of subject parcel.
7. Interior landscape and vehicular use area landscape shall be required for the buildings designated as commercial/retail located in the front of subject parcel.
8. The property may have elevation changes of up to 15 feet in height over the project site through the use of cut and fill. These changes will be submitted to the City Engineer at the time of final engineering.
9. The project may be developed in multiple phases but if developed in multiple phases, each phase must be developed in a manner that allows the individual phases to function independently of one another

SECTION 4.

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

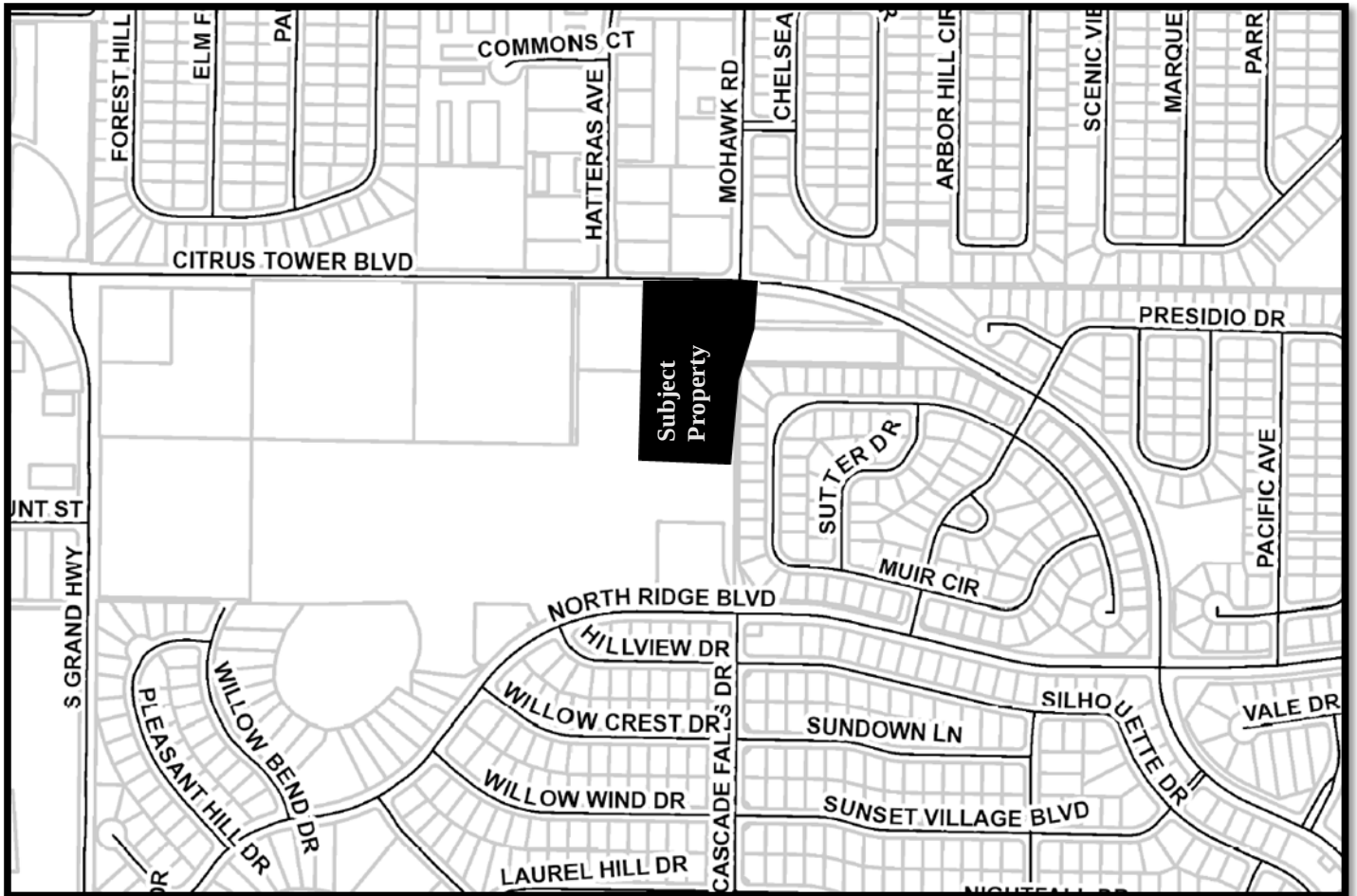
SECTION 5.

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

SECTION 6.

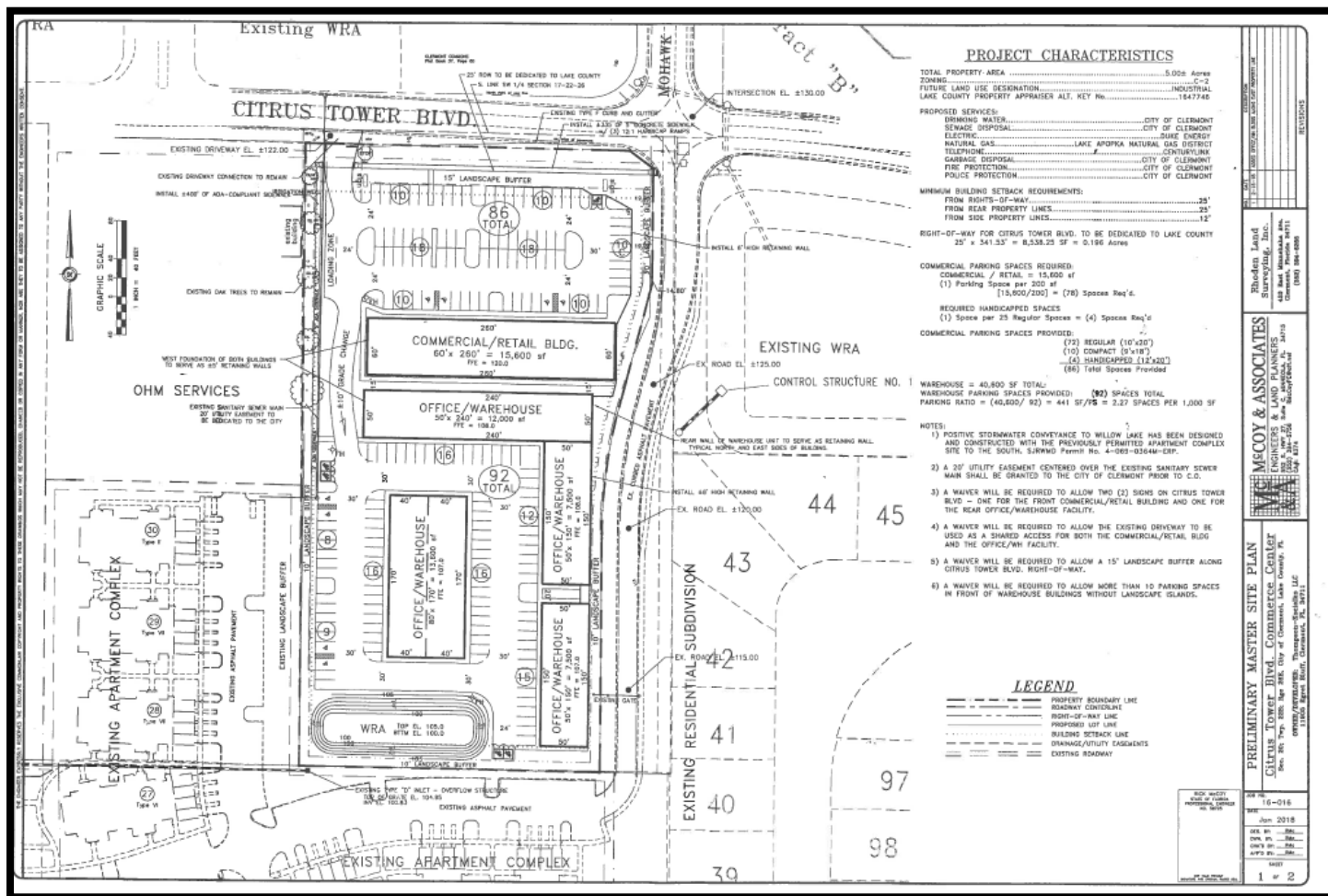
This Ordinance shall be published as provided by law, and it shall become law and take effect upon its Second Reading and Final Passage.

Location map:



CITY OF CLERMONT
ORDINANCE NO. 2018-10

Exhibit A: Conceptual Plan





CITY OF CLERMONT
ORDINANCE NO. 2018-10

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida
on this 27th day of March, 2018.

CITY OF CLERMONT

Gail L. Ash, Mayor

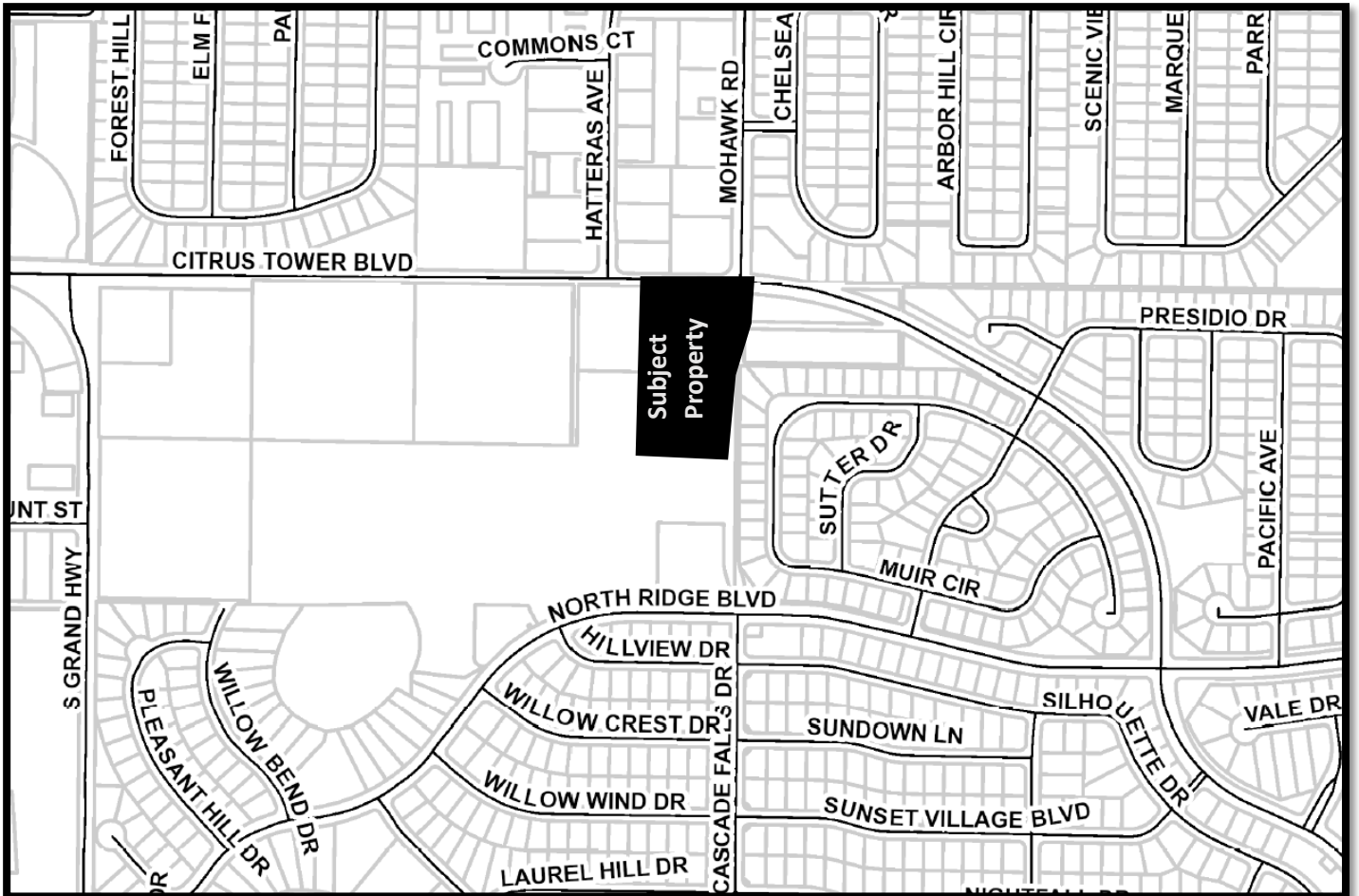
ATTEST:

Tracy Ackroyd Howe, MMC, City Clerk

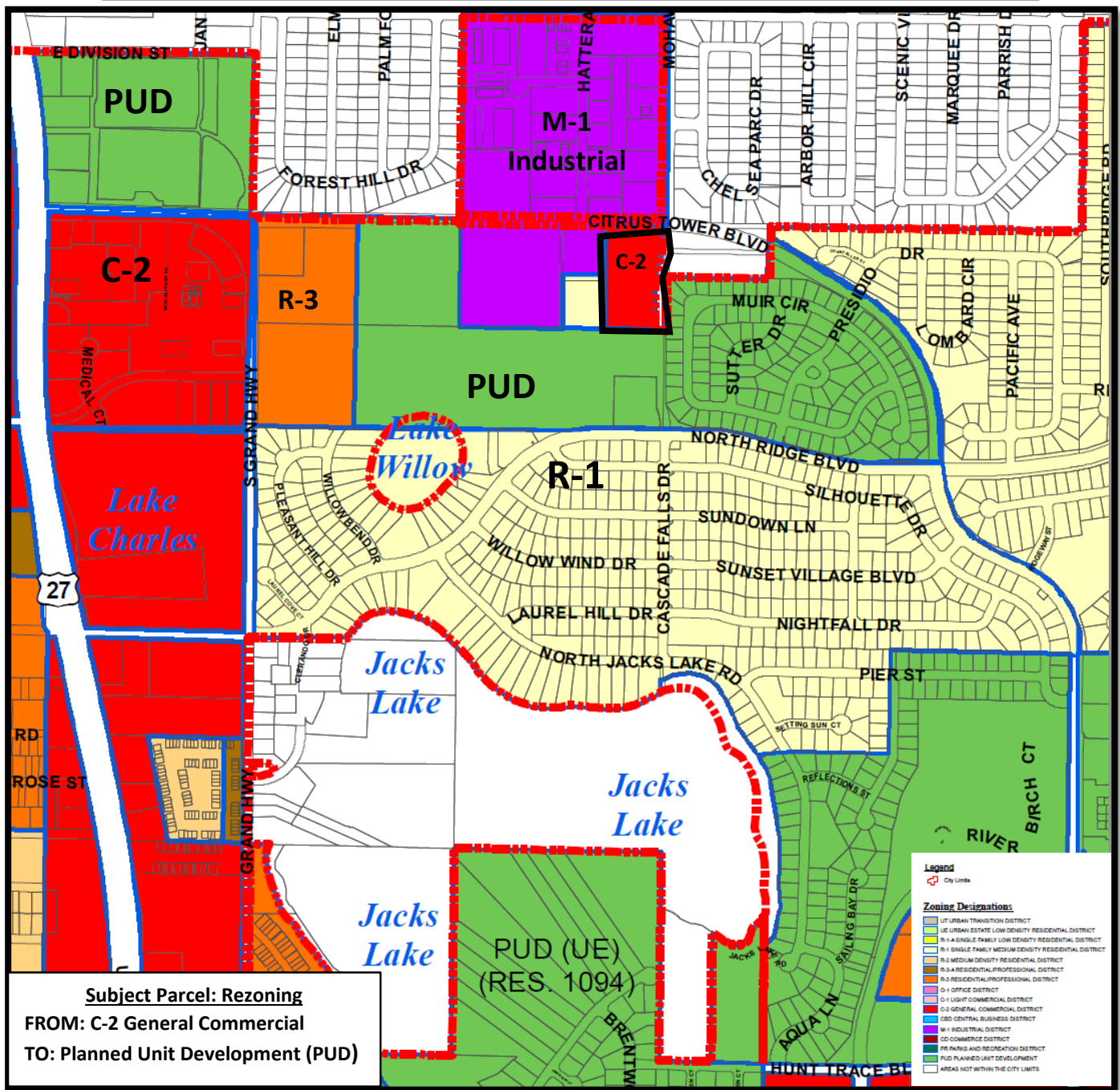
Approved as to form and legality:

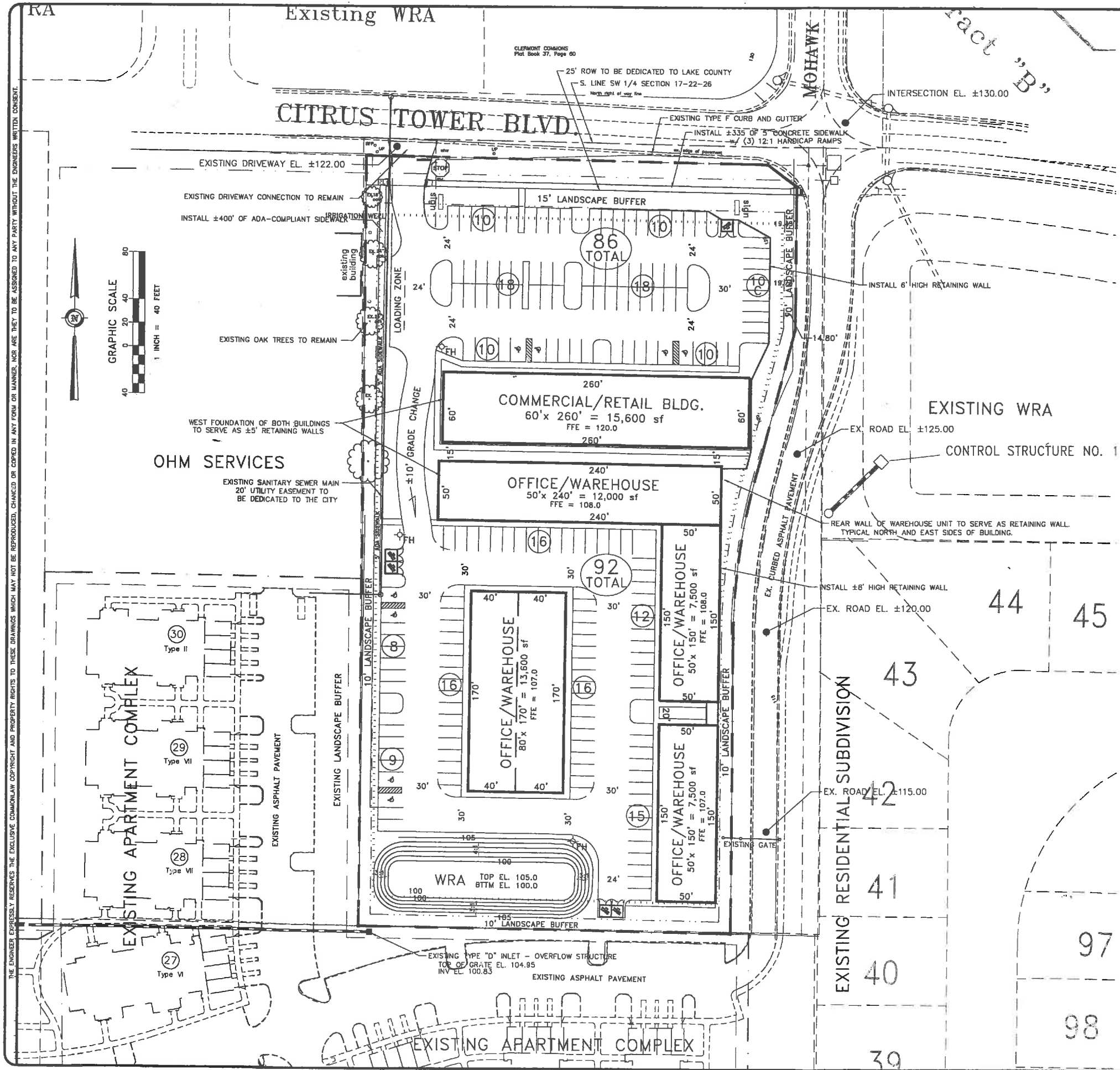
Daniel F. Mantzaris, City Attorney

Location Map



Clermont Zoning Map





PROJECT CHARACTERISTICS

TOTAL PROPERTY AREA5.00± Acres
ZONING.....C-2
FUTURE LAND USE DESIGNATION.....INDUSTRIAL
LAKE COUNTY PROPERTY APPRAISER ALT. KEY No.....1647746

PROPOSED SERVICES:
DRINKING WATER.....CITY OF CLERMONT
SEWAGE DISPOSAL.....CITY OF CLERMONT
ELECTRIC.....DUKE ENERGY
NATURAL GAS.....LAKE APOPKA NATURAL GAS DISTRICT
TELEPHONE.....CENTURYLINK
GARBAGE DISPOSAL.....CITY OF CLERMONT
FIRE PROTECTION.....CITY OF CLERMONT
POLICE PROTECTION.....CITY OF CLERMONT

MINIMUM BUILDING SETBACK REQUIREMENTS:
FROM RIGHTS-OF-WAY.....25'
FROM REAR PROPERTY LINES.....25'
FROM SIDE PROPERTY LINES.....12'

RIGHT-OF-WAY FOR CITRUS TOWER BLVD. TO BE DEDICATED TO LAKE COUNTY
25' x 341.53' = 8,538.25 SF = 0.196 Acres

COMMERCIAL PARKING SPACES REQUIRED:
COMMERCIAL / RETAIL = 15,600 sf
(1) Parking Space per 200 sf
[15,600/200] = (78) Spaces Req'd.

REQUIRED HANDICAPPED SPACES
(1) Space per 25 Regular Spaces = (4) Spaces Req'd

COMMERCIAL PARKING SPACES PROVIDED:
(72) REGULAR (10'x20')
(10) COMPACT (9'x18')
(4) HANDICAPPED (12'x20')
(86) Total Spaces Provided

WAREHOUSE = 40,600 SF TOTAL
WAREHOUSE PARKING SPACES PROVIDED: (92) SPACES TOTAL
PARKING RATIO = (40,600 / 92) = 441 SF/PS = 2.27 SPACES PER 1,000 SF

- NOTES:
- 1) POSITIVE STORMWATER CONVEYANCE TO WILLOW LAKE HAS BEEN DESIGNED AND CONSTRUCTED WITH THE PREVIOUSLY PERMITTED APARTMENT COMPLEX SITE TO THE SOUTH. SJRWMD Permit No. 4-069-0364M-ERP.
 - 2) A 20' UTILITY EASEMENT CENTERED OVER THE EXISTING SANITARY SEWER MAIN SHALL BE GRANTED TO THE CITY OF CLERMONT PRIOR TO C.O.
 - 3) A WAIVER WILL BE REQUIRED TO ALLOW TWO (2) SIGNS ON CITRUS TOWER BLVD - ONE FOR THE FRONT COMMERCIAL/RETAIL BUILDING AND ONE FOR THE REAR OFFICE/WAREHOUSE FACILITY.
 - 4) A WAIVER WILL BE REQUIRED TO ALLOW THE EXISTING DRIVEWAY TO BE USED AS A SHARED ACCESS FOR BOTH THE COMMERCIAL/RETAIL BLDG AND THE OFFICE/WH FACILITY.
 - 5) A WAIVER WILL BE REQUIRED TO ALLOW A 15' LANDSCAPE BUFFER ALONG CITRUS TOWER BLVD. RIGHT-OF-WAY.
 - 6) A WAIVER WILL BE REQUIRED TO ALLOW MORE THAN 10 PARKING SPACES IN FRONT OF WAREHOUSE BUILDINGS WITHOUT LANDSCAPE ISLANDS.

LEGEND

- PROPERTY BOUNDARY LINE
- ROADWAY CENTERLINE
- RIGHT-OF-WAY LINE
- PROPOSED LOT LINE
- BUILDING SETBACK LINE
- DRAINAGE/UTILITY EASEMENTS
- EXISTING ROADWAY

RICK MCCOY
STATE OF FLORIDA
PROFESSIONAL ENGINEER
NO. 38725

NOT VALID WITHOUT
SIGNATURE AND STAMPED SEAL

PRELIMINARY MASTER SITE PLAN	
Citrus Tower Blvd. Commerce Center Sec. 20; Twp. 22S; Rge 26E, City of Clermont, Lake County, FL	
OWNER/DEVELOPER: Thompson-Koosko LLC 11905 Egret Bluff, Clermont, FL 34711	
DESIGNER: RICK MCCOY & ASSOCIATES ENGINEERS & LAND PLANNERS 550 S. W. 37th St., Suite C, Lake Wales, FL 34715 (888) 394-5756 RMcCoy@RMA.net CA# 8374	
Rhoden Land Surveying, Inc. 420 East Minnehaha Ave. Clermont, Florida 34711 (352) 394-8266	
NO.	DATE
1	2-16-18
DESCRIPTION ADDED OFFICE/WH BLDG ALONG EAST PROPERTY LINE	
REVISIONS	
JOB NO. 16-016	
DATE Jan 2018	
DES. BY: RMc	
DWN. BY: RMc	
CHK'D BY: RMc	
APP'D BY: RMc	
SHEET 1 OF 2	



**CITY OF CLERMONT
REZONING
APPLICATION**

DATE: JAN. 31, 2018

FEE: \$542.⁰⁰
+ cost of advertisement

PROJECT NAME (if applicable): CITRUS TOWER COMMERCE CENTER

APPLICANT: Thompson-Kocielko LLC

CONTACT PERSON: Robert Thompson

Address: 11905 Egret Bluff

City: Clermont State: Florida Zip: 34711

Phone: (321) 689-5785 Fax: _____

E-Mail: RobertDavisonThompson@gmail.com

OWNER: SAME

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____

Address of Subject Property: 423 Citrus Tower Blvd., Clermont 34711

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

Acreage: 5.0 acres Land Use: Industrial
(City verification required)

Present Zoning: C-2 Proposed Zoning: Planned Unit Development
(City verification required)



**CITY OF CLERMONT
REZONING
APPLICATION
Page 2**

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

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

A Commercial Complex with 15,600 sf of Commercial / Retail along the CTB frontage and 30,000 sf of Office/Warehouse on the rear half of the parcel with shared driveway access to CTB and signage for both users on CTB.

Robert Thompson
Applicant Name (print)

X

A handwritten signature in blue ink, appearing to read 'Robert Thompson', written over a horizontal line.

Applicant Name (*signature*)

Robert Thompson
Owner Name (print)

X

A handwritten signature in blue ink, appearing to read 'Robert Thompson', written over a horizontal line.

Owner Name (*signature*)

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

Advertising Receipt

CITY OF CLERMONT
Cristina Andres
P.O. BOX 120219
CLERMONT, FL 34712

Account Number: 7101866
Order Number: 10073680
Phone: (352) 241-7331
Date: 02/19/18
Ad Taker: liana.rickman

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
LEGAL NOTICE Notice is hereby given that the City Council of the City of Cler	02/20/2018	02/20/2018	\$240.01

LEGAL NOTICE

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

ORDINANCE NO. 2018-10

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

LOCATION

423 Citrus Tower Blvd, Clermont, FL
Alternate Key - #1647746

LEGAL DESCRIPTION

Parcel 1: The Eastern one-half 1/2 of Tract 5, Section 20, Township 22 South, Range 26, East, according to the Plan of Lake Highlands Company, according to the plat of Lake Highlands Company, recorded in Plat Book 3, Page 30, Public Records of Lake County, Florida.

Parcel 2: The West 1/2 of Tract 5, Section 20, Township 22 South, Range 26, East, Lake Highlands Company, according to the plat thereof, as recorded in Plat Book 3, Page 30, Public Records of Lake County, Florida, LESS the West 268.72 feet thereof.

Also less and except the following described lands:

Commence at the North 1/4 corner of Section 20, Township 22 South, Range 26 East, Lake County, Florida, thence run S 89°56'13" W for a distance of 15.03 feet; thence run S

00°31'11" E for a distance of 15.00 feet to a point on the West line of a 15.00 feet wide right of way lying on the East side of Tract 5 as shown on the plat of LAKE HIGHLANDS COMPANY, in Section 20, Township 22 South, Range 26 East, LAKE HIGHLANDS COMPANY according to the plat thereof, as recorded in Plat Book 3, Page 30, Public Records of Lake County, Florida, said point being the POINT OF BEGINNING; thence continue S 00°31'11" E along said West line of a 15.00 feet wide right of way for a distance of 653.63 feet to the South line of said Tract 5; thence run S 89°57'52" W along said South line for a distance of 60.36 feet; thence leaving said South line run N 00°31'11" W for a distance of 250.70 feet to the beginning of a tangent curve concave to the Southeast and having a radius of 530.00 feet; thence run Northeasterly along the arc of said tangent curve for a distance of 147.92 feet through a central angle of 15°59'26" to a point of tangency; thence run N 14°00'19" for a distance of 120.34 feet; thence run N 00°31'11" W for a distance of 121.66 feet; thence run N 53°44'01" W for a distance of 30.97 feet to the South right of way line of Mohawk Road; thence run N 89°56'13" E along said South right of way line for a distance of 34.47 feet to the Point of Beginning.

Containing a total of 5.33 Acres, more or less. AK 1647746

FROM: C-2 General Commercial
TO: Planned Unit Development (PUD)

This request will be considered by the Planning & Zoning Commission on Tuesday, March 6, 2018 at 6:30 p.m. A public meeting to consider the request will be held before the City Council on Tuesday, March 13, 2018 at 6:30 p.m. for Introduction and on

Tuesday, March 27, 2018 for Final Adoption. All meetings will be held at City Hall, located at 685 W. Montrose Street.

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

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

Tracy Ackroyd Howe, MMC
City Clerk

Ad No: 10073680
February 20, 2018

Payment Info	
Ad Price	\$240.01
Tax	\$0.00
Sub Total	\$240.01
Prepaid Amount	\$0.00
Balance Due	\$240.01



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, March 13, 2018		
Agenda Item Name		
Ordinance No. 2018-11 <i>Introduction</i> <i>Anderson Hill</i>		
Requested Action		
Staff Report		
The owner, Anderson Hill DLSU, LLC, is requesting an amendment to PUD Ordinance 2017-35. The property is approximately 9.5 +/- acres in size and was approved for a multi-tenant commercial use project by the City Council on September 26, 2017. The owner is seeking an amendment to the existing PUD to remove language concerning the existing billboard onsite and to clarify outdoor speaker use. The owner is not changing the development plan. The building layout, sizes and uses will all remain the same, as approved under PUD Ordinance 2017-35. The owner has indicated they do not own the billboard, nor are they leasing the property on which the billboard is located on to the billboard owner. The billboard owner is Lamar Advertising of Ocala. The owner has indicated that a perpetual easement for the billboard was in place prior to their acquisition of the property and attempts to negotiate the sale or removal of the billboard with Lamar has been unsuccessful. The billboard condition is not possible for the owner to comply with and is seeking the removal of condition 8, under item 3 that contains the billboard language that states it to be removed by December 31, 2019. The owner would also like to add language to clarify that outdoor speakers could be used for drive-through facilities, such as banks and restaurant menu/order boards. This request came forward due to a resident's inquiry that no outdoor speakers, as indicated in condition 12 under item 3 of the PUD ordinance, included drive-through facilities. It was evident that at the public hearing and the specific wording was to prohibit amplified music or entertainment in the outdoor patio areas. Staff's position on the billboard is that it is an off-site sign, which is prohibited under Section 102-8 (19) of the sign code. If the Council decides to allow the sign, staff would recommend it meeting Section 102-24 Nonconforming Signs, especially if the sign was damaged or destroyed and the estimated cost of reconstruction exceeds 50 percent of the replacement cost, then it would cease operation.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)	
1. 2018-11 Draft Anderson Hill PUD (mark up)	2018-11 Draft Anderson Hill PUD (mark up).docx
2. Application	rezoning application.pdf
3. Narrative and Justification Statement	narrative and justification statement.pdf
4. Location Map	Location Map.pdf
5. PUD Site Development Plan	PUD Site Development Plan 1-31-18.pdf
6. Legal Ad	ORDINANCE NO. 2018-11 LEGAL AD.pdf



CITY OF CLERMONT
ORDINANCE NO. 2018-11

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

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

SECTION 1.

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

LEGAL DESCRIPTION

Tract 27 together with a portion of Tract 22, as shown on the Lake Highland Company plat of Section 32, Township 22 South, Range 26 East, Plat Book 3, Page 24, Public Records of Lake County, Florida. Being more particularly described as:

Begin at the Southwest corner of Tract 22 as shown on the Lake Highland Company plat of Section 32, Township 22 South, Range 26 East, recorded in Plat Book 3, Page 24, of the Public Records of Lake County, Florida; thence along the West line of Tract 22 N00°31'25"E, a distance of 61.46 feet; thence N63°34'33"E, a distance of 393.00 feet to a point on the West Right-of-Way line of US Highway 27; thence along said West Right-of-Way line, S24°35'30"E, a distance of 269.86 feet to a point on the South line of Tract 22; thence continue along said West Right-of-Way line S24°35'30"E, a distance of 366.85 feet; thence S00°27'49"W, a distance of 266.03 feet to a point on the North Right-of-Way line of Anderson Hill Road; thence N89°03'43"W along the said North Right-of-Way line of said Anderson Hill Road, a distance of 620.93 feet to a point on the West line of Tract 27 as shown on said the Lake Highland Company plat of Section 32, Township 22 South, Range 26 East; thence along said West line of said Tract 27, N00°31'46"E, a distance of 598.50 feet to the Southwest corner of said Tract 22 and the Point of Beginning.

Containing a total of 9.47 acres, more or less.

LOCATION

West and Northwest of the intersection of US Highway 27 and Anderson Hill Road
Alternate Keys 1453496, 3828239 & 2826541

Repeal PUD Ordinance 2017-35 and replace with PUD Ordinance 2018-11 to remove billboard language and clarify outdoor speaker language



CITY OF CLERMONT
ORDINANCE NO. 2018-11

SECTION 2. General Conditions

This application for a Planned Unit Development to allow for a multi-tenant commercial development with C-2 General Commercial uses; be granted subject to the following conditions:

1. The conditions as set forth in this Planned Unit Development shall be legally binding upon any heirs, assigns and successors in title or interest.
2. The property shall be developed in substantial accordance with the Planned Unit Development Site Development Plan prepared by Avid Group, dated June 30, 2017. Formal construction plans incorporating all conditions stated in this permit shall be submitted for review and approved by the Site Review Committee prior to the issuance of a Zoning Clearance or other development permits.
3. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.

SECTION 3. Land Uses and Specific Conditions

1. The project may consist of up to 58,000 square feet of C-2 General Commercial uses with one structure greater than 20,000 square feet but no more than 22,000 square feet. This structure is identified as "Commercial F" on the Planned Unit Development Site Development Plan prepared by Avid Group, dated June 30, 2017.
2. Setbacks

From US Highway 27	50 feet from the property line
From Anderson Hill Road	25 feet from the property line
North property line	12 feet from the property line
West property line	50 feet from the property line
3. Maximum building height will be 35 feet, measured at the highest point.
4. Driveway access and parking may be below the centerline of US Highway 27 or Anderson Hill Road and will be subject to the approval of the City Engineer.
5. The project may have elevation changes of up to 15 feet in height over the project site through the use of cut and fill. These changes will be submitted to the City Engineer at the time of final engineering.
6. Individual retaining wall heights up to 6 feet in height are allowed to deal with the changing grades on the site and may be stair stepped, not to exceed 15 feet of elevation change.



CITY OF CLERMONT
ORDINANCE NO. 2018-11

7. A modified landscape buffer along the western property line is requested as a result of meeting with the adjoining property owners on Maria Avenue. The landscape buffer shall be a minimum of 10 feet in width and shall consist of a six-foot high decorative masonry or brick wall that may be incorporated onto the top of the retaining wall. In addition, the property owner at 13220 Maria Avenue has requested no trees to be planted along the property line due to an existing pool enclosure. The four canopy trees and two understory trees will be clustered within the rest of the western landscape buffer.
8. ~~The existing billboard will be removed prior to December 31, 2019.~~
8. The developer will construct safety upgrades to improve the shoulders along the curved section of Anderson Hill Road just west of US Highway 27. In addition, the developer will add striping along Anderson Hill Road extending from US Highway 27 to the western property line and will construct a 5 foot pedestrian sidewalk along the north side of Anderson Hill Road the length of the property. Off-site improvements shall be eligible for transportation impact fee credits to the extent allowed pursuant to Lake County Code.
9. The developer shall submit an annual report to the City of Clermont, no later than February 15 of each year, on the monitoring of the intersections of US Highway 27 at John's Lake Road and Citrus Tower Boulevard at John's Lake Road. The results of the monitoring will be to see if the southbound left turns and eastbound left turns; respectively, cause the Level of Service (LOS) of the intersection to deteriorate below acceptable standards. If it is determined that additional traffic improvements are warranted, the developer will assist in the improvements through their proportional share. This annual report shall conclude two years after final build out of the development.
10. The buildings shall be constructed in a manner that closely resembles the architectural style and elevation as presented in the Anderson Hill Color Elevation Board labeled "Design Concepts" prepared by Empad Architecture and Design, dated February 6, 2017 and shall meet the City of Clermont's Architectural Standards.
11. Automotive dealerships and/or auto parts sales shall not be an allowed use within this Planned Unit Development without an amendment.
12. **No outside speakers to be used for music or entertainment. Outside speakers for drive-through facilities (e.g., banks and restaurant menu/order boards) are allowed subject to compliance with the City's noise ordinance (Chapter 34, Article II).**
13. No deliveries between the hours of 9 PM to 7 AM.
14. No access to Anderson Hill Road shall be allowed except for emergency service vehicles. The access point shall be secured subject to the approval of the City's Fire Chief and Police Chief, or assigned designee.
15. The project shall be developed according to the C-2 General Commercial zoning designation in the Land Development Code, unless expressly stated above.

CITY OF CLERMONT
ORDINANCE NO. 2018-11

SECTION 4.

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

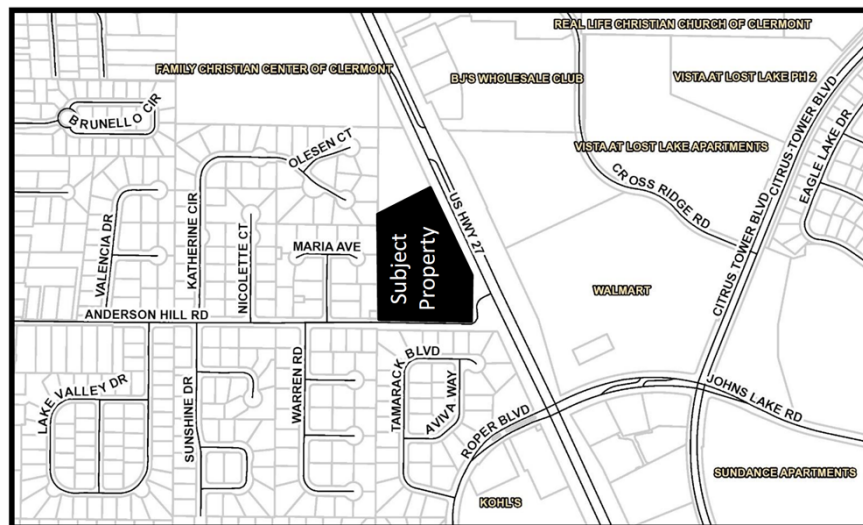
SECTION 5.

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

SECTION 6.

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

Location map:





CITY OF CLERMONT
ORDINANCE NO. 2018-11

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida
on this 27th day of March, 2018.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney



**CITY OF CLERMONT
REZONING
APPLICATION**

DATE: Jan 31, 2018

\$542.00 +
cost of advertisement
FEE: ~~\$350.00~~

PROJECT NAME (if applicable): Anderson Hill Commercial

APPLICANT: AVID Group

CONTACT PERSON: Peter Pensa, AICP

Address: 2300 Curlew Road, Suite 201

City: Palm Harbor State: FL Zip: 34683

Phone: 727-789-9500 x181 Fax: n/a

E-Mail: peter.pensa@avidgroup.com

OWNER: Anderson Hill DLSU, LLC

Address: 625 State Road 100

City: Palatka State: FL Zip: 32177

Phone: 386-329-4000 Fax: n/a

Address of Subject Property: NWC of US Hwy 27 & Anderson Hill Rd
(no address - Parcel# 09-22-26140002700000;
13301 Anderson Hill Rd - Parcel# 09-22-26140002700001; and
12629 US Hwy 27 - Parcel# 09-22-26140002200001)

Legal Description (include copy of survey): See attached legal description

Acreage: 9.47 +/- Land Use: Commercial
(City verification required)

Present Zoning: PUD Proposed Zoning: PUD
(City verification required)



**CITY OF CLERMONT
REZONING
APPLICATION
Page 2**

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

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

Commercial development of the property. See attached project description and justification statement.

Peter R. Pensa

Applicant Name (print)
Director of Planning
AVID Group

Quintus I. Roberts, Sr.

Owner Name (print)
Managing Member
Anderson Hill DLSU, LLC

X

Applicant Name (*signature*)

X

Owner Name (*signature*)

City of Clermont

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

**Narrative & Justification Statement
PUD Zoning Amendment Application**

**Anderson Hill Retail
NWC of US Highway 27 & Anderson Hill Road, Clermont, FL**

Project Description:

Anderson Hill DLSU, LLC is the owner of the 9.47-acre tract of land comprised of three parcels located at the northwest corner of US Highway 27 and Anderson Hill Road. Said tract of land was annexed into the City of Clermont with the future land use map classification of "Commercial" and the zoning map designation of "Planned Unit Development (PUD)" on September 26, 2017 by Ordinance Nos. 2017-33, 2017-34 and 2017-35, respectively.

The owner desires to proceed with the project as planned; however, a PUD amendment is necessary to do so. **The plan of development is not changing.** The project will still consist of up to 58,000 sq.ft. of C-2 General Commercial uses as originally presented and approved by the City Council. The only change made to the site plan is the addition of this label "driveway to be gated / for emergency access only" over the Anderson Hill Road access for consistency with Condition #15.

Description of Proposed Amendment:

The purpose of this PUD amendment is to change two of the conditions of approval, one is due to hardship and the other for clarification. The requested changes are as follows:

~~8. The existing billboard will be removed prior to December 31, 2019.~~

13. **No outside speakers to be used for music or entertainment. Outside speakers for drive-through facilities (e.g., banks and restaurant menu/order boards) are allowed subject to compliance with the City's noise ordinance (Chapter 34, Article II of the Clermont Code of Ordinances).**

Condition #8 cannot be satisfied due to circumstances that are beyond the control of the property owner, so the owner is requesting that Condition #8 be removed in its entirety.

The property owner ("Anderson Hill") does not own the billboard, nor is the property owner leasing the property on which the billboard is located to the owner of the billboard, which is Lamar Advertising of Ocala ("Lamar"). Prior to Anderson Hill's acquisition of the property, Lamar's predecessor-in-interest obtained a perpetual easement for the billboard. Consequently, Anderson Hill does not receive any compensation from Lamar nor does Anderson Hill have the legal authority to compel Lamar to relocate the billboard. Indeed, Lamar

has recently informed Anderson Hill that it “would not be interested in selling the easement or the sign.” (See email dated November 17, 2017, from Cheryl Tucker, Lamar’s Real Estate Manager, to Elliott Jamison -- a copy of which is attached hereto as Exhibit “A.”). **Thus, it is not possible for Anderson Hill to comply with Condition #8.**

Anderson Hill’s situation is unique. Anderson Hill does not earn any money from the billboard. Anderson Hill cannot compel Lamar to abandon its billboard. Anderson Hill cannot force Lamar to sell its billboard rights. Rather, Anderson Hill’s property is burdened by a perpetual easement which it did not grant to Lamar.

In addition, it has come to the owner’s attention that an area resident has inquired with city staff about the drive-thru facilities. The City Council record is clear that both the public hearing discussion and the specific wording of Condition #12 was to prohibit amplified music or entertainment in the outdoor patio areas. As such, the owner is requesting additional language be added to Condition #12 to clarify that the prohibition on outdoor speakers is not applicable to drive-thru facilities and to acknowledge that such facilities shall comply with the City’s noise ordinance.

Rezoning Evaluation Criteria:

Pursuant to Land Development Code (LDC) Section 82-226, the Planning Commission and City Council shall consider the following criteria. In furtherance of this requirement, the applicants’ professional land planning and engineering consultant has made the following findings in support of the project:

Review Criteria

- 1. Consistency with the comprehensive plan, or, in the case of a plan amendment, consistency with the remainder of the plan and its goals, objective and policies.**

Applicant’s finding: Subject property was recently annexed into the City of Clermont with PUD (Planned Unit Development) zoning and Commercial future land use map designation. The proposed PUD amendment does not change the site plan nor the plan of development, which was previously found to be consistent with the goals, objectives and policies of the City’s comprehensive plan.

The PUD zoning and plan of development is appropriate given the physical characteristics and location of the property and the development pattern of the surrounding area. One of the subject parcels is already commercially developed, as is the majority of this segment of the US Highway 27 corridor (from State Road 50 to the north to Hammock Ridge Road/Citrus Tower Boulevard to the south). For example, the property across US Highway 27 is located in the City and is developed as a WalMart Super Center. And, the adjacent property to the north is located in the County and developed as an automobile repair shop.

2. Consistency with applicable sections of this land development code.

Applicant's finding: The proposed PUD amendment does not change the site plan nor the plan of development, which was previously found to be consistent with the City's land development code. The request to remove Condition #8 to allow the billboard to remain is a hardship that is unique to this property, was not created by the property owner, and is beyond the property owner's control as discussed in the "description of proposed amendment" section above.

3. Additionally, as to rezoning amendments:

- a) Whether justified by changed or changing conditions.**
- b) Whether adequate sites already exist for the proposed district uses.**
- c) Whether specific requirements of this land development code are adequate to ensure compatibility with adjoining properties as required by the comprehensive plan.**

Applicant's finding:

- a. The request to remove Condition #8 to allow the billboard to remain is a hardship that is unique to this property, was not created by the property owner, and is beyond the property owner's control as discussed in the "description of proposed amendment" section above.
- b. Not applicable to this PUD amendment, the property is already zoned PUD. The site plan, uses and intensity are not changing.
- c. Not applicable to this PUD amendment, the property is already zoned PUD. The site plan, uses and intensity are not changing. For historical background purposes, the following finding was provided to address this in the original rezoning application:

The project can be developed consistent with the City's land development code requirements, which by design are intended to provide use-based compatibility measures such as minimum building setbacks and landscape buffering between different uses. A neighborhood meeting was held on March 30, 2017 and based on feedback from the adjoining property owners, specific details of the proposed landscape buffer for the western boundary are provided on the PUD site development plan. The neighbors requested a wall (not a fence) be installed on top of or adjacent to the retaining wall, one neighbor requested that he not have any trees along his portion of the buffer because of the close proximity of his house and pool enclosure to the property line, and the other three neighbors requested additional privacy screening so the trees will be clustered along their lots instead.

Planned Unit Development Review Criteria:

Pursuant to Land Development Code (LDC) Section 122-315, the Planning Commission and City Council shall use the following standards in reaching recommendations and decisions to grant PUD approval. In furtherance of this requirement, the applicants' professional land planning and engineering consultant has made the following findings in support of the project:

Review Criteria

1. Location

a. Relation to major transportation facilities.

Applicant's finding: The development is located at the intersection of a state-maintained arterial roadway (US Highway 27) and a county-maintained collector road (Anderson Hill Road). Both roads are currently operating at an acceptable level of service (LOS), per the "2016 Lake County Annual Traffic Counts" report prepared by Lake County Public Works and the "Lake County TMS Segment Report – 2014/15 Level of Service" prepared by Lake-Sumter MPO.

The proposed project will not degrade the LOS on either road, per the "Lake County Retail Project Traffic Impact Analysis", prepared by Traffic Planning and Design, Inc., dated August 2017 (revised), which has been reviewed and approved by Lake-Sumter MPO.

In addition, the public right-of-way width and streets are adequate to serve the project. There was previously an additional 40' of right-of-way dedication granted from subject property along Anderson Hill Road. The developer is proposing to construct safety upgrades to improve the shoulders along the curved section of Anderson Hill Road just west of US Highway 27, to add striping along Anderson Hill Road, and to construct a 5-ft. pedestrian sidewalk along the north side of Anderson Hill Road.

The three individual site plans previously approved in unincorporated Lake County included a total of one access driveway onto US Highway 27 and two access driveways onto Anderson Hill Road. By combining and master planning the three parcels through the City's PUD process, the two driveways on Anderson Hill Road have been eliminated and replaced with one gated driveway for emergency vehicle access only.

b. Relation to public utilities, facilities and services.

Applicant's finding:

Potable Water and Fire Service: Utilities are available to serve the development. Potable water is adjacent to the site and provided by Utilities Inc. (see attached service availability letter). The developer will install water and fire service connections as needed to serve the development.

Sanitary Sewer: The developer will be installing an on-site lift station and an off-site sewer main extension in order to connect to the City of Clermont's existing sanitary sewer system. Wastewater discharge shall comply with the requirements of Code Section 66-76.

Stormwater: The development does not outfall into a City-maintained stormwater system. It drains into the FDOT right-of-way. The project's design will abide by all of the stormwater release rate and volume criteria of FDOT, SJRWMD, and the City.

Due to the fact that the existing site contains significant depressional storage, the existing site does not release much of its stormwater runoff. The design of the proposed development will have to mimic the same low-discharge scenario. Very little runoff from the developed site is expected to leave the site. Almost all of the project's runoff will be retained and percolated.

The rates and volumes of water to be discharged from the property were anticipated in the design of FDOT's US 27 drainage system. The project is not anticipated to overburden any downstream drainage systems.

The project will include an outfall structure to allow its permitted discharges, as well as allowing runoff from storms greater than the design storm to exit the site without creating adverse on-site flooding conditions.

Solid Waste: There is adequate capacity to dispose of solid waste from the development. Hazardous waste generation is not anticipated since the development is a shopping center with typical uses such as retail businesses, personal service establishments, fitness centers, restaurants, offices, and bank/ATM facilities.

c. Physical character of site and relation to surrounding property.

Applicant's finding: The site is suitable for development in the manner as approved under the Florida Building Code, and other applicable state, county and city laws. The proposed commercial development is consistent with the character and type of development that is allowed within the requested City land use and zoning classifications, which allow a maximum density of 12 du/ac (none proposed) and a maximum intensity of 0.25 FAR and 0.80 ISR. There are no residential units proposed and the PUD site development plan shows the project's proposed intensity of 57,772 sq.ft. (0.14 FAR).

The development is compatible with the terrain and surrounding development pattern. Consolidation of the three parcels for redevelopment allows the property to be graded and developed consistent with the City's grading standards. In addition to traditional compatibility measures such as minimum building setback and landscape buffer requirements, the design further enhances compatibility because of the site needing to be terraced and lowered (relative to the residential lots to the west), which in turn further increases the building setbacks and buffering, further reduces light and noise associated

with traffic circulation since vehicles will be below the abutting residential grade level, and ensures that stormwater runoff is directed away from the neighborhood.

The buildings, drive-thru facilities, and outdoor patio areas are located toward the front of the site in order to orient activity toward the street and away from the neighborhood. Per the original PUD zoning conditions approval there will be no outside speakers to be used for music or entertainment in the outdoor patio areas. The stormwater pond/open space and parking are primarily oriented toward the rear of the site for increased separation from the neighborhood. Site access is limited to one driveway on US Highway 27, and one gated driveway on Anderson Hill Road for emergency vehicle access only, to minimize impacts on traffic flow and there are multiple routes for safe and convenient vehicular circulation within the development. Sidewalks are provided for pedestrian safety and interconnectivity between all uses/buildings within the development and from the two abutting streets.

2. Uses, density, open space, living area per family and other regulations.

Applicant's finding: The development is intended to comply with the standards for the City's C-2 General Commercial District in terms of both dimensional standards and permitted uses. The only potential design exceptions known to be requested are related to the western buffer yard. Approval is requested to allow the proposed 6' high screening wall to be constructed as an integral part of the top tier retaining wall, as shown on the PUD site development plan, or in close proximity to the retaining wall (less than 5' separation) if built as a separate freestanding structure. It is not clear whether the code requires a separation or not, so specific approval is requested. This will allow a full 10' buffer width to maximize the root zone for healthy growth of the buffer trees. The other exception is to allow clustering of the trees within the western buffer, as shown on the PUD site development plan, to address one neighbor's request for no trees along his common property line and intensification of the tree density along the other three neighbor's common property lines.

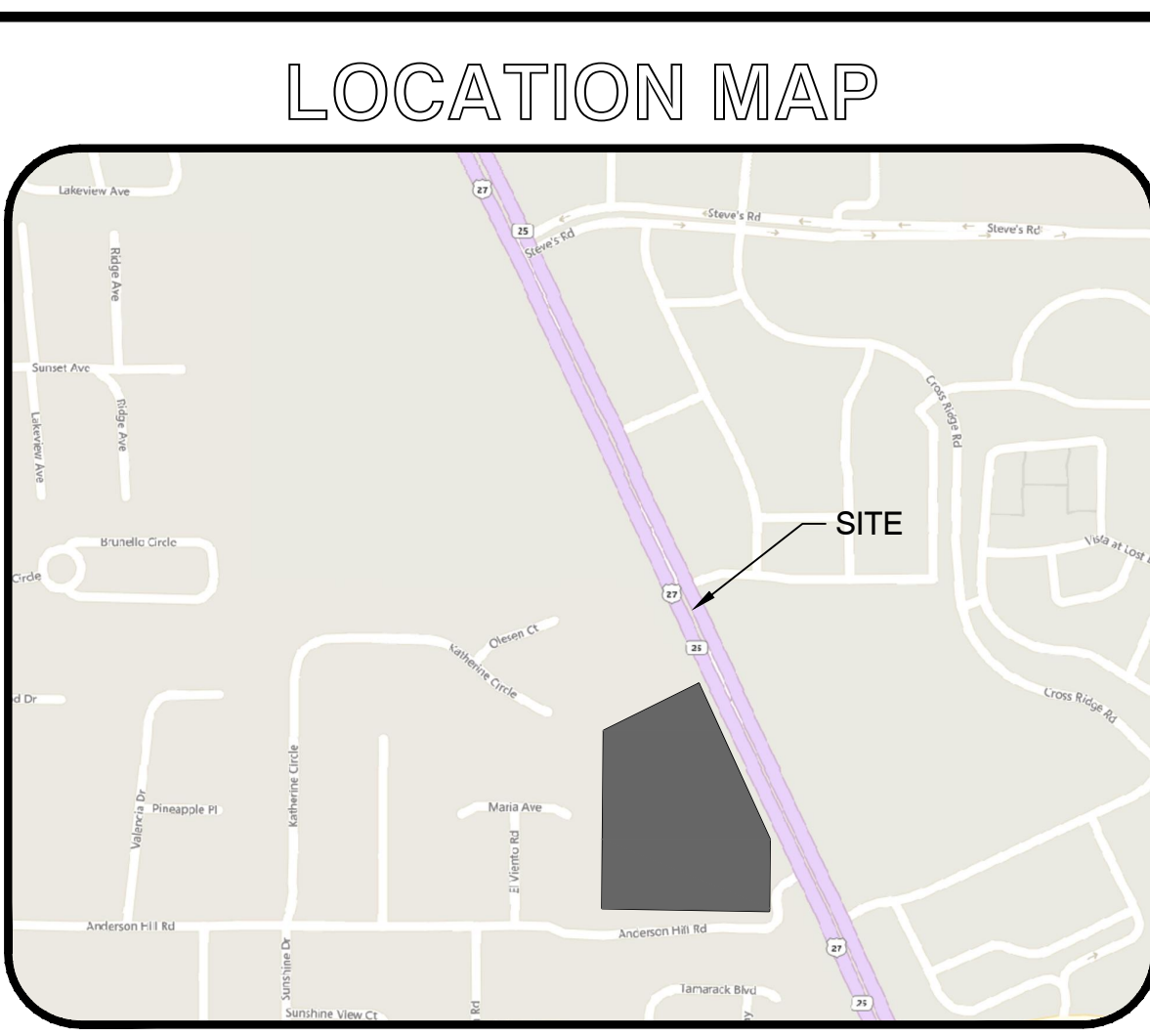
Prepared by:
AVID Group



Peter Pensa, AICP
Director of Planning

Exhibit - Location Map – Anderson Hill Retail





SITE ADDRESS:	NO ADDRESS	13391 ANDERSON HILL RD CLERMONT, FL 34711	12629 US HIGHWAY 27 CLERMONT, FL 34711
PARCEL NO.:	09-22-26140002700000	09-22-26140002700001	09-22-26140002200001
SITE AREA:	3.24 ACRES M.O.L. 9.47 ACRES / 412,248 SF M.O.L.	4.69 ACRES M.O.L. (TOTAL)	1.54 ACRES M.O.L.
PROPERTY ZONING:			
EXISTING (LAKE COUNTY):	CP (PLANNED COMMERCIAL)	CFD (COMMUNITY FACILITY)	CP (PLANNED COMMERCIAL)
PROPOSED (CITY OF CLERMONT):	PUD (PLANNED UNIT DEVELOPMENT)		
FUTURE LAND USE:			
EXISTING (LAKE COUNTY):	URBAN LOW DENSITY COMMERCIAL	URBAN LOW DENSITY COMMERCIAL	URBAN LOW DENSITY COMMERCIAL
PROPOSED (CITY OF CLERMONT):			
PROPERTY USE:	VACANT	VACANT	COMMERCIAL BUILDING (FORMER FITNESS CENTER)
PROPOSED BLDG SETBACKS (FT):	<u>MINIMUM REQUIRED</u>	<u>MINIMUM PROVIDED</u>	
US 27:	50 FT	62.6	
ALL OTHER STREETS:	25 FT	89.8	
SIDE PROPERTY LINES:	12 FT	15.4	
PROPOSED INTENSITY:	56,372 SF (BUILDINGS) AND 1,400 SF (OUTDOOR PATIOS) 57, 772 SF / 412,248 SF = 0.14 FAR		

Required parking per city of Clermont code:				
Commercial (Retail/Office)	1/200 sf			
Restaurants and lounges	1/50 sf devoted to patron use + 1/4 employees			

Building	Unit/Use	SF	Patio	Required
Commercial A (Existing)	(retail)	9,472		47.4
Commercial B	(restaurant)	6,000	300	81.9
Commercial C	C1 (retail)	3,500		17.5
	C2 (restaurant)	1,500	300	23.4
Commercial D	D1 (restaurant)	1,500	300	23.4
	D2 (retail)	1,500		7.5
	D3 (retail)	1,500		7.5
	D4 (retail)	1,500		7.5
	D5 (retail)	1,500		7.5
	D6 (retail)	1,500		7.5
	D7 (restaurant)	1,500	250	22.8
Commercial E	(restaurant)	5,000	250	68.3
Commercial F	(retail)	20,400		102.0
Drive-thru ATM	atm	n/a		0.00
Total		56,372	1,400	424.1

assumptions:		
1. restaurant and patio gross area = 60% patron use area		
2. restaurant employees = 1/100 sf non-patron use area		

LEGAL DESCRIPTION

LEGAL DESCRIPTION:

TRACT 72 TOGETHER WITH A PORTION OF TRACT 22, AS SHOWN ON THE LAKE HIGHLAND COMPANY PLAT OF SECTION 32, TOWNSHIP 22 SOUTH, RANGE 26 EAST, PLAT BOOK 3, PAGE 24, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS: BEGIN AT THE SOUTHWEST CORNER OF TRACT 22 AS SHOWN ON THE LAKE HIGHLAND COMPANY PLAT OF SECTION 32, TOWNSHIP 22 SOUTH, RANGE 26 EAST, RECORDED IN PLAT BOOK 3, PAGE 24, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE ALONG THE WEST LINE OF SAID TRACT 22, 100 FEET; THENCE S68°34'33"E, A DISTANCE OF 393.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF US HIGHWAY 27; THENCE ALONG SAID WEST RIGHT-OF-WAY LINE, S24°35'30"E, A DISTANCE OF 269.86 FEET TO A POINT ON THE NORTH LINE OF TRACT 22; THENCE CONTINUE ALONG SAID WEST RIGHT-OF-WAY LINE S24°35'30"E, A DISTANCE OF 366.85 FEET, THENCE S00°27'49"N, A DISTANCE OF 266.03 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF ANDERSON HILL ROAD; THENCE N89°03'43"W ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 100 FEET TO A POINT ON THE WEST LINE OF SAID TRACT 22; THENCE ALONG SAID WEST LINE OF SAID TRACT 22, N00°31'46"E, A DISTANCE OF 598.50 FEET TO THE SOUTHWEST CORNER OF SAID TRACT 22 AND THE POINT OF BEGINNING.

CONTAINING A TOTAL OF 9.47 ACRES, MORE OR LESS.

PROFESSIONAL TEAM

OWNER/DEVELOPER:
ANDERSON HILL DLSU, LLC
625 STATE ROAD 100
PALATKA, FLORIDA 32177
PHONE: (386) 329-4000

TRAFFIC ENGINEER:
TRAFFIC PLANNING AND DESIGN, INC
535 VERSAILLES DR
MAITLAND, FLORIDA 32751
PHONE: (407) 628-9955

SURVEYOR:
HLSM, LLC
794 BIG TREE DR SUITE 108
LONGWOOD, FLORIDA 32750
PHONE: (407) 647-7346

CIVIL ENGINEER/PLANNER:
AVID GROUP
2300 CURLEW ROAD SUITE 201
PALM HARBOR, FLORIDA 34683
PHONE: (727) 789-9500

GEOTECHNICAL ENGINEER
ECS FLORIDA, LLC
2815 DIRECTORS ROW SUITE 500
ORLANDO, FLORIDA 32809
PHONE: (407) 859-9599

ARCHITECT:
EMPAD
1901 ULMERTON RD SUITE 195
CLEARWATER, FLORIDA 33762
PHONE: (727) 570-9506

11		
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1	1/31/18	
NO.	DATE	ADD ANDERSON HILL RD DRIVEWAY NOTE
PPH	BY	DESCRIPTION

NOT VALID WITHOUT ORIGINAL SIGNATURE BY A REGISTERED PROFESSIONAL AVID GROUP® COA 6139, LB 7345	PROJ. MANAGER: P P ENSA
	PROJ. #: 3188001
	DATE: 06/30/17

11

U, LLC
3300 CURLEW ROAD STE 201
PALM HARBOR, FLORIDA
4683
HONE (727) 789-9500
AX (727) 784-6682
WIDGROUP.COM

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Advertising Receipt

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

CITY OF CLERMONT
Cristina Andres
P.O. BOX 120219
CLERMONT, FL 34712

Account Number: 7101866
Order Number: 10073510
Phone: (352) 241-7331
Date: 02/14/18
Ad Taker: liana.rickman

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
LEGAL NOTICE Notice is hereby given that the City Council of the City of Cle	02/27/2018	03/13/2018	\$313.68

LEGAL NOTICE

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

ORDINANCE NO. 2018-11

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

LOCATION:

West and northwest of the intersection of US Highway 27 and Anderson Hill Road
Alternate keys 1453496, 3828239, and 2826541

LEGAL DESCRIPTION

Tract 27 together with a portion of Tract 22, as shown on the Lake Highland Company plat of Section 32, Township 22 South, Range 26 East, Plat Book 3, Page 24, public records of Lake County, Florida. Being more particularly described as:
Begin at the Southwest corner of Tract 22 as shown on the Lake Highland Company plat of Section 32, Township 22 South, Range 26 East, recorded in Plat Book 3, Page 24, of the public records of Lake County, Florida; thence along the West line of Tract 22 N00°31'25"E, a distance of 61.46 feet; thence N63°34'33"E, a distance of 393.00 feet to a point on the West Right-of-Way line of US Highway 27; thence along said West Right-of-Way line, S24°35'30"E, a distance of 269.86 feet to a point on the South line of Tract 22; thence

continue along said West Right-of-Way line S24°35'30"E, a distance of 366.85 feet; thence S00°27'49"W, a distance of 266.03 feet to a point on the North Right-of-Way line of Anderson Hill Road; thence N89°03'43"W along the said North Right-of-Way line of said Anderson Hill Road, a distance of 620.93 feet to a point on the West line of Tract 27 as shown on said the Lake Highland Company plat of Section 32, Township 22 South, Range 26 East; thence along said West line of said Tract 27, N00°31'46"E, a distance of 598.50 feet to the Southwest corner of said Tract 22 and the Point of Beginning.
Containing a total of 9.47 acres, more or less.

To amend existing
PUD Ordinance 2017-35

This request will be considered by the Planning & Zoning Commission on Tuesday, March 6, 2018 at 6:30 p.m.

A public meeting to consider the request will be held before the City Council on Tuesday, March 27, 2018 at 6:30 p.m. for final enactment.

All meetings will be held at City Hall, located at 685 W. Montrose Street. This ordinance is available for public inspection in the office of the City Clerk, 685 W. Montrose St., Monday through Friday between the hours of 8:00 A.M. and 5:00 P.M.

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

Tracy Ackroyd Howe
City Clerk

Ad No: 10073510

February 27, 2018 &
March 13, 2018

Payment Info	
Ad Price	\$313.68
Tax	\$0.00
Sub Total	\$313.68
Prepaid Amount	\$0.00
Balance Due	\$313.68