



**CITY OF CLERMONT
PLANNING AND ZONING COMMISSION AGENDA
6:30 PM, Tuesday, May 5, 2015
City Hall – 685 W. Montrose Street, Clermont, FL**

**CALL TO ORDER
INVOCATION AND PLEDGE OF ALLEGIANCE
MINUTES**

Approval of the minutes for the April 7, 2015 Planning and Zoning meeting.

Approval of the minutes for the April 27, 2015 Special Planning and Zoning meeting.

**REPORTS
NEW BUSINESS**

Item 1 - Ordinance No. 2015-64; *Withdraw*
John's Lake Landing PUD

Request to withdraw Ordinance 2015-64.

Item 2 - Resolution No. 2015-17; *Withdraw*
John's Lake Landing PUD

Request to withdraw Resolution 2015-17.

Item 3 - Ordinance No. 2015-59;
Thomas Rezoning

Request to change the zoning from R-1 Single Family to R-2 Medium Density for property located along Prince Edward Avenue.

Item 4 - Ordinance No. 2015-65
Piora Rezoning

Request to change the zoning from R-1 Single Family to R-2 Medium Density for property located at Chestnut Street and West Avenue.

Item 5 - Resolution No. 2015-18
Magnolia Center PUD

Consider a resolution to allow a conditional use permit for a mixed-use planned unit development in the UE Urban Estate zoning district with C-1 and C-2 uses for properties located at 17330 SR 50 and Pagonia Drive.

Item 6 - Ordinance No. 2015-61; Magnolia Center
Large-Scale Comp Plan Amendment

Request for a large-scale comp plan amendment to change the future land use from Lake County Regional Commercial to City Commercial for properties located at 17330 SR 50 and Pagonia Drive.

Discussion of Non-Agenda Items

ADJOURN

CITY OF CLERMONT
PLANNING AND ZONING COMMISSION AGENDA
6:30 PM, Tuesday, May 5, 2015
City Hall – 685 W. Montrose Street, Clermont, FL

Any person wishing to appeal any decision made by the Planning and Zoning Commission at this meeting will need a record of the proceedings. For that purpose, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

In accordance with the Americans with Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, then not later than two (2) business days prior to the proceeding, he or she should contact the Planning and Zoning Department at 352-241-7302.

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

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The meeting of the Planning & Zoning Commission was called to order Tuesday April 7, 2015 at 6:30 p.m. by Chairman Nick Jones. Other members present were Carlos Solis, Herb Smith, Judy Proli, Cuqui Whitehead, and Tony Hubbard. Also in attendance were Barbara Hollerand, Development Services Director, Curt Henschel, Planning Manager, John Kruse, Senior Planner, Jack Morgeson, City Attorney, Marivon Adams, Permit Tech, and Rae Chidlow, Planning Specialist.

MINUTES of the Planning and Zoning Commission meeting held March 3, 2015 were approved as written.

REPORTS

Commissioner Whitehead stated that the Educational Foundation of Lake County allows teachers to post special projects that they want to do. She stated that you can go to the web site and donate towards the projects.

Chairman Jones stated that the Lion's Club has a Golf Tournament fundraiser on May 16, 2015. He stated that on April 24, 2015 the Symphony Orchestra will be performing their last performance of the season.

Commissioner Solis stated that his band has become the artist of the week in Long Island, NY. He stated that they are artist of the month for Smooth Jazz Florida. He stated that their single made number 5 on the charts.

Development Services Director Barbara Hollerand stated that the Special Planning and Zoning meeting will be held on Monday, April 27, 2015 at 6:00 p.m. She stated that Items 11 and 12 have been withdrawn from the April 7 agenda.

1. REQUEST FOR LARGE-SCALE COMP PLAN AMENDMENT

REQUEST: To change future land use from Lake County Regional Commercial to City of Clermont Master Planned Development

APPLICANT: Staff (Plaza Collina)

Planning Manager Curt Henschel presented the staff report as follows:

This administrative request was originally scheduled to be heard by the Planning & Zoning Commission on March 3, 2015, but was tabled to the April 7 meeting to allow staff more time to draft the related conditional use permit.

This request is being heard concurrently with requests for annexation and a conditional use permit (CUP) for a planned unit development (PUD). The City is requesting annexation of the subject parcel as authorized by the utility agreement with the property owner. The Notice of Encumbrance to Annex with the City was executed on February 14, 2006. The property is

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currently vacant, but will be receiving water and sewer services from the City when developed. The property is approximately 142 acres.

The proposed map amendment will change the future land use from Lake County's Regional Commercial to the City's Master Planned Development designation. The property, currently zoned Planned Commercial District in Lake County, will become Urban Estate upon annexation.

A related request for a conditional use permit for a PUD will incorporate entitlements for the development secured under the existing Lake County PUD and the Development of Regional Impact (DRI) development order. The CUP for the PUD will rescind the DRI.

Upon approval by the City Council, the proposed amendment would be transmitted to the Florida Department of Economic Opportunity (DEO) and the reviewing agencies for review. DEO would then issue an Objections, Recommendations and Comments letter to the City, and the amendment would then be scheduled for a final public hearing in June.

Staff recommends approval of the transmittal of the large-scale comprehensive plan amendment to change the future land use from Lake County Regional Commercial to Master Planned Development in the City.

2. REQUEST FOR CONDITIONAL USE PERMIT

REQUEST: To allow a mixed use Planned Unit Development in the UE Urban Estate zoning district.

APPLICANT: Staff (Plaza Collina)

Planning Manager Curt Henschel presented the staff report as follows:

This administrative request was originally scheduled to be heard by the Planning & Zoning Commission on March 3, 2015, but was tabled to the April 7 meeting to allow staff more time to draft the conditional use permit.

The proposed request is to grant a conditional use permit (CUP) for a mixed-use planned unit development (PUD) with a retail shopping center and outparcels for restaurants and similar commercial uses along SR 50. This development, known as Plaza Collina, is currently approved in Lake County with 1,200,000 square feet of retail space and 200 residential units. Staff has reviewed the approved Development of Regional Impact (DRI) Development Order (Ordinance #2006-16) and the Lake County PUD (Ordinance # 2006-17) and has transferred over to the new CUP/PUD those conditions and the entitlements contained within the documents. The development will include one single-use commercial building not to exceed 187,000 square feet. New conditions require an amendment to the CUP for any additional retail structures over 100,000 square feet, more than two automotive dealerships, or any use that would require a CUP per the City code.

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Staff recommends approval of the conditional use permit for the Plaza Collina PUD.

Lee Arie, 17440 Cobblestone Lane, stated that there is no shortage of car dealerships in this area. He stated that a dealership is somewhere you visit every 4 to 5 years to make a purchase where as a restaurant you will visit more often. He stated that he was hoping to come out of his subdivision and see shops and restaurants, not dealerships. He stated that he would like to see the dealerships at the east end of the property if they have to accept having the dealerships.

Chairman Jones asked why the dealerships can't be on the east end.

Mr. Henschel stated that this is a request from Plaza Collina.

Attorney Rebecca Wilson, Lowndes, Drosdick, Doster, Kantor & Reed, P.A., 215 N. Eola Drive, Orlando, stated that this is not a blank slate. She stated that there are some fixed points, so the light signal is already in place as well as the curb cut. She stated that staff agrees with the location of the dealerships because the City has negotiated with the property owner to create a gateway into the City. She stated that they chose to use the smaller pods for the dealerships.

Mr. Arie stated that auto dealers have cycles of business. He stated that Orlando is left with closed dealerships that are now large empty buildings, cracked asphalt, and weeds. He stated that there are about 20 possible customers for these types of real estate. He stated that restaurants come and go as well, but there is always another restaurant willing to open. He stated that they would like to have something pleasant to look at other than dealerships as they exit their subdivision. He stated that looking at the topography, he feels restaurants can be creative with vistas and cabanas to sit and eat your lunch, rather than having a dealership at that location.

Chairman Jones stated that he brings up a good point. He stated that they have to look at what will benefit the City and the community as a whole. He asked if the road will loop around to Old Highway 50.

Mr. Henschel stated that it is approved through Lake County, and they would still have to get involved with the location of the access points.

Commissioner Solis stated that if they move the dealership to the east end of the property, there would be more traffic in front of Magnolia Pointe.

Mr. Arie stated that they are willing to accept that risk rather than look at a dealership as they exit Magnolia Pointe.

Commissioner Proli stated that the east end of the property is a larger portion of the property. She asked it would be better if they put a hedge around the dealership so that you were looking at landscaping rather than rows of vehicles. She asked if they could only have one dealership, rather than two.

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Ms. Wilson stated that having two dealerships was a compromise with the city. She stated that if she has to move the dealerships to the east section of the property, she will go back to Lake County where she can have an unlimited number of dealerships. She stated that there are significant landscaping requirements along Highway 50. She stated that the roads are under construction now. She stated that they have tried to take the rights that they have with the County and combine them with the interests of Clermont. She stated that she understands the concerns of the neighbors, however they did their due diligence and found what they could do, and now she doesn't want to tell her client that they can't sell the property as it is approved now. She stated that they are already limiting the location of the dealerships.

Commissioner Smith asked if the City is removing the residential units.

Ms. Wilson stated that they are removing the statement that they have to get Lake County Schools concurrency for the existing units, but because these units are included in an approved DRI, they don't need concurrency. She stated that any additional units they will need to meet school concurrency.

Joe Buchman, 12817 Magnolia Pointe Blvd., stated that in the County ordinance there was language that included no auto dealerships, no 24-hour business, and no adult entertainment. He stated that this language has been removed and is under investigation. He stated that there is already an ordinance that states they can't put their vehicles in the right-of-way and they continue to do so. He stated that he is concerned that part of the property is for sale. He had the understanding that everything would be developed together. He stated that everyone wants something like Fowler's Grove, but there are no dealerships in Fowler's Grove. He asked what was going in the 187,000 square foot building. He stated they fought to keep Wal-mart out before and they will do it again. He stated that a Mazda dealership is going in on the south side of Highway 50 as well. He stated that that he doesn't have an issue with them putting the dealership on the backside along Old Highway 50.

Mr. Krauss, 13643 First Ave., he stated that he lives in the subdivision across from the east end of the property, so if they relocate the auto dealerships there, they will not be happy either. He stated that he agrees with having the entrance for the dealerships off Old Highway 50; however, he's not sure how that will work for the business.

Alan Hartle, 16191 Hillside Circle, Monteverde, stated that he is a native to this area. He recommended putting the dealerships on pod G, that has already been flattened. He stated that you will not hide a dealership with shrubbery. He stated that the property should be terraced like the rest of Clermont. He stated that the abandoned dealership has become a Sheriff's annex, because there is not much you can do with an abandoned dealership. He stated that more people want to see this property built like Fowler's Grove. He stated that everyone has to go to Fowler's Grove to eat something besides fast-food.

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Nick Pagano, 17353 Chateau Pine Way, asked what the impact going to Clermont. He asked how many people are going to come to the stores and restaurants where there is a dealership in the area.

Chairman Jones asked if the Plaza Boulevard is a dedicated right-of-way.

Mr. Henschel stated that the Plaza Boulevard is part of the Planned Unit Development.

Tim Staab, 12849 Magnolia Pointe Blvd., stated that his concern is that used tire stores come along with dealerships. He stated that if you look down Highway 50 where the closed up dealerships are, you will find tire stores.

Judy Phillips, 13438 Fountainbleau Dr., stated that Lake County Commissioner Sean Parks uncovered that language was removed from the ordinance regarding what was supposed to go at this location. She stated that there was supposed to be upscale shops. She stated that at the time they fought to keep Wal-mart out, the zoning C-1 Neighborhood Commercial and C-2 Community Commercial were not to be permitted. She stated that adult entertainment, gas stations, and dealerships were not permitted, but somehow this language was deleted. She stated that this agenda item should not move forward until they find out the answers.

Mr. Henschel stated that this was approved through the County. He stated that he has been working on this project for two months now and has not come across this issue.

Chairman Jones stated that the City is more stringent than the County so the City should move forward with this item.

Commissioner Whitehead stated that if the property is not annexed into the City, the County can do anything they want. She stated the City needs to annex this property so they can control what is allowed at this location.

Commissioner Whitehead moved to approve the large-scale comp plan amendment. The motion fails due to the lack of a second.

Commissioner Hubbard stated that he still has concerns about whether the public's comments that no dealerships are allowed at this location are true.

Ms. Wilson stated that her client purchased the property in 2010. She stated that the approvals were established in 2006. She stated that she did the due diligence for the purchase of this property. She stated that there are two documents that control this property, which consists of the Development Order and the Planned Unit Development, both adopted in 2006. She stated neither of the documents eliminates auto dealerships. She stated that the County staff and County attorney did not find documents that eliminate auto dealerships.

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Attorney Jack Morgeson stated that City Attorney Dan Mantzaris has looked into this issue and has not found anything that limits auto dealerships.

Commissioner Solis asked if the property can back out of the annexation. He asked if the City can annex the property and make the property owner start over with the Planned Unit Development.

Attorney Jack Morgeson stated that the property owners already have rights in the County jurisdiction. He stated that it would be better for the City to not annex, than it is for the City to take away the specific rights of the property owner that are already in place.

Chairman Jones stated that they have to remember that the City is the applicant in this situation. He stated that City sees it as an advantage to have this property in the City. He stated that they either need to vote in favor or deny the application.

Commissioner Proli stated that it is better to annex the property so that the City can control what is allowed on the property.

Chairman Jones stated that the issue is that the approvals have already been made. He stated that the City and the property owner have already been in negotiations. He stated that the City still has some leverage but the property owner has given up a lot of what they could have done by coming into the City.

Mr. Henschel stated that it is part of the utility agreement that the project shall be developed in accordance to Lake County approvals under their current Planned Unit Development.

Commissioner Whitehead moved to approve the large-scale comp plan amendment. The motion fails due to the lack of a second.

Commissioner Whitehead made a motion to recommend approval of the large-scale comp plan amendment; seconded by Commissioner Solis. The vote was 4-2 in favor of approval of the large-scale comp plan amendment, with Commissioners Hubbard and Smith opposing.

Mr. Henschel stated that when voting for the Planned Unit Development, Section 2 item 2 will be removed from the conditions.

Commissioner Whitehead moved to approve the Planned Unit Development. The motion fails due to the lack of a second.

Commissioner Hubbard made a motion to recommend approval of the Planned Unit Development, but remove Section 2 item 4; seconded by Commissioner Smith. The vote fails 3-3 with Chairman Jones and Commissioners Solis and Whitehead opposing.

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Attorney Jack Morgeson stated that the Commissioners have heard testimony that there are no limitations from Lake County allowing auto dealerships. He stated that by not allowing auto dealerships, this will present a potential problem for the City for overly constricting an owner's property right. He stated that he advises not recommending that.

Commissioner Whitehead asked if one of the pods is under contract with an auto dealership already.

Ms. Wilson stated that pod B is currently under contract with Don Mealey Chevrolet. She stated that they have agreed to be annexed pursuant to their entitlements. However, if restricted to no dealerships, she said her client will not be annexed, and they will build the dealerships in Lake County.

Commissioner Whitehead made a motion to recommend approval of the Planned Unit Development; seconded by Commissioner Solis. The vote fails 3-3 with Commissioners Smith, Hubbard and Proli opposing.

Commissioner Hubbard made a motion to recommend denial of the Planned Unit Development; seconded by Commissioner Smith. The vote fails 3-3 with Chairman Jones and Commissioners Solis and Whitehead opposing.

3. REQUEST FOR CONDITIONAL USE PERMIT

REQUEST: To allow for office use in the R-3-A Residential/Professional zoning district.

APPLICANT: Don Kirby

Senior Planner John Kruse presented the staff report as follows:

The applicant is requesting a conditional use permit (CUP) to allow for an office use in an existing building located at 176 East Highland Ave. The property is zoned R-3-A Residential/Professional district. Under Sec. 122-164 (a) (1) of the Land Development Code, the R-3-A zoning district may allow this type of use through a conditional use permit.

The applicant desires to use the existing building, which was previously used for a daycare facility, for a professional office. The building is approximately 1,600 square feet of conditioned floor space with 10 parking stalls provided onsite. This exceeds the requirements for parking.

Staff believes that the office use is compatible with the uses in the surrounding area. Several office uses currently exist along Highland Avenue and have received CUPs for office use. This building was also previously used for a real estate office prior to being converted to a daycare facility. Based upon the information presented, staff recommends approval of this request. Don Kirby, 16545 Spring Park Dr., stated that he is purchasing this building to operate a permitting business. He stated that he is a retired Building Official and helps people get permits. He stated that he will be using this location as his office with 7 or 8 employees.

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Christy Clark, 12150 Lakeshore Dr., stated that she represents the sellers of this property. She stated that she hopes to see this conditional use permit pass and a new business open in Clermont.

Commissioner Proli made a motion to recommend approval of the conditional use permit; seconded by Commissioner Whitehead. The vote was unanimous to recommend approval.

4. REQUEST FOR CONDITIONAL USE PERMIT

REQUEST: To allow a school facility in the C-2 General Commercial zoning district.

APPLICANT: Land of Lakes Montessori School

Planning Manager Curt Henschel presented the staff report as follows:

The applicant is requesting to allow a private school facility within the C-2 General Commercial zoning district. School facilities are designated as requiring a conditional use permit within the C-2 zoning district.

The applicant is proposing a 7,200-square-foot building with two playgrounds for a Montessori School to be located at the corner of Oakley Seaver Drive and Sandy Grove Avenue.

The proposed school will provide space for 120 students, ages 3-10 (pre-K through 5th grade), 12 teachers and three staff members. School hours are Monday through Friday, starting at 8 a.m. and ending at approximately 4 p.m.

The school has proposed a long internal driveway to stack students' arrivals and departures, and it has also developed a staggered starting time for students (based on age) to prevent traffic issues.

Ignacio Quintana, 1136 Callaway Circle, stated that he was present to answer any questions.

Commissioner Solis moved to recommend approval of the conditional use permit; seconded by Commissioner Whitehead. The vote was unanimous to recommend approval.

5. REQUEST FOR LARGE-SCALE COMP PLAN AMENDMENT

REQUEST: To change future land use from Lake County Regional Commercial to City of Clermont Commercial

APPLICANT: Staff (Don Mealey)

Senior Planner John Kruse presented the staff report as follows:

This administrative request is being heard concurrently with requests for annexation and rezoning. The City is requesting annexation of the subject parcel as authorized by the utility agreement with the property owner. The agreement with the City was executed on May 27, 2003.

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The property is improved and is receiving water and sewer services from the City of Clermont. The property, approximately 16.74 acres, has been developed as an auto dealership, Don Mealey Chevrolet.

The proposed map amendment will change the future land use from Lake County's Regional Commercial to the City's Commercial. The related rezoning request will change the zoning from Urban Estate (currently Planned Commercial District in Lake County) to the City's C-2 General Commercial zoning classification.

Upon approval by the City Council, the proposed amendment would be transmitted to the Florida Department of Economic Opportunity (DEO) and the reviewing agencies for review. DEO would then issue an Objections, Recommendations and Comments letter to the City, and the amendment would then be scheduled for a final public hearing in June.

Staff recommends approval of the transmittal of the large-scale comprehensive plan amendment to change the future land use from Lake County Regional Commercial to Commercial in the City.

Commissioner Whitehead moved to recommend approval of the large-scale comp plan amendment; seconded by Commissioner Smith. The vote was unanimous to recommend approval.

6. REQUEST FOR REZONING

REQUEST: To change the zoning from UE Urban Estate to C-2 General Commercial

APPLICANT: Staff (Don Mealey)

Senior Planner John Kruse presented the staff report as follows:

The proposed rezoning is from Urban Estate (currently zoned Lake County's Planned Commercial District) to the City's C-2 General Commercial zoning classification. The related request for a comprehensive plan amendment would change the future land use from Lake County's Regional Commercial to the City's Commercial designation.

Staff recommends approval of the rezoning to C-2 General Commercial.

Commissioner Whitehead moved to recommend approval of the rezoning; seconded by Commissioner Smith. The vote was unanimous to recommend approval.

7. REQUEST FOR SMALL-SCALE COMP PLAN AMENDMENT

REQUEST: To change future land use from Lake County Regional Commercial to City of Clermont Commercial

APPLICANT: Staff (Nissan)

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Senior Planner John Kruse presented the staff report as follows:

This administrative request is being heard concurrently with requests for annexation and rezoning. The City is requesting annexation of the subject parcel as authorized by the utility agreement with the property owner. The Notice of Encumbrance to Annex with the City was executed on December 5, 2011. The property is improved and is receiving water and sewer services from the City of Clermont. The property, approximately 7.7 acres, has been developed as an auto dealership, Clermont Nissan.

The proposed map amendment will change the future land use from Lake County's Regional Commercial to the City's Commercial. The related rezoning request will change the zoning from Urban Estate (currently Planned Commercial District in Lake County) to the City's C-2 General Commercial zoning classification.

Staff recommends approval of the future land use map amendment from Lake County Regional Commercial to Commercial in the City.

Commissioner Proli moved to recommend approval of the small-scale comp plan amendment; seconded by Commissioner Smith. The vote was unanimous to recommend approval.

8. REQUEST FOR REZONING

REQUEST: To change the zoning from UE Urban Estate to C-2 General Commercial

APPLICANT: Staff (Nissan)

Senior Planner John Kruse presented the staff report as follows:

The proposed rezoning is from Urban Estate (currently zoned Lake County's Planned Commercial District) to the City's C-2 General Commercial zoning classification. The related request for a comprehensive plan amendment would change the future land use from Lake County's Regional Commercial to the City's Commercial designation.

Staff recommends approval of the rezoning to C-2 General Commercial.

Commissioner Whitehead moved to recommend approval of the rezoning; seconded by Commissioner Solis. The vote was unanimous to recommend approval.

9. REQUEST FOR SMALL-SCALE COMP PLAN AMENDMENT

REQUEST: To change future land use from Lake County Regional Commercial to City of Clermont Commercial

APPLICANT: Staff (Honda)

Senior Planner John Kruse presented the staff report as follows:

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This administrative request is being heard concurrently with requests for annexation and rezoning. The City is requesting annexation of the subject parcel as authorized by the utility agreement with the property owner. The Notice of Encumbrance to Annex with the City was executed on July 15, 2008. The property is improved and is receiving water and sewer services from the City of Clermont. The property, approximately 9.34 acres, has been developed as an auto dealership, Headquarter Honda.

The proposed map amendment will change the future land use from Lake County's Regional Commercial to the City's Commercial. The related rezoning request will change the zoning from Urban Estate (currently Planned Commercial District in Lake County) to the City's C-2 General Commercial zoning classification.

Staff recommends approval of the future land use map amendment from Lake County Regional Commercial to Commercial in the City.

Commissioner Whitehead moved to recommend approval of the small-scale comp plan amendment; seconded by Commissioner Proli. The vote was unanimous to recommend approval.

10. REQUEST FOR REZONING

REQUEST: To change the zoning from UE Urban Estate to C-2 General Commercial

APPLICANT: Staff (Honda)

Senior Planner John Kruse presented the staff report as follows:

The proposed rezoning is from Urban Estate (currently zoned Lake County's Planned Commercial District) to the City's C-2 General Commercial zoning classification. The related request for a comprehensive plan amendment would change the future land use from Lake County's Regional Commercial to the City's Commercial designation.

Staff recommends approval of the rezoning to C-2 General Commercial.

Gail Harris, 17535 Jefferson St., stated that she is about 75 feet from the Honda dealership. She stated that if the City annexes this property, she is asking that they are made to follow the ordinances pertaining noise and unloading trucks.

Mr. Krauss, 13643 First Ave., asked if the properties being annexed into the City will have to follow the City ordinances.

Commissioner Hubbard moved to recommend approval of the rezoning; seconded by Commissioner Smith. The vote was unanimous to recommend approval.

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11. REQUEST FOR LARGE-SCALE COMP PLAN AMENDMENT

REQUEST: To change future land use from Lake County Regional Commercial to City of Clermont Commercial

APPLICANT: Staff (Napleton)

This item was withdrawn.

12. REQUEST FOR REZONING

REQUEST: To change the zoning from UE Urban Estate to C-2 General Commercial

APPLICANT: Staff (Napleton)

This item was withdrawn.

13. REQUEST FOR LARGE-SCALE COMP PLAN AMENDMENT

REQUEST: To change future land use from Lake County Regional Commercial to City of Clermont Commercial

APPLICANT: Staff (East Towne Center)

Senior Planner John Kruse presented the staff report as follows:

This administrative request is being heard concurrently with requests for annexation and rezoning. The City is requesting annexation of the subject parcel as authorized by the utility agreement with the property owner. The agreement with the City was executed on February 13, 2003. The property is improved and is receiving water and sewer services from the City of Clermont. The property, approximately 13.8 acres, has been developed as a shopping center with two outparcels.

The proposed map amendment will change the future land use from Lake County's Regional Commercial to the City's Commercial. The related rezoning request will change the zoning from Urban Estate (currently Planned Commercial District in Lake County) to the City's C-2 General Commercial zoning classification.

Upon approval by the City Council, the proposed amendment would be transmitted to the Florida Department of Economic Opportunity (DEO) and the reviewing agencies for review. DEO would then issue an Objections, Recommendations and Comments letter to the City, and the amendment would then be scheduled for a final public hearing in June.

Staff recommends approval of the transmittal of the large-scale comprehensive plan amendment to change the future land use from Lake County Regional Commercial to Commercial in the City.

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Commissioner Whitehead moved to recommend approval of the large-scale comp plan amendment; seconded by Commissioner Solis. The vote was unanimous to recommend approval.

14. REQUEST FOR REZONING

REQUEST: To change the zoning from UE Urban Estate to C-2 General Commercial

APPLICANT: Staff (East Towne Center)

Senior Planner John Kruse presented the staff report as follows:

The proposed rezoning is from Urban Estate (currently zoned Lake County's Planned Commercial District) to the City's C-2 General Commercial zoning classification. The related request for a comprehensive plan amendment would change the future land use from Lake County's Regional Commercial to the City's Commercial designation.

Staff recommends approval of the rezoning to C-2 General Commercial.

Commissioner Hubbard moved to recommend approval of the rezoning; seconded by Commissioner Smith. The vote was unanimous to recommend approval.

There being no further business, the meeting was adjourned at 8:45 pm.

Nick Jones, Chairman

ATTEST:

Rae Chidlow – Planning Specialist

**City of Clermont
MINUTES
SPECIAL MEETING
PLANNING AND ZONING COMMISSION
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The special meeting of the Planning & Zoning Commission was called to order Monday, April 27, 2015 at 6:00 p.m. by Vice-Chair Cuqui Whitehead. Other members present were Carlos Solis, Herb Smith, Judy Proli, Tony Hubbard, and Jack Martin. Also in attendance were Barbara Hollerand, Development Services Director, John Kruse, Senior Planner, Dan Mantzaris, City Attorney, and Rae Chidlow, Planning Specialist.

REPORTS

Vice-Chair Whitehead asked the city attorney to clarify how the Commission should review requests for future land use and zoning changes.

City Attorney Mantzaris provided an overview of the difference between comprehensive plan amendment requests and rezoning requests.

1. REQUEST FOR LARGE-SCALE COMP PLAN AMENDMENT

REQUEST: To change future land use from Lake County Regional Commercial to City of Clermont Industrial

APPLICANT: Staff (Senninger Irrigation)

Senior Planner John Kruse presented the staff report as follows:

This administrative request is being heard concurrently with requests for annexation and rezoning. The City is requesting annexation of the subject parcel as authorized by the utility agreement with the property owner. The property is improved and is currently receiving water services from the City. The property is approximately 19 acres.

The proposed map amendment will change the future land use from Lake County's Regional Office to the City's Industrial. This land use designation is the most compatible for the uses currently entitled on the property through the Industrial zoning designation. The City's Office or Commercial land use designation create a conflict with the existing Industrial zoning designation since it prohibits Industrial type uses. The related rezoning request will change the zoning from Urban Estate (currently Planned Industrial District in Lake County) to the City's M-1 Industrial zoning classification.

Upon approval by the City Council, the proposed amendment would be transmitted to the Florida Department of Economic Opportunity (DEO) and the reviewing agencies for review.

Staff recommends approval of the transmittal of the large scale comprehensive plan amendment to change the future land use from Lake County Regional Office to Industrial in the City.

Commissioner Martin moved to recommend approval of the large-scale comprehensive plan amendment; seconded by Commissioner Proli. The vote was unanimous to recommend approval.

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SPECIAL MEETING
PLANNING AND ZONING COMMISSION
April 27, 2015**

Page 2

2. REQUEST FOR REZONING

REQUEST: To change zoning from UE Urban Estate to M-1 Industrial

APPLICANT: Staff (Senninger Irrigation)

Senior Planner Kruse presented the staff report as follows:

The proposed rezoning is from Urban Estate (currently zoned Lake County's Planned Industrial District) to the City's M-1 Industrial zoning classification. The related request for a comprehensive plan amendment would change the future land use from Lake County's Regional Office to the City's Industrial designation.

Staff recommends approval of the rezoning to M-1 Industrial.

Commissioner Martin asked for clarification on Urban Estate zoning.

Senior Planner John Kruse explained that Urban Estate is the default zoning properties are assigned upon annexation.

Commissioner Proli made a motion to recommend approval of the rezoning; seconded by Commissioner Smith. The vote was unanimous to recommend approval.

3. REQUEST FOR SMALL-SCALE COMP PLAN AMENDMENT

REQUEST: To change future land use from Lake County Regional Commercial to City of Clermont Commercial

APPLICANT: Staff (BP)

Senior Planner Kruse presented the staff report as follows:

This administrative request is being heard concurrently with requests for annexation and rezoning. The City is requesting annexation of the subject parcel as authorized by the utility agreement with the property owner. The property is improved and is receiving water and sewer services from the City of Clermont. The property, approximately 1.43 acres, has been developed as a gas station, BP/Circle K.

The proposed map amendment will change the future land use from Lake County's Regional Commercial to the City's Commercial. The related rezoning request will change the zoning from Urban Estate (currently Planned Commercial District in Lake County) to the City's C-2 General Commercial zoning classification.

Staff recommends approval of small scale comprehensive plan amendment to change the future land use from Lake County Regional Commercial to Commercial in the City.

**City of Clermont
MINUTES
SPECIAL MEETING
PLANNING AND ZONING COMMISSION
April 27, 2015**

Page 3

Commissioner Solis made a motion to recommend approval of the small-scale comprehensive plan amendment; seconded by Commissioner Proli. The vote was unanimous to recommend approval.

4. REQUEST FOR REZONING

REQUEST: To change zoning from UE Urban Estate to C-2 General Commercial

APPLICANT: Staff (BP)

Senior Planner Kruse presented the staff report as follows:

The proposed rezoning is from Urban Estate (currently zoned Lake County's Planned Commercial District) to the City's C-2 General Commercial zoning classification. The related request for a comprehensive plan amendment would change the future land use from Lake County's Regional Commercial to the City's Commercial designation.

Staff recommends approval of the rezoning to C-2 General Commercial.

Commissioner Proli moved to recommend approval of the rezoning; seconded by Commissioner Solis. The vote was unanimous to recommend approval.

5. REQUEST FOR SMALL-SCALE COMP PLAN AMENDMENT

REQUEST: To change future land use from Lake County Regional Commercial to City of Clermont Commercial

APPLICANT: Staff (Discount Tire)

Senior Planner Kruse presented the staff report as follows:

This administrative request is being heard concurrently with requests for annexation and rezoning. The City is requesting annexation of the subject parcel as authorized by the utility agreement with the property owner. The property is improved and is receiving water and sewer services from the City of Clermont. The property, approximately 1.2 acres, has been developed as an automotive service shop, Discount Tire.

The proposed map amendment will change the future land use from Lake County's Regional Commercial to the City's Commercial. The related rezoning request will change the zoning from Urban Estate (currently Planned Commercial District in Lake County) to the City's C-2 General Commercial zoning classification.

Staff recommends approval of small scale comprehensive plan amendment to change the future land use from Lake County Regional Commercial to Commercial in the City.

**City of Clermont
MINUTES
SPECIAL MEETING
PLANNING AND ZONING COMMISSION
April 27, 2015**

Page 4

Commissioner Hubbard made a motion to recommend approval of the small-scale comprehensive plan amendment; seconded by Commissioner Proli. The vote was unanimous to recommend approval.

6. REQUEST FOR REZONING

REQUEST: To change zoning from UE Urban Estate to C-2 General Commercial

APPLICANT: Staff (Discount Tire)

Senior Planner Kruse presented the staff report as follows:

The proposed rezoning is from Urban Estate (currently zoned Lake County's Planned Commercial District) to the City's C-2 General Commercial zoning classification. The related request for a comprehensive plan amendment would change the future land use from Lake County's Regional Commercial to the City's Commercial designation.

Staff recommends approval of the rezoning to C-2 General Commercial.

Commissioner Proli moved to recommend approval of the rezoning; seconded by Commissioner Solis. The vote was unanimous to recommend approval.

7. REQUEST FOR SMALL-SCALE COMP PLAN AMENDMENT

REQUEST: To change future land use from Lake County Regional Commercial to City of Clermont Commercial

APPLICANT: Staff (Harbor Federal)

Senior Planner Kruse presented the staff report as follows:

This administrative request is being heard concurrently with requests for annexation and rezoning. The City is requesting annexation of the subject parcel as authorized by the utility agreement with the property owner. The property is improved and is receiving water and sewer services from the City of Clermont. The property, approximately 1.17 acres, has been developed as a professional office, Allstate, and bank, formerly Harbor Federal.

The proposed map amendment will change the future land use from Lake County's Regional Commercial to the City's Commercial. The related rezoning request will change the zoning from Urban Estate (currently Planned Commercial District in Lake County) to the City's C-2 General Commercial zoning classification.

Staff recommends approval of small scale comprehensive plan amendment to change the future land use from Lake County Regional Commercial to Commercial in the City.

**City of Clermont
MINUTES
SPECIAL MEETING
PLANNING AND ZONING COMMISSION
April 27, 2015**

Page 5

Commissioner Proli made a motion to recommend approval of the small-scale comprehensive plan amendment; seconded by Commissioner Hubbard. The vote was unanimous to recommend approval.

8. REQUEST FOR REZONING

REQUEST: To change zoning from UE Urban Estate to C-2 General Commercial

APPLICANT: Staff (Harbor Federal)

Senior Planner Kruse presented the staff report as follows:

The proposed rezoning is from Urban Estate (currently zoned Lake County's Planned Commercial District) to the City's C-2 General Commercial zoning classification. The related request for a comprehensive plan amendment would change the future land use from Lake County's Regional Commercial to the City's Commercial designation.

Staff recommends approval of the rezoning to C-2 General Commercial.

Commissioner Solis moved to recommend approval of the rezoning; seconded by Commissioner Proli. The vote was unanimous to recommend approval.

9. REQUEST FOR SMALL-SCALE COMP PLAN AMENDMENT

REQUEST: To change future land use from Lake County Regional Commercial to City of Clermont Commercial

APPLICANT: Staff (Value Place Hotel)

Senior Planner Kruse presented the staff report as follows:

This administrative request is being heard concurrently with requests for annexation and rezoning. The City is requesting annexation of the subject parcel as authorized by the utility agreement with the property owner. The property is improved and is receiving water and sewer services from the City. The property, approximately 2.29 acres, has been developed as a hotel, Value Place Hotel.

The proposed map amendment will change the future land use from Lake County's Regional Commercial to the City's Commercial. The related rezoning request will change the zoning from Urban Estate (currently Planned Commercial District in Lake County) to the City's C-2 General Commercial zoning classification.

Staff recommends approval of small scale comprehensive plan amendment to change the future land use from Lake County Regional Commercial to Commercial in the City.

**City of Clermont
MINUTES
SPECIAL MEETING
PLANNING AND ZONING COMMISSION
April 27, 2015**

Page 6

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

10. REQUEST FOR REZONING

REQUEST: To change the zoning from UE Urban Estate to C-2 General Commercial

APPLICANT: Staff (Value Place Hotel)

Senior Planner Kruse presented the staff report as follows:

The proposed rezoning is from Urban Estate (currently zoned Lake County's Planned Commercial District) to the City's C-2 General Commercial zoning classification. The related request for a comprehensive plan amendment would change the future land use from Lake County's Regional Commercial to the City's Commercial designation.

Staff recommends approval of the rezoning to C-2 General Commercial.

Commissioner Hubbard moved to recommend approval of the rezoning; seconded by Commissioner Solis. The vote was unanimous to recommend approval.

11. REQUEST FOR SMALL-SCALE COMP PLAN AMENDMENT

REQUEST: To change future land use from Lake County Regional Commercial to City of Clermont Commercial

APPLICANT: Staff (U-Haul)

Senior Planner Kruse presented the staff report as follows:

This administrative request is being heard concurrently with requests for annexation and rezoning. The City is requesting annexation of the subject parcel as authorized by the utility agreement with the property owner. The property is improved and is receiving water from the City. The property, approximately 3.5 acres, has been developed as a vehicle rental business, U-Haul.

The proposed map amendment will change the future land use from Lake County's Regional Commercial to the City's Commercial. The related rezoning request will change the zoning from Urban Estate (currently Planned Commercial District in Lake County) to the City's C-2 General Commercial zoning classification.

Staff recommends approval of small scale comprehensive plan amendment to change the future land use from Lake County Regional Commercial to Commercial in the City.

**City of Clermont
MINUTES
SPECIAL MEETING
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April 27, 2015**

Page 7

Commissioner Martin moved to recommend approval of the small-scale comprehensive plan amendment; seconded by Commissioner Proli. The vote was unanimous to recommend approval.

12. REQUEST FOR REZONING

REQUEST: To change the zoning from UE Urban Estate to C-2 General Commercial

APPLICANT: Staff (U-Haul)

Senior Planner Kruse presented the staff report as follows:

The proposed rezoning is from Urban Estate (currently zoned Lake County's Planned Commercial District) to the City's C-2 General Commercial zoning classification. The related request for a comprehensive plan amendment would change the future land use from Lake County's Regional Commercial to the City's Commercial designation.

Staff recommends approval of the rezoning to C-2 General Commercial.

Commissioner Proli moved to recommend approval of the rezoning; seconded by Commissioner Smith. The vote was unanimous to recommend approval.

There being no further business, the meeting was adjourned at 6:37 pm.

Cuqui Whitehead, Vice-Chair

ATTEST:

Rae Chidlow – Planning Specialist



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date			
Tuesday, May 5, 2015			
Agenda Item Name			
Ordinance No. 2015-64; <i>Withdraw</i> John's Lake Landing PUD			
Requested Action			
Move to withdraw Ordinance 2015-64.			
Staff Report			
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, May 5, 2015			
Agenda Item Name			
Resolution No. 2015-17; <i>Withdraw</i> John's Lake Landing PUD			
Requested Action			
Move to withdraw Resolution No. 2015-17.			
Staff Report			
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, May 5, 2015		
Agenda Item Name		
Ordinance No. 2015-59; Thomas Rezoning		
Requested Action		
Move to recommend denial of Ordinance 2015-59.		
Staff Report		
The owner is requesting a rezoning change from R-1 Single Family Medium Density Residential District to R-2 Medium Density Residential District. The owner has indicated that the request is to allow construction of a duplex on the lot. The current R-1 zoning district does not allow this type of use. The R-2 zoning district, under Section 122-143(2), permits this type of housing structure. The parcel consists of four lots in the Clermont Hillcrest subdivision. The lots are located along Prince Edward Avenue halfway between East Desoto Street and East Minneola Avenue. The subject property is approximately 25,000 square feet in size. The owner desires to build one duplex on combined lots 40 and 41 and a second duplex on combined lots 42 and 43. The owner is aware that the lot lines would have to be reconfigured and that the buildings would need to meet code requirements in Section 122 for lot requirements and yard setbacks. Based on an initial layout and staff's discussion with the owner, it appears that both duplexes could fit without any variances. The subject parcel is surrounded by the R-1 Single Family zoning designation on all sides. The nearest R-2 Medium Density zoning is located at the end of the street and is a few parcels away. The future land use, Medium Density, would allow the R-2 Medium Density zoning district. However, the rezoning of the parcel to R-2 would create a parcel surrounded by a different zoning. While the R-2 zoning is compatible with the future land use in this area and the lots dimensions can support the construction of a duplex, allowing this use in the middle of an area of predominately single family homes is not a good planning practice. In addition, staff has received a signed letter of opposition from 31 area residents. If the parcel was adjacent to existing R-2 Medium Density zoning, then it could be viewed as an extension of this use. Based upon the above information, staff recommends denial of the rezoning change from R-1 Single Family to R-2 Medium Density.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)

- | | | |
|----|-------------------|--------------------------------|
| 1. | Ordinance | Thomas REZ ORD 2015-59.doc |
| 2. | Location Map | Thomas Location Map.pdf |
| 3. | Opposition Letter | Neighbor Opposition Letter.pdf |
| 4. | Site Plan | Site plan.pdf |
| 5. | Application | Application.pdf |
| 6. | Legal ad | Thomas REZ legal ad.docx |

CITY OF CLERMONT
ORDINANCE No. 2015-59

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

Clermont Hillcrest Lots 40-43, PB 8 PG 53, ORB 4547 PG 174
Alternate Key 1620520

Containing 24,971 square feet, more or less

From: R-1 Single Family Medium Density Residential
To: R-2 Medium Density Residential

SECTION 2:

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

SECTION 3:

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 4:

The provisions of this Ordinance shall be effective as provided by law.

CITY OF CLERMONT
ORDINANCE No. 2015-59



CITY OF CLERMONT
ORDINANCE No. 2015-59

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

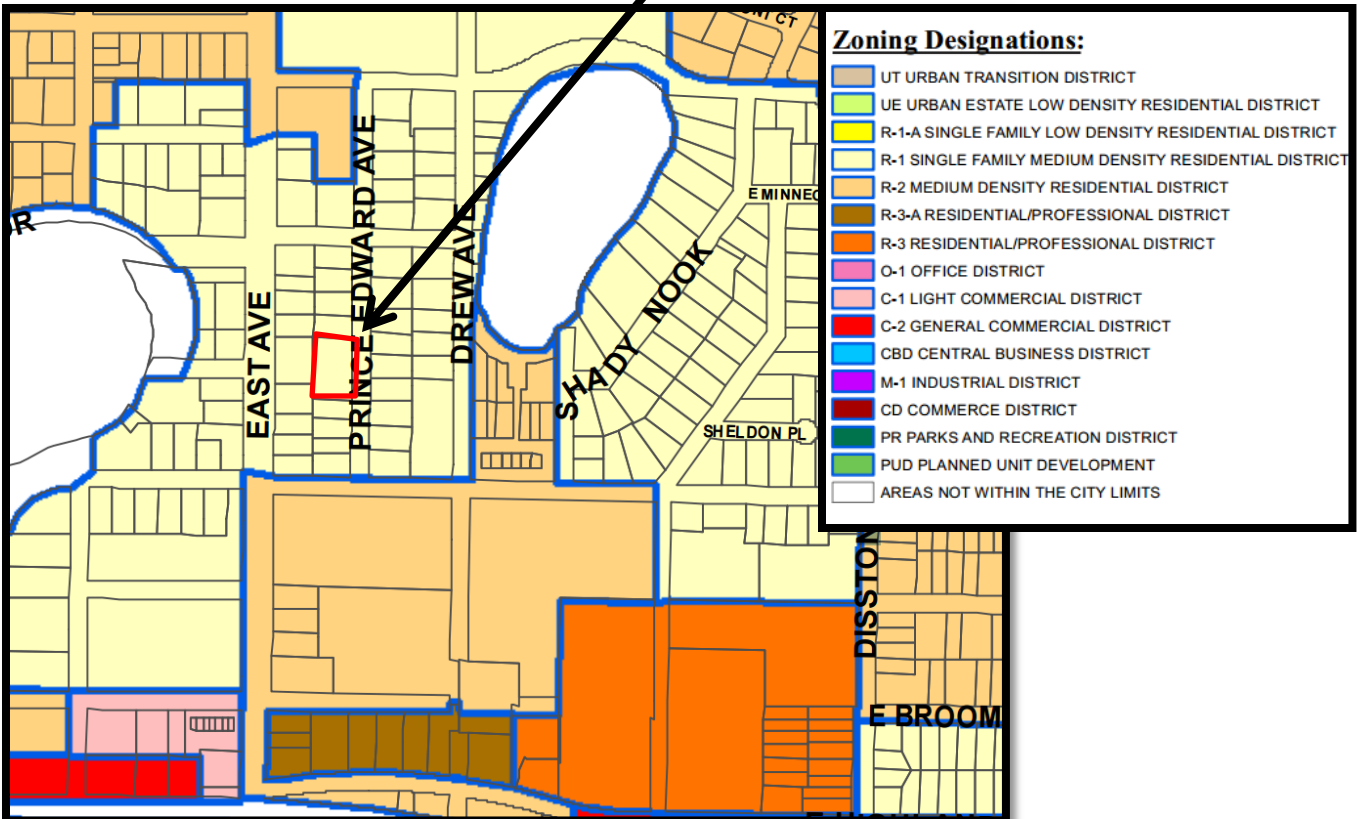
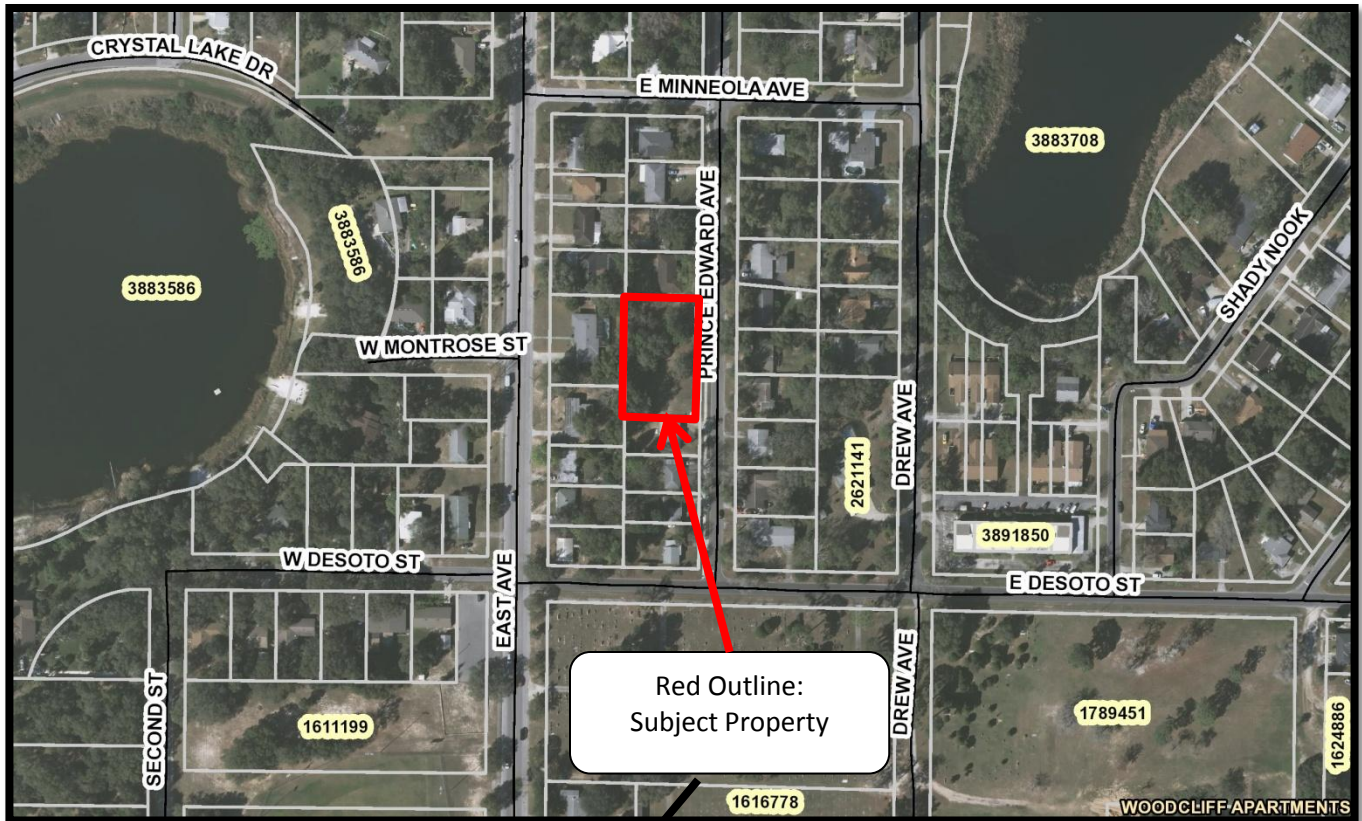
Tracy Ackroyd, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Location Map

Thomas Rezoning – Prince Edward Ave.



Members of the Clermont City Council,

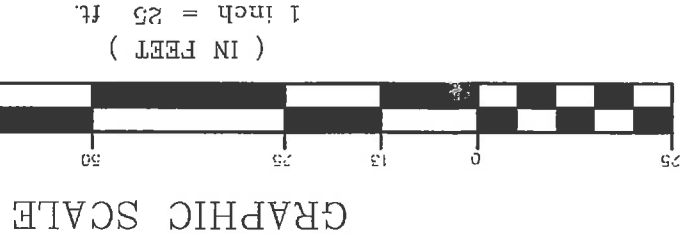
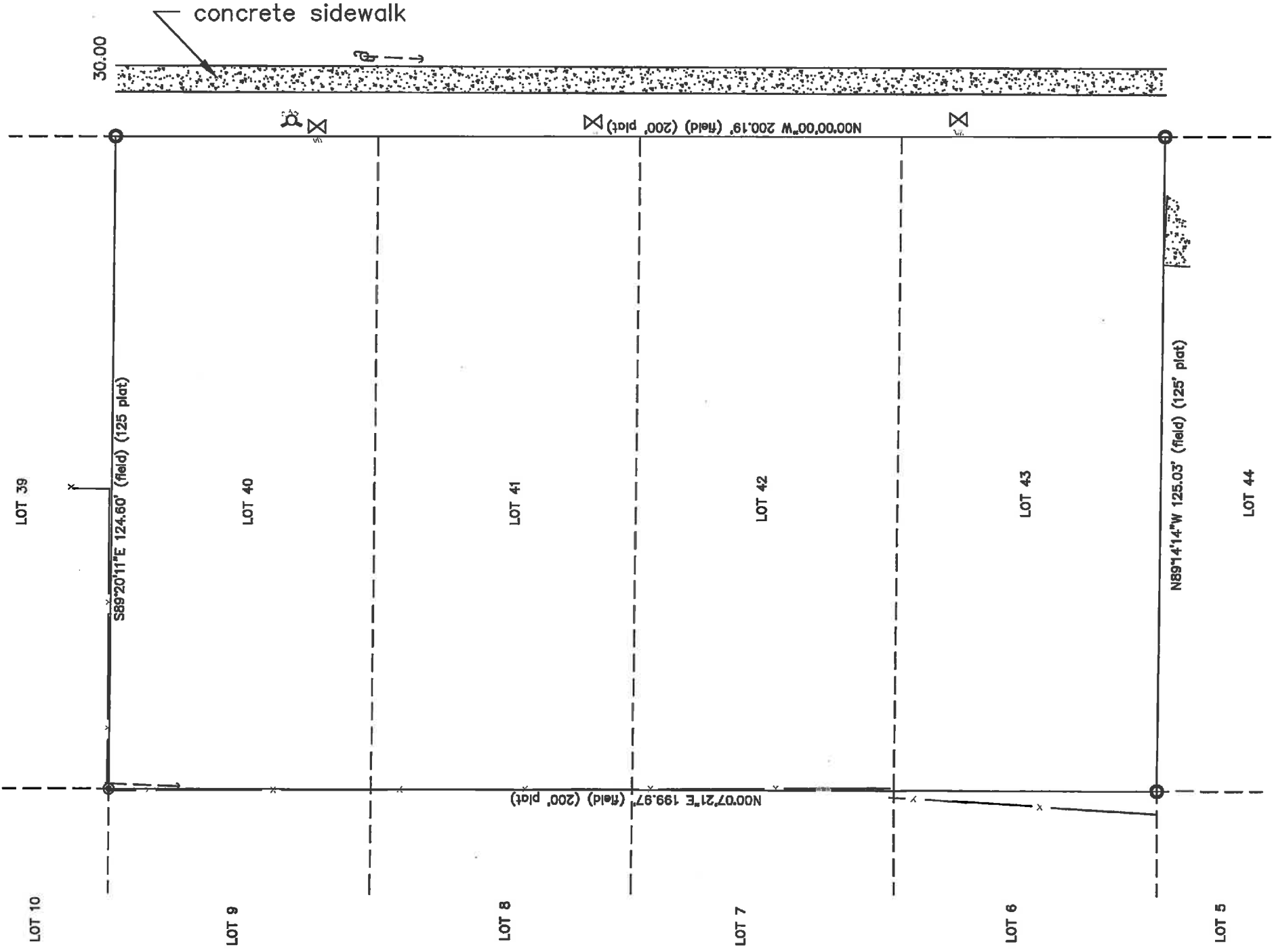
As concerned residents of Hillcrest subdivision on the south block of Prince Edward Ave. (House numbers 624 to 764) We would like to state our opposition to the Thomas Rezoning on Prince Edward Ave. (Lots 40, 41, 42 and 43, according to the Corrected Map of Hillcrest, as recorded in Plat Book 8, page 53, in the Public Records of Lake County, Florida) from present zoning of R-1 to R-2 medium density residential. We oppose the two duplex house dwellings requested but welcome the addition of two single family homes.

Thank you for considering our concerns,



Scott White	Scott WHITE	749 PRINCE EDWARD AVE
Alan Vaughan	Alan Vaughan	729 Prince Edward Ave
Richard M. Lacy	Richard Lacy	709 Prince Edward Ave
Nancy Roviaro	NANCY ROVIARO	763 PRINCE EDWARD AVE
Barbara Christian	Barbara Christian	752 PRINCE EDWARD ST
Lawrence Christian	Lawrence Christian	752 PRINCE ST
Deborah White	Deborah White	749 Prince Edward Ave
Andrew Van Demark	Andrew Van Demark	661 Prince Edward Ave
GAIL LINDAUER	GAIL LINDAUER	634 PRINCE EDWARD AVE
Lloyd Lindauer	Lloyd LINDAUER	634 Prince Edward Ave
Fenton Lindauer	Fenton Lindauer	634 Prince Edward Ave
Austin White	Austin White	749 Prince Edward Ave
RICK SHOLENBARGER	RICK SHOLENBARGER	654 PRINCE EDWARD AVE
Amber Dreon	Amber Dreon	689 Prince Edward Ave
Matthew Knutelsky	Matthew Knutelsky	689 Prince Edward ave
Teresa Stefan	Teresa Stefan	764 Prince Edward Ave.
PHILIP STEFAN	PHILIP STEFAN	764 PRINCE EDWARD AVE
Brianna McAllister	Brianna McAllister	764 Prince Edward Ave
Claire Fryer	Claire Fryer	740 Prince Edward Ave.
PAUL DOWERS	PAUL DOWERS	

2.



PRINCE EDWARD AVENUE

DESCRIPTION:
LOTS 40, 41, 42 AND 43, CORRECTED MAP OF HILLCREST, AS RECORDED IN PLAT BOOK 8, PAGE 53, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.
PROPERTY CONTAINING 24,971 SQUARE FEET MORE OR LESS

NOTES:
1. BEARINGS BASED ON THE PLAT BEARING OF N 00°00'00" E. ALONG THE EASTERLY RIGHT OF WAY LINE OF PRINCE EDWARD AVE.
2. ABOVEGROUND ENCROACHMENTS, IF ANY, AS SHOWN.
3. UNDERGROUND ENCROACHMENTS OR IMPROVEMENTS, IF ANY, NOT LOCATED.
4. THIS SURVEY IS SUBJECT TO ANY FACTS THAT MIGHT BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH.
5. THIS PROPERTY IS SUBJECT TO ALL EASEMENTS, RIGHT OF WAY, SETBACKS OR RESTRICTIONS.
6. ADDITIONS OR DELETIONS TO THE SURVEY SHOWN HEREON BY OTHERS THAN THE SIGNING PARTY IS PROHIBITED WITHOUT WRITTEN CONSENT OF SAID SIGNING PARTY.
7. FENCE LINE HEREON MEANDERS ALONG SHOWN PATH.
8. PROPERTY SHOWN HEREON LIES IN FLOOD ZONE "X".

- ⊗ = fire hydrant
- ⊙ = #4 rebar marked LB 6528
- ⊗ = double water meter
- x - = 6' WOOD FENCE
- = found iron pipe
- ⊗ = power pole

3/4/13

Blackburn Surveying, Inc.
L.B. # 6528
642 West Highway 50
P.O. Box 121022
Clermont, Florida 34712
(352) 394-4417
Fax (352) 394-7058

BOUNDARY SURVEY FOR:
BILL & VICKI THOMAS

SCALE: 1" = 20'
DATE: 2/25/2015
APPROVED BY: PMK
FB/PAGE: 359/

HILLCREST
LAKE COUNTY, FLORIDA

PATRICK M. KELLEY, P.L.S. FLORIDA SURVEYOR'S CERTIFICATE NO. 4423
NOT VALID WITHOUT THE ORIGINAL RAISED SEAL AND SIGNATURE OF A FLORIDA LICENSED SURVEYOR & MAPPER.
THE SURVEY DEPICTED HERE IS NOT COVERED BY PROFESSIONAL LIABILITY INSURANCE.



**CITY OF CLERMONT
REZONING
APPLICATION**

DATE: _____

FEE: \$350.⁰⁰

PROJECT NAME (if applicable): _____

APPLICANT: William S. & Vicki Thomas

CONTACT PERSON: Vicki Thomas

Address: 1040 12th St.

City: Clermont State: FL Zip: 34711

Phone: 352-267-7988 Fax: —

E-Mail: cbvicki+thomas@gmail.com

OWNER: William S. & Vicki Thomas

Address: 1040 12th St

City: Clermont State: FL Zip: 34711

Phone: 352-267-7988 Fax: —

Address of Subject Property: XXXX Prince Edward Ave Clermont

Legal Description (include copy of survey): Clermont Hillcrest

Lots 40, 41, 42, 43 PB 8 Pg 53

ORB 4547 Pg 174

Acreage: _____ Land Use: Residential
(City verification required)

Present Zoning: R-1 Proposed Zoning: R-2
(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?

Build duplex instead of a single
family residence

William S. Thomas, Vicki Thomas ^x William S. Thomas Vicki Thomas
Applicant Name (print) Applicant Name (signature)

William S. Thoma, Vicki Thomas ^x William S. Thomas Vicki Thomas
Owner Name (print) 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

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. 2015-59

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

Vacant Lot – Prince Edward Ave.

Alternate Key 1620520

LEGAL DESCRIPTION

Clermont Hillcrest Lots 40-43, PB 8 PG 53, ORB 4547 PG 174

Containing 24,971 square feet, more or less

FROM R-1 Single Family Medium Density

TO R-2 Medium Density

This request will be considered by the Planning & Zoning Commission on Tuesday, May 5, 2015 at 6:30 p.m.

A public meeting to consider the request will be held before the City Council on Tuesday, May 26, 2015 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, MMC

City Clerk

Daily Commercial

April 28, 2015 and May 12, 2015



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, May 5, 2015		
Agenda Item Name		
Ordinance No. 2015-65 Piora Rezoning		
Requested Action		
Move to recommend approval of Ordinance 2015-65.		
Staff Report		
The owner is requesting a rezoning from R-1 Single Family Medium Density Residential District to R-2 Medium Density Residential District. The owner has indicated that the request is to allow construction of a duplex on a portion of the lot. The current R-1 zoning district does not allow this type of use. The R-2 zoning district, under Section 122-143(2), permits this type of housing structure. The parcel is a corner lot located at the southwest corner of Chestnut Street and West Avenue. The subject property is approximately 21,000 square feet in size and has an existing home on part of the lot. The owner desires to keep the existing home and to split off a portion of the lot and build the duplex. The owner is aware that the lot lines would have to be reconfigured and that the building will need to meet the requirements in code Section 122 for lot requirements and yard setbacks. Based on an initial layout and staff's discussion with the owner, it appears that the duplex could fit without a variance. The subject parcel is surrounded by the following zoning designations: C-2 General Commercial to the north, R-1 Single Family to the west and south, and R-2 Medium Density to the east. Since the parcel is adjoined by R-2 Medium Density zoning, the expansion of this designation could be viewed as a logical growth pattern and would not create an enclave. Existing R-2 Medium Density abuts C-2 General Commercial zoning along 10th Street and SR 50. The existing uses, zoning, and the proposed use appear to be compatible. Based upon the above information, staff recommends approval of the rezoning change from R-1 Single Family to R-2 Medium Density.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Ordinance Piora REZ ORD 2015-65.doc		

2.	Location Map	Piora Location Map.pdf
3.	Conceptual Site Plan	Conceptual site layout.pdf
4.	Application	Application.pdf
5.	Legal ad	Piora REZ legal ad.docx

CITY OF CLERMONT
ORDINANCE No. 2015-65

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

Clermont Indian Hills, Block Lots 1, 2, east ½ of Lot 6, Block 101, being in 25-22-25 PB 8 PG 17 ORB 4440 PG 346.

Alternate Key 1621577

From: R-1 Single Family Medium Density Residential
To: R-2 Medium Density Residential

SECTION 2:

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

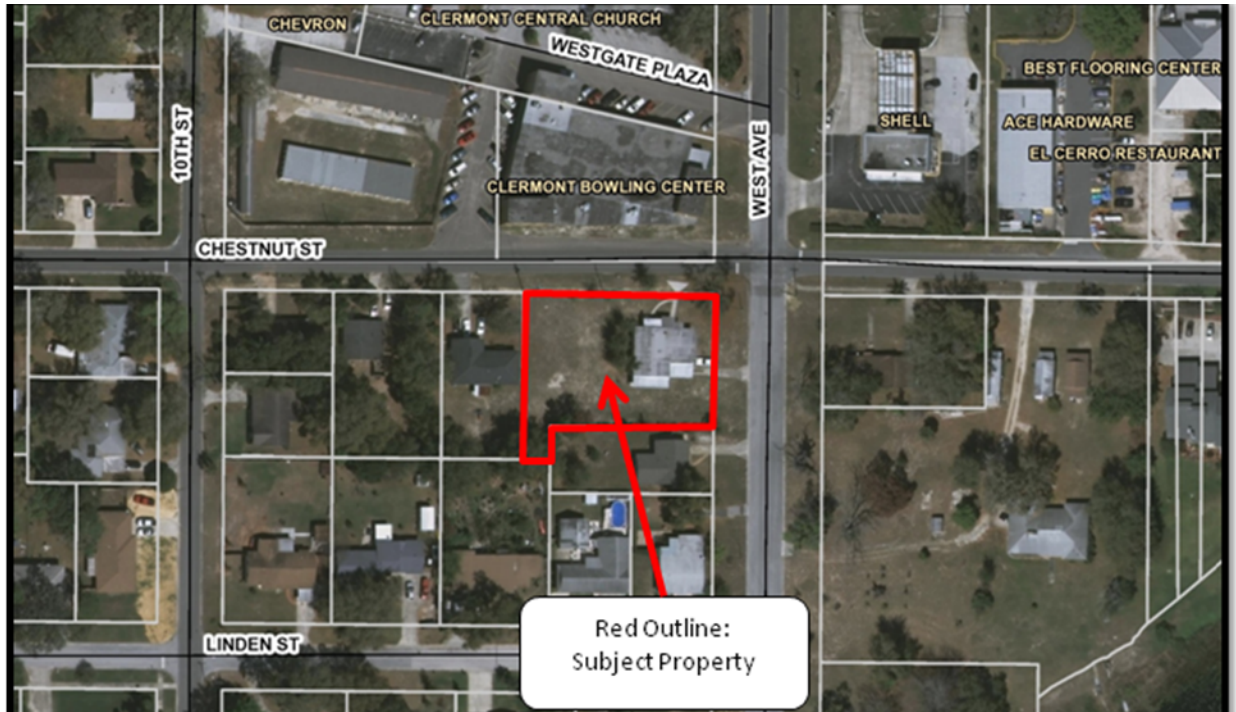
SECTION 3:

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 4:

The provisions of this Ordinance shall be effective as provided by law.

CITY OF CLERMONT
ORDINANCE No. 2015-65



CITY OF CLERMONT
ORDINANCE No. 2015-65

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

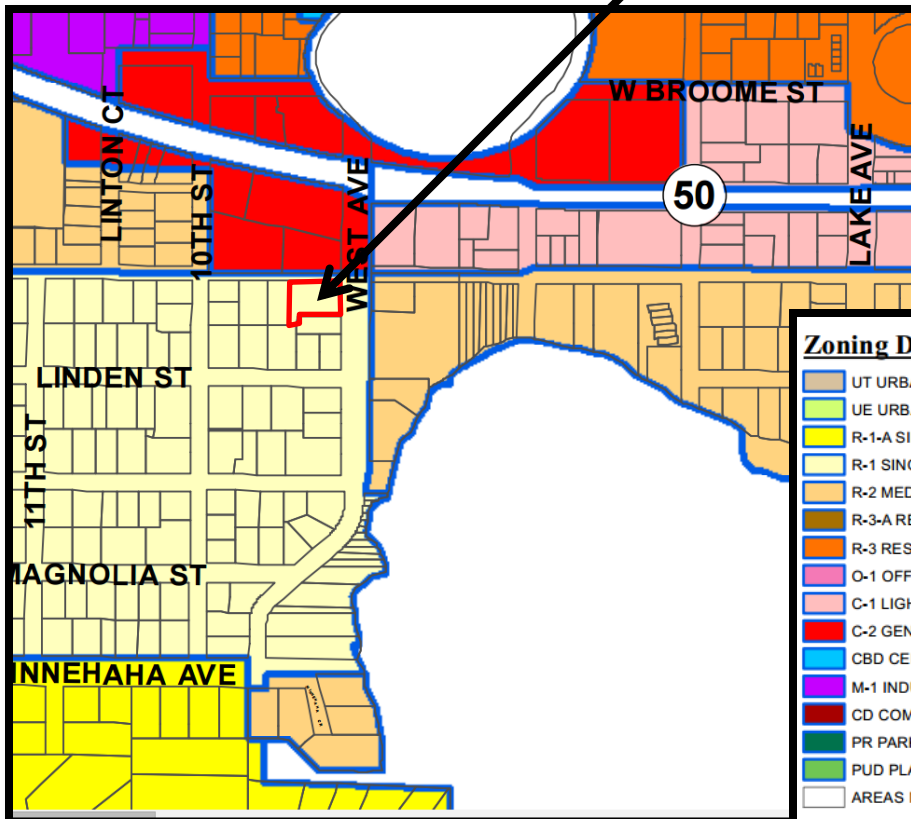
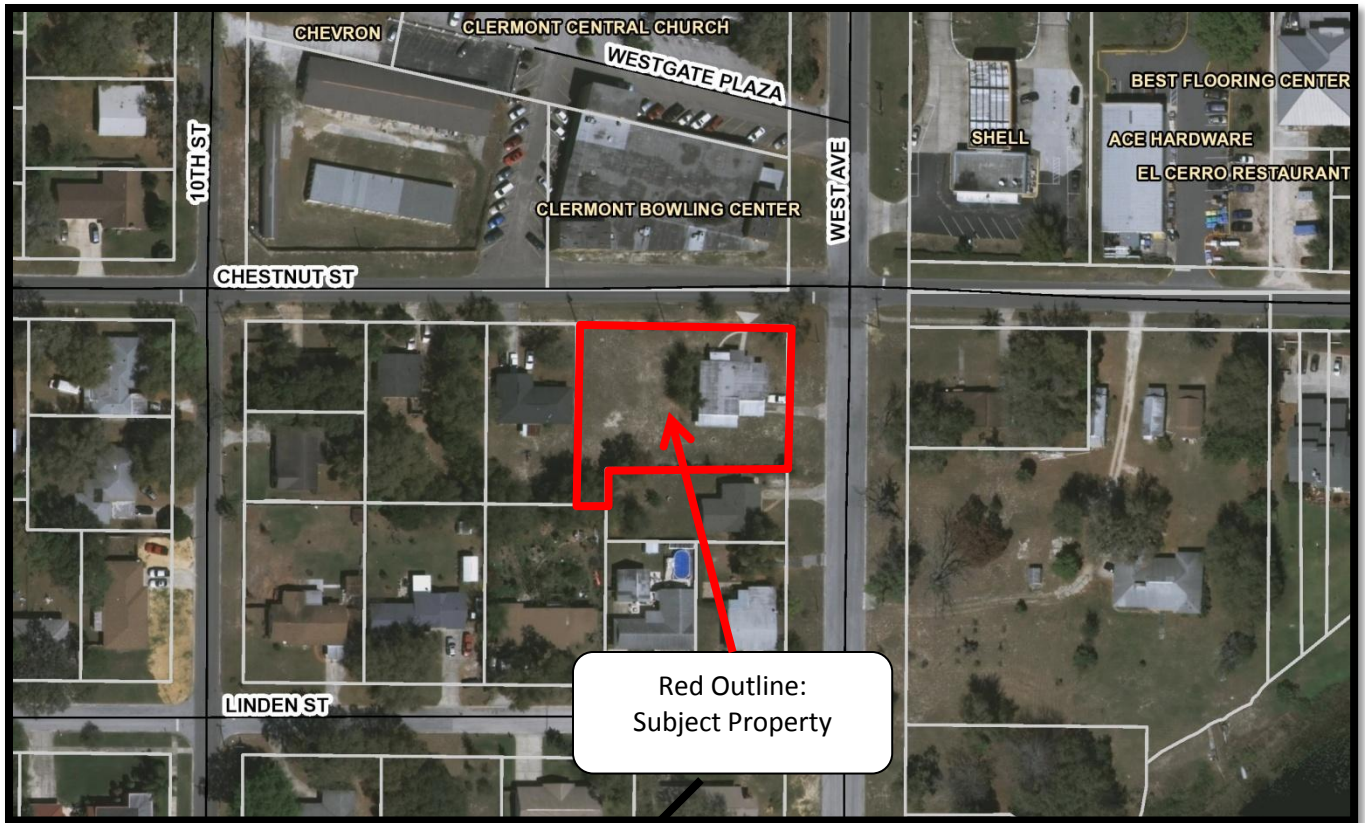
Tracy Ackroyd, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

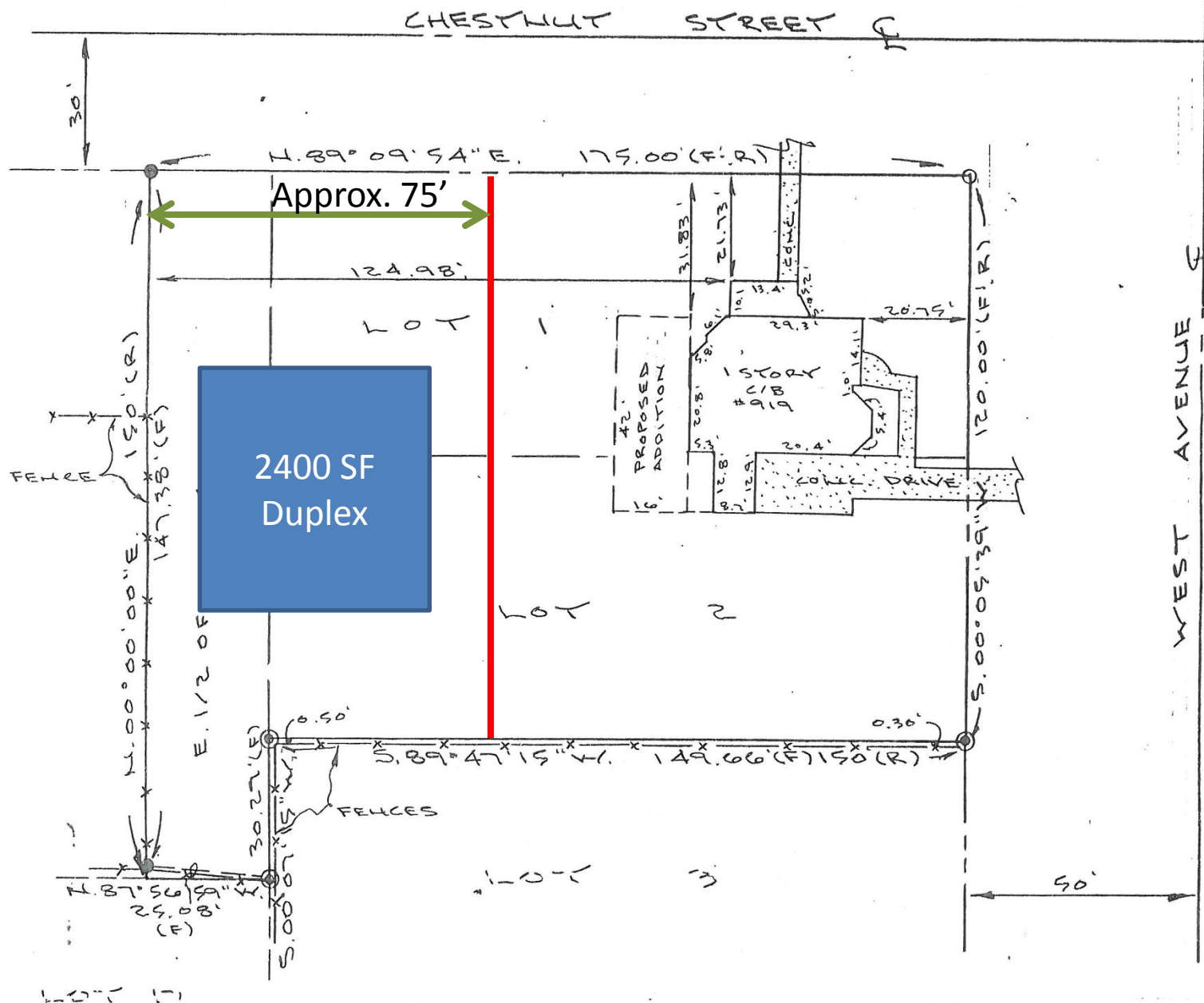
Location Map

Piora Rezoning – Chestnut & West Ave.



Zoning Designations:

- UT URBAN TRANSITION DISTRICT
- UE URBAN ESTATE LOW DENSITY RESIDENTIAL DISTRICT
- R-1-A SINGLE FAMILY LOW DENSITY RESIDENTIAL DISTRICT
- R-1 SINGLE FAMILY MEDIUM DENSITY RESIDENTIAL DISTRICT
- R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT
- R-3-A RESIDENTIAL/PROFESSIONAL DISTRICT
- R-3 RESIDENTIAL/PROFESSIONAL DISTRICT
- O-1 OFFICE DISTRICT
- C-1 LIGHT COMMERCIAL DISTRICT
- C-2 GENERAL COMMERCIAL DISTRICT
- CBD CENTRAL BUSINESS DISTRICT
- M-1 INDUSTRIAL DISTRICT
- CD COMMERCE DISTRICT
- PR PARKS AND RECREATION DISTRICT
- PUD PLANNED UNIT DEVELOPMENT
- AREAS NOT WITHIN THE CITY LIMITS





**CITY OF CLERMONT
REZONING
APPLICATION**

DATE: 3/23/2015

FEE: \$350.⁰⁰

PROJECT NAME (if applicable): DARYL PIORA

APPLICANT: DARYL PIORA

CONTACT PERSON: DARYL PIORA

Address: 919 Chestnut St

City: CLERMONT State: FL Zip: 34711

Phone: (407) 451-4122 Fax: _____

E-Mail: DARYLPIORA@YAHOO.COM

OWNER: DARYL PIORA

Address: 919 Chestnut St

City: CLERMONT State: FL Zip: 34711

Phone: (407) 451-4122 Fax: _____

Address of Subject Property: 919 Chestnut St. CLERMONT, FL.

Legal Description (include copy of survey): _____

CLERMONT INDIAN HILLS BLOCK 10+5
1/2, E 1/2 OF Lot 6 BLK 101
AK 11021577

Acres: 21,000 SQ Feet Land Use: MEDIUM DEN RES.
(City verification required)

Present Zoning: R-1 Proposed Zoning: R-2
(City verification required)



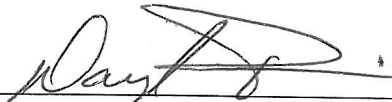
**CITY OF CLERMONT
REZONING
APPLICATION**
Page 2

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

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

I would like to construct a duplex on the
lot.

Daryl Piona
Applicant Name (print)

x 
Applicant Name (signature)

Daryl Piona
Owner Name (print)

x 
Owner Name (signature)

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

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. 2015-65

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

919 Chestnut Street
Alternate Key 1621577

LEGAL DESCRIPTION

Clermont Indian Hills, Block Lots 1, 2, east ½ of Lot 6, Block 101, being in 25-22-25 PB 8 PG 17 ORB 4440 PG 346.

FROM R-1 Single Family Medium Density
TO R-2 Medium Density

This request will be considered by the Planning & Zoning Commission on Tuesday, May 5, 2015 at 6:30 p.m.

A public meeting to consider the request will be held before the City Council on Tuesday, May 26, 2015 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, MMC
City Clerk

Daily Commercial
April 28, 2015 and May 12, 2015



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, May 5, 2015		
Agenda Item Name		
Resolution No. 2015-18 Magnolia Center PUD		
Requested Action		
Move to recommend approval of Resolution 2015-18.		
Staff Report		
This administrative request is being heard concurrently with requests for annexation and a large-scale comprehensive plan amendment. The City is requesting annexation of the subject parcel as authorized by the utility agreement with the property owner. The agreement with the City was executed on April 19, 2005. Approximately one-half of the property is improved and is receiving water and sewer services from the City. The remainder of the site is vacant and will be developed. The property, approximately 22.78 acres, is being developed as a shopping center and professional offices. The request is to grant a conditional use permit (CUP) for a mixed-use planned unit development (PUD) with limited C-1 and C-2 uses for a retail shopping center and outparcels for office use. This development is currently approved in Lake County. Staff has reviewed the Lake County PUD (Ordinance # 2009-8) and has transferred over to the new CUP/PUD those conditions and entitlements contained within the document. Upon annexation, the property will receive the City's default zoning of Urban Estate (currently Planned Unit Development District in Lake County). The related request for a comprehensive plan amendment would change the future land use from Lake County's Regional Commercial to the City's Commercial designation. Staff recommends approval of the conditional use permit for a mixed-use planned unit development with limited C-1 and C-2 uses.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Resolution	CUP RES 2015-18.docx	
2. CUP Conditions	Magnolia Center Conditions.docx	
3. Maps	Magnolia Center Maps.pdf	

4.	Utility Agreement	2002-31 Utility Agreement.pdf
5.	PUD 2009-8	2009-8 PUD Ordinance Magnolia Center.pdf
6.	Exhibit B Site Plan	Magnolia Center Exhibit B Overall Site Plan.pdf
7.	Legal ad	Magnolia Center CUP Legal AD.docx

**CITY OF CLERMONT
RESOLUTION NO. 2015-18**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE PERMIT TO ALLOW A MIXED USE PLANNED UNIT DEVELOPMENT WITH C-1 LIGHT COMMERCIAL AND C-2 GENERAL COMMERCIAL USES.

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held May 5, 2015 recommended approval of this Conditional Use Permit to allow a mixed use Planned Unit Development with C-1 Light Commercial and C-2 General Commercial uses; at the following location:

LOCATION:

Magnolia Center; 22.78 +/- acres located at the
southeast corner of Highway 50 and Magnolia Pointe Boulevard

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

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

This application for a Conditional Use Permit to allow a mixed-use Planned Unit Development with C-1 Light Commercial and C-2 General Commercial; be granted subject to the following conditions:

CONDITIONAL USE PERMIT CONDITIONS:

Section 1 - General Conditions

1. The conditions as set forth in this Conditional Use Permit shall be legally binding upon any heirs, assigns and successors in title or interest.
2. The property shall be developed in substantial accordance with the approved PUD Master Conceptual Site Plan, Exhibit B, as approved under Lake County Ordinance No. 2009-8, recorded in the Lake County Clerk of Courts, BK 3730, Pgs 1624-1634. Formal construction plans incorporating all conditions stated in this permit shall be submitted for review and approved by the Site Review Committee prior to the issuance of a zoning clearance or other development permits. The conceptual site plans included with the Conditional Use Permit application are not the approved construction plans.
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,

CITY OF CLERMONT
RESOLUTION NO. 2015-18

obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.

4. The final Certificate of Occupancy shall not be issued until each of the stated conditions has been met.
5. If any of the stated conditions are violated, the property owner understands and agrees that the City Council may revoke this Conditional Use Permit by resolution.
6. The Conditional Use Permit must be executed and processed through the office of the City Clerk within 90 days of its date of grant by the City Council or the permit shall become null and void.
7. This permit shall become null and void if substantial construction work has not begun within two (2) years of the date of this Conditional Use Permit is executed and signed by the permittee. "Substantial construction work" means the commencement and continuous prosecution of construction of required improvements ultimately finalized at completion.
8. Prior to any amendment to this Conditional Use Permit, the Owner shall provide proof that a community meeting was held with all owners and the adjacent residential neighborhoods.
9. The combining of Buildings E and F on Lot 6 shall not require an amendment to this Conditional Use Permit.
10. Construction and operation of the proposed use shall at all times comply with the regulations of this and other governmental agencies.
11. The transfer of ownership or lease of any or all of the property described in this Conditional Use Permit shall include in the transfer or lease agreement, a provision that the purchaser or lessee is made good and aware of the conditions pertaining to this Conditional Use Permit, and agrees to be bound by these conditions. The purchaser or lessee may request a change from the existing plans and conditions by following the procedures contained in the City of Clermont Land Development Code, as amended.

Section 2 - Land Use

A. Land Uses:

1. Permitted Uses: Development of the site shall be limited to uses permitted within the C-1 and C-2 Zoning Districts, as amended with the exception to the following uses:
 - a. Adult Use

CITY OF CLERMONT
RESOLUTION NO. 2015-18

- b. Automotive Repair
 - c. Automotive Service Station/Convenience Store
 - d. Auto-parts or other auto-related uses, except as expressly permitted below
 - e. Bar or Tavern
 - f. Carwash
 - g. Hotel/Motel
 - h. Recreation, Commercial
 - i. Self-Service Laundry or Dry-Cleaning
 - j. Self-Service Storage
 - k. Theater
 - l. Recreational Vehicles
 - m. Truck Yard
 - n. Bingo Parlors and all other types of gambling establishments
 - o. Pawn Shops and establishments specializing in the resale of second hand goods
 - p. Vehicle Storage: No storage of commercial, disabled, abandoned or non-licensed vehicles shall be permitted for any purpose
2. Commercial Uses Permitted with Specific Conditions. The following uses shall be permitted subject to the specific criteria provided below:
- a. Retail, Convenience: No fuel sales shall be permitted.
 - b. Restaurant, Fast Food:
 - i. Shall be allowed only on Lots 1, 2, 3, and 4
 - ii. No more than three (3) Fast Food Restaurants shall be permitted
 - iii. No more than one (1) stand-alone Fast Food Restaurant shall be permitted
 - iv. Lot 1 shall not permit a stand-alone Fast Food Restaurant
 - v. Drive-through windows shall not be permitted for any stand-alone Fast Food Restaurant
 - vi. No Fast Food Restaurant shall occupy an end cap suite or have a drive-thru on Lot 1.
 - vii. No Fast Food Restaurant shall occupy an end cap suite or have a drive-through on Lot 1 if Lots 1 and 2 are combined into a single lot and developed within a common building. This condition does not apply to Lot 2 if combined.
 - viii. Hours of operation shall be limited to 5:00 AM to 11:00 PM
 - c. Restaurant, General: Restaurants are permitted beer, wine, and alcohol sales in conjunction with sale of food.
 - d. Vehicular Sales: Vehicular sales are prohibited, with the exception of Lot 4, which may allow a motorcycle dealership subject to the following regulations:
 - i. Inside sales only
 - ii. Daytime display of vehicles is permitted. All vehicles shall be moved inside at night.

CITY OF CLERMONT
RESOLUTION NO. 2015-18

- iii. Test driving within the development or rental of vehicles is not permitted.
 - iv. Any service or repair work area shall be completely enclosed, including air compressors
 - v. Hours of operation shall be limited to 8:00 AM to 6:00 PM
- e. Wholesale and Warehouse:
- i. Gross leasable area shall not exceed 10,000 square feet
 - ii. Limited to wholesale consumer products only, i.e. wines, food, or restaurant supply
 - iii. Warehousing or wholesaling of building, hardware or manufacturing goods or products is prohibited.
- f. Lot 5 shall be limited to medical and professional office uses.
- g. Buildings H, J, K, L, M, N, and P of Lot 6 shall be limited to:
- i. Medical Service and Professional Office
 - ii. Personal Care Services (excluding self-service laundry mats, and laundry drop-off and pick-up stations)
 - iii. Retail sales of health and beauty products, including marketing and training
 - iv. The total square footage of Personal Care Services, including retail sales of health and beauty products, on Lot 6 shall not exceed 10,000 square feet
 - v. Dance studio within Building P only. Hours shall be limited to 7:00 AM to 9:00 PM
- h. Lots 1 & 2 may be combined and developed with a common building or developed individually. Lots 3 & 4 may also be combined and developed with a common building or developed individually. If combined, common building(s) on Lots 1 & 2 and/or Lots 3 & 4 shall contain architectural enhancements to the facades on the front and rear sides similar to those depicted on Exhibit "C".
3. Manufacturing and industrial uses shall not be permitted.
- B. Open Space, Impervious Surface Ratio, and Intensity:
- 1. Total development of the site shall not exceed a maximum gross square footage of 300,000 square feet.
 - 2. A minimum 25% open space shall be implemented with the development plan.
 - 3. A maximum impervious surface ratio of 65% over the entire commercial development shall be implemented into the design criteria for all development.
- C. Setbacks:
- 1. All setbacks shall conform to the landscape buffering requirements outlined in the Lake

CITY OF CLERMONT
RESOLUTION NO. 2015-18

2. County Land Development Regulations, as amended.
3. Building structures shall maintain a 200-foot setback from the south property line of Lot 6.
4. No loading docks or dumpsters shall be located within 400 feet of any property line of any lot of the Magnolia Pointe Subdivision.

D. Buffering/Screening:

1. Landscaping of Lot 6 shall be consistent with the approved landscape plan, approved May 8th, 2007.
2. A landscaped buffer shall be provided between all commercial, multifamily, right-of-way and residential land uses pursuant to the City of Clermont Land Development Code, as amended.
3. Lake County Type “A” buffer shall be required along Magnolia Ponte Boulevard and the east boundary of Lot 4.
4. A 25-foot buffer of solid pine trees shall be maintained along the south boundary of the PUD (adjacent to Magnolia Pointe Condos). In the event that the 25-foot buffer of solid pine trees along the south boundary of the subject property is destroyed or removed for any reason, a Type “B” buffer shall be installed within ninety (90) days thereafter.
5. A six-foot high masonry or brick wall shall be constructed along the west boundary line, starting south of the guard house to the southern boundary of the retention pond, then along said southern boundary line to the eastern boundary line of the property.
6. The wall or berm shall be constructed at the beginning of construction on Lot 6.
7. All outside storage shall be screened by a wooden fence and/or vegetative buffer substantial enough to screen the uses from adjacent properties.
8. Any additional landscape requirements not specifically outlined by items 1 through 7 of the section shall be applied in accordance with the Land Development Regulations, as amended.

E. Architectural Design Standards:

1. Design:
 - a. No pre-engineered metal buildings shall be permitted in the development.
 - b. Buildings on Lot 6 shall be themed in a Mediterranean manner, and shall have tile roofs.
 - c. Design shall comply with the City of Clermont commercial design guidelines and the Lake County Land Development Regulations, as amended.
2. Height:
 - a. Any structure on Lot 1, 2, 3, 4, & 6 shall not be taller than 35 feet.
 - b. Any structure on Lot 5 shall not be taller than 45 feet.
3. Orientation: The building on Lot 5 shall face west toward Magnolia Pointe Boulevard.

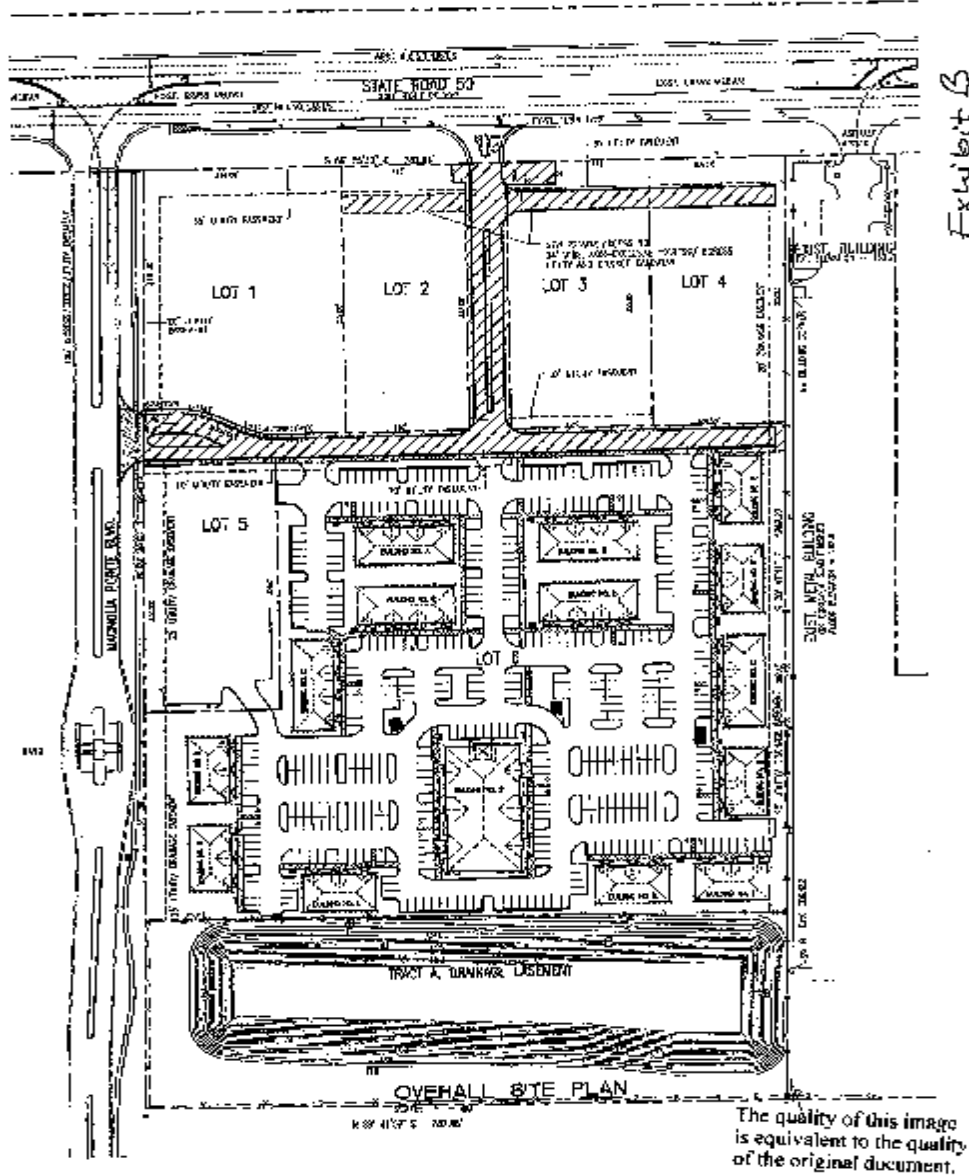
CITY OF CLERMONT
RESOLUTION NO. 2015-18

- F. Lighting:
1. Lighting for parking lot, driveways, and utility areas (whether mounted on poles or walls of building) shall conform to Illuminating Engineering Society (“I.E.S.”) standards for “cutoff” lighting fixtures.
 2. Lighting “trespass” onto adjacent property shall not exceed 0.1 foot candles at the property line.
 3. Ornamental and spotlighting for aesthetic effect, landscape accent, signage, etc. shall be directed onto the subject property.
- G. Access Standards:
1. Construction traffic shall access the property via S.R. 50 and avoid Magnolia Pointe Boulevard unless prohibited by the Florida Department of Transportation or Lake County Public Works.
 2. Access to the site will be limited to the existing private road (Magnolia Pointe Boulevard), a right in/out from S.R. 50 near the middle of the property line as shown on “Exhibit B”.
- H. Water and Sewer: Connection to central water and central sewer shall be required with all development.
- I. Concurrency Management Review: Prior to requesting approval, the Owner must undergo Lake County Concurrency Management Review or sign an affidavit of deferral, deferring concurrency management review.
- J. Development Review and Approvals: Prior to the issuance of any permits, the Owner shall be required to submit formal site plan, as applicable, for review and approval by City of Clermont. The site plan shall meet all submittal requirements and comply with all City codes and ordinances, as amended.
- K. Future Development Orders: Any requested development order must comply with the City of Clermont Land Development Code, as amended, and the City of Clermont Comprehensive Plan, as amended.
- L. Concurrency Management Review and Vested Development Rights: Future rights to develop the property are subject to a finding that the development will meet the concurrency standards contained in the Lake County Comprehensive Plan and Land Development Regulations through Concurrency Management Review; without such a Review, no vested development rights shall have been granted by the County or acquired by the Applicant.
- M. Future Amendments to Statutes, Code, Plan and/or Regulations: The specific references in this Conditional Use Permit to the Florida Statutes, Florida Administrative Code, City of Clermont Comprehensive Plan, and City of Clermont Land Development Code include

CITY OF CLERMONT
RESOLUTION NO. 2015-18

any future amendments to the Statutes, Code, Plan, and/or Regulations.

Exhibit B:



CITY OF CLERMONT
RESOLUTION NO. 2015-18

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 26th day of May, 2015.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Section 1 - Terms

1. The conditions as set forth in this Conditional Use Permit shall be legally binding upon any heirs, assigns and successors in title or interest.
2. The property shall be developed in substantial accordance with the approved PUD Master Conceptual Site Plan, Exhibit B, as approved under Lake County Ordinance No. 2009-8, recorded in the Lake County Clerk of Courts, BK 3730, Pgs 1624-1634. Formal construction plans incorporating all conditions stated in this permit shall be submitted for review and approved by the Site Review Committee prior to the issuance of a zoning clearance or other development permits. The conceptual site plans included with the Conditional Use Permit application are not the approved construction plans.
3. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.
4. The final Certificate of Occupancy shall not be issued until each of the stated conditions has been met.
5. If any of the stated conditions are violated, the property owner understands and agrees that the City Council may revoke this Conditional Use Permit by resolution.
6. The Conditional Use Permit must be executed and processed through the office of the City Clerk within 90 days of its date of grant by the City Council or the permit shall become null and void.
7. This permit shall become null and void if substantial construction work has not begun within two (2) years of the date of this Conditional Use Permit is executed and signed by the permittee. "Substantial construction work" means the commencement and continuous prosecution of construction of required improvements ultimately finalized at completion.
8. Prior to any amendment to this Conditional Use Permit, the Owner shall provide proof that a community meeting was held with all owners and the adjacent residential neighborhoods.
9. The combining of Buildings E and F on Lot 6 shall not require an amendment to this Conditional Use Permit.
10. Construction and operation of the proposed use shall at all times comply with the regulations of this and other governmental agencies.

Magnolia Center PUD Conditions

11. The transfer of ownership or lease of any or all of the property described in this Conditional Use Permit shall include in the transfer or lease agreement, a provision that the purchaser or lessee is made good and aware of the conditions pertaining to this Conditional Use Permit, and agrees to be bound by these conditions. The purchaser or lessee may request a change from the existing plans and conditions by following the procedures contained in the City of Clermont Land Development Code, as amended.

Section 2 - Land Use

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 - k. Theater
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 - ii. No more than three (3) Fast Food Restaurants shall be permitted
 - iii. No more than one (1) stand-alone Fast Food Restaurant shall be permitted
 - iv. Lot 1 shall not permit a stand-alone Fast Food Restaurant
 - v. Drive-through windows shall not be permitted for any stand-alone Fast Food Restaurant
 - vi. No Fast Food Restaurant shall occupy an end cap suite or have a drive-thru on Lot 1.

Magnolia Center PUD Conditions

- vii. No Fast Food Restaurant shall occupy an end cap suite or have a drive-through on Lot 1 if Lots 1 and 2 are combined into a single lot and developed within a common building. This condition does not apply to Lot 2 if combined.
 - viii. Hours of operation shall be limited to 5:00 AM to 11:00 PM
- c. Restaurant, General: Restaurants are permitted beer, wine, and alcohol sales in conjunction with sale of food.
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Magnolia Center PUD Conditions

3. Manufacturing and industrial uses shall not be permitted.

B. Open Space, Impervious Surface Ratio, and Intensity:

1. Total development of the site shall not exceed a maximum gross square footage of 300,000 square feet.
2. A minimum 25% open space shall be implemented with the development plan.
3. A maximum impervious surface ratio of 65% over the entire commercial development shall be implemented into the design criteria for all development.

C. Setbacks:

1. All setbacks shall conform to the landscape buffering requirements outlined in the Lake County Land Development Regulations, as amended.
2. Building structures shall maintain a 200-foot setback from the south property line of Lot 6.
3. No loading docks or dumpsters shall be located within 400 feet of any property line of any lot of the Magnolia Pointe Subdivision.

D. Buffering/Screening:

1. Landscaping of Lot 6 shall be consistent with the approved landscape plan, approved May 8th, 2007.
2. A landscaped buffer shall be provided between all commercial, multifamily, right-of-way and residential land uses pursuant to the City of Clermont Land Development Code, as amended.
3. Lake County Type "A" buffer shall be required along Magnolia Ponte Boulevard and the east boundary of Lot 4.
4. A 25-foot buffer of solid pine trees shall be maintained along the south boundary of the PUD (adjacent to Magnolia Pointe Condos). In the event that the 25-foot buffer of solid pine trees along the south boundary of the subject property is destroyed or removed for any reason, a Type "B" buffer shall be installed within ninety (90) days thereafter.
5. A six-foot high masonry or brick wall shall be constructed along the west boundary line, starting south of the guard house to the southern boundary of the retention pond, then along said southern boundary line to the eastern boundary line of the property.
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7. All outside storage shall be screened by a wooden fence and/or vegetative buffer substantial enough to screen the uses from adjacent properties.
8. Any additional landscape requirements not specifically outlined by items 1 through 7 of the section shall be applied in accordance with the Land Development Regulations, as amended.

E. Architectural Design Standards:

1. Design:
 - a. No pre-engineered metal buildings shall be permitted in the development.

Magnolia Center PUD Conditions

- b. Buildings on Lot 6 shall be themed in a Mediterranean manner, and shall have tile roofs.
 - c. Design shall comply with the City of Clermont commercial design guidelines and the Lake County Land Development Regulations, as amended.
 - 2. Height:
 - a. Any structure on Lot 1, 2, 3, 4, & 6 shall not be taller than 35 feet.
 - b. Any structure on Lot 5 shall not be taller than 45 feet.
 - 3. Orientation: The building on Lot 5 shall face west toward Magnolia Pointe Boulevard.
- F. Lighting:
- 1. Lighting for parking lot, driveways, and utility areas (whether mounted on poles or walls of building) shall conform to Illuminating Engineering Society ("I.E.S.") standards for "cutoff" lighting fixtures.
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- J. Development Review and Approvals: Prior to the issuance of any permits, the Owner shall be required to submit formal site plan, as applicable, for review and approval by City of Clermont. The site plan shall meet all submittal requirements and comply with all City codes and ordinances, as amended.
- K. Future Development Orders: Any requested development order must comply with the City of Clermont Land Development Code, as amended, and the City of Clermont Comprehensive Plan, as amended.

Magnolia Center PUD Conditions

- L. Concurrency Management Review and Vested Development Rights: Future rights to develop the property are subject to a finding that the development will meet the concurrency standards contained in the Lake County Comprehensive Plan and Land Development Regulations through Concurrency Management Review; without such a Review, no vested development rights shall have been granted by the County or acquired by the Applicant.
- M. Future Amendments to Statutes, Code, Plan and/or Regulations: The specific references in this Conditional Use Permit to the Florida Statutes, Florida Administrative Code, City of Clermont Comprehensive Plan, and City of Clermont Land Development Code include any future amendments to the Statutes, Code, Plan, and/or Regulations.

Exhibit - Location Map Magnolia Center

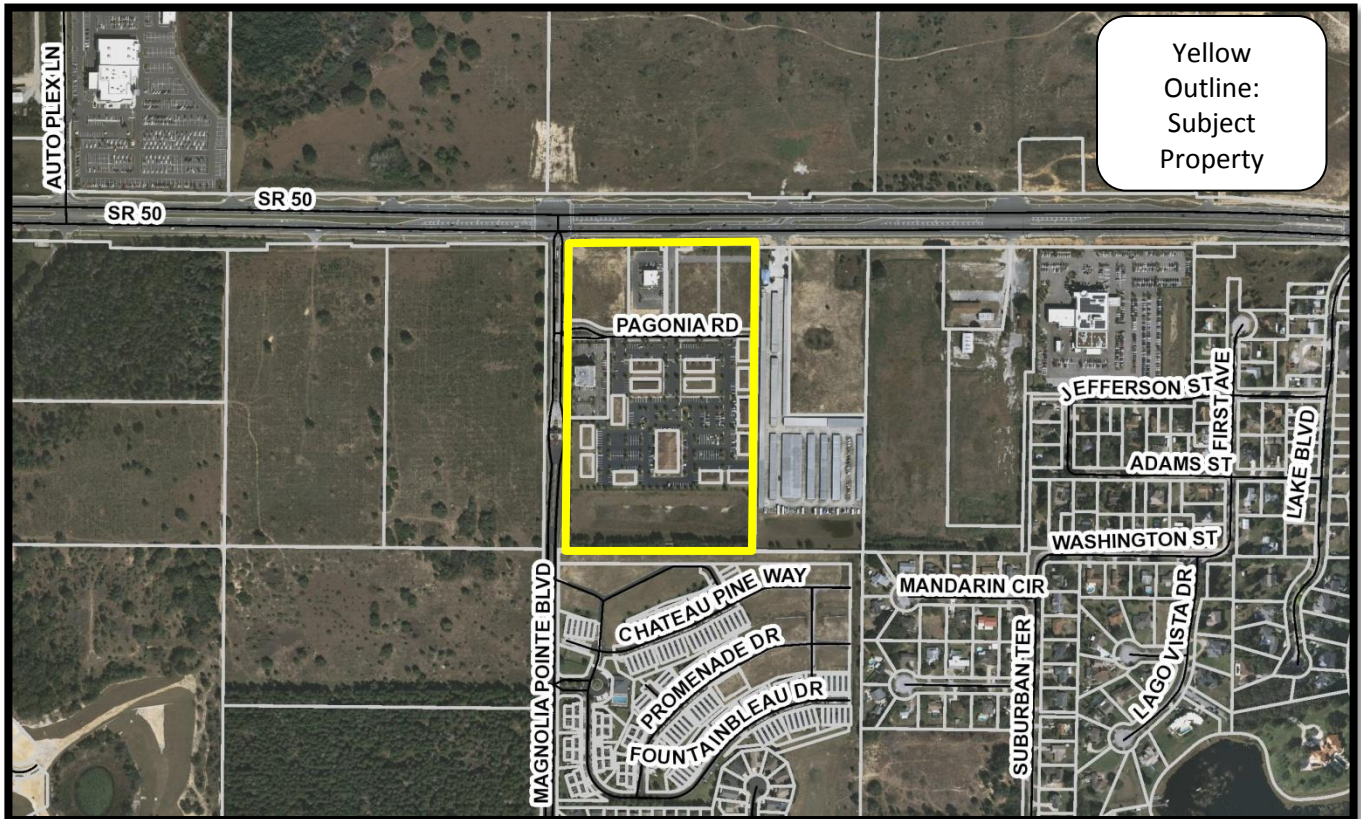
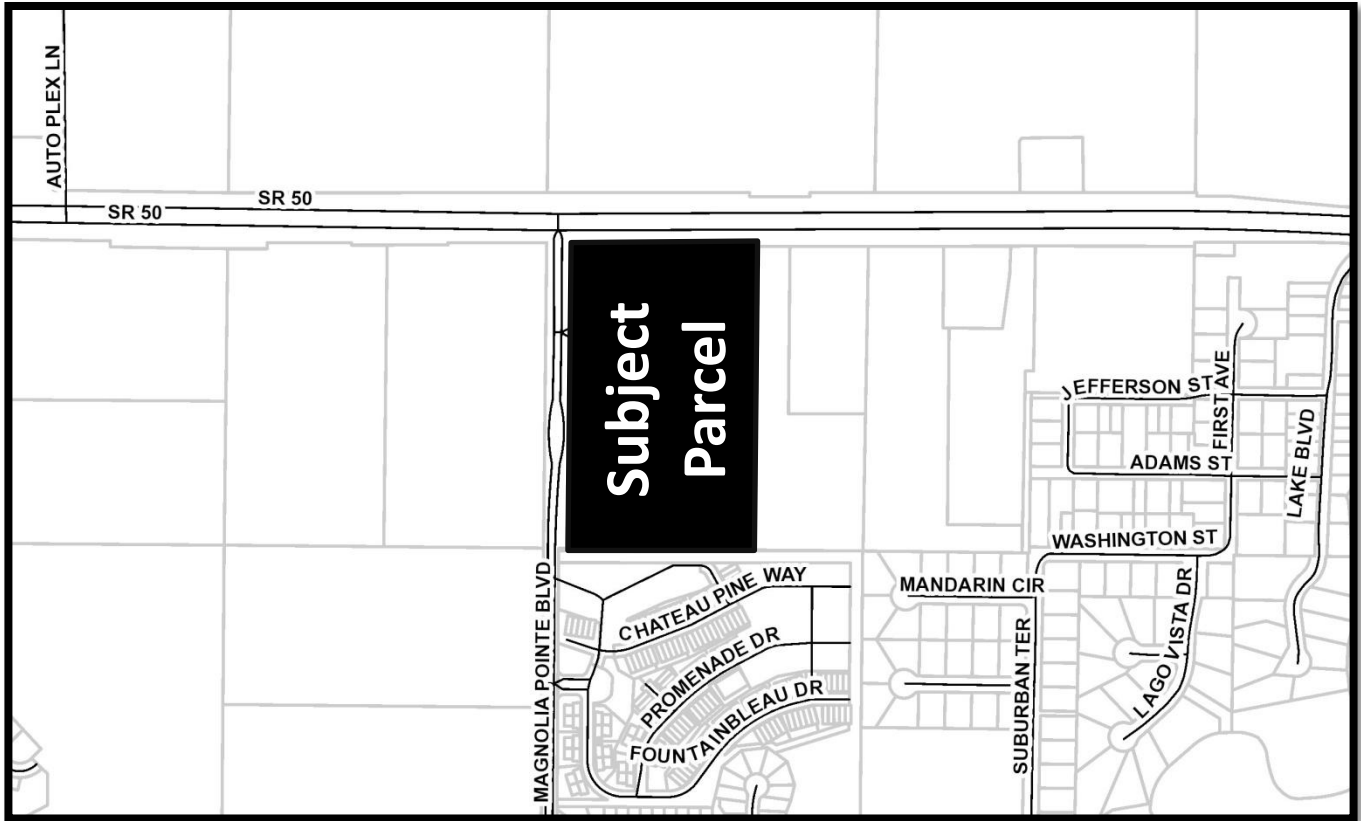


Exhibit – Future Land Use Magnolia Center

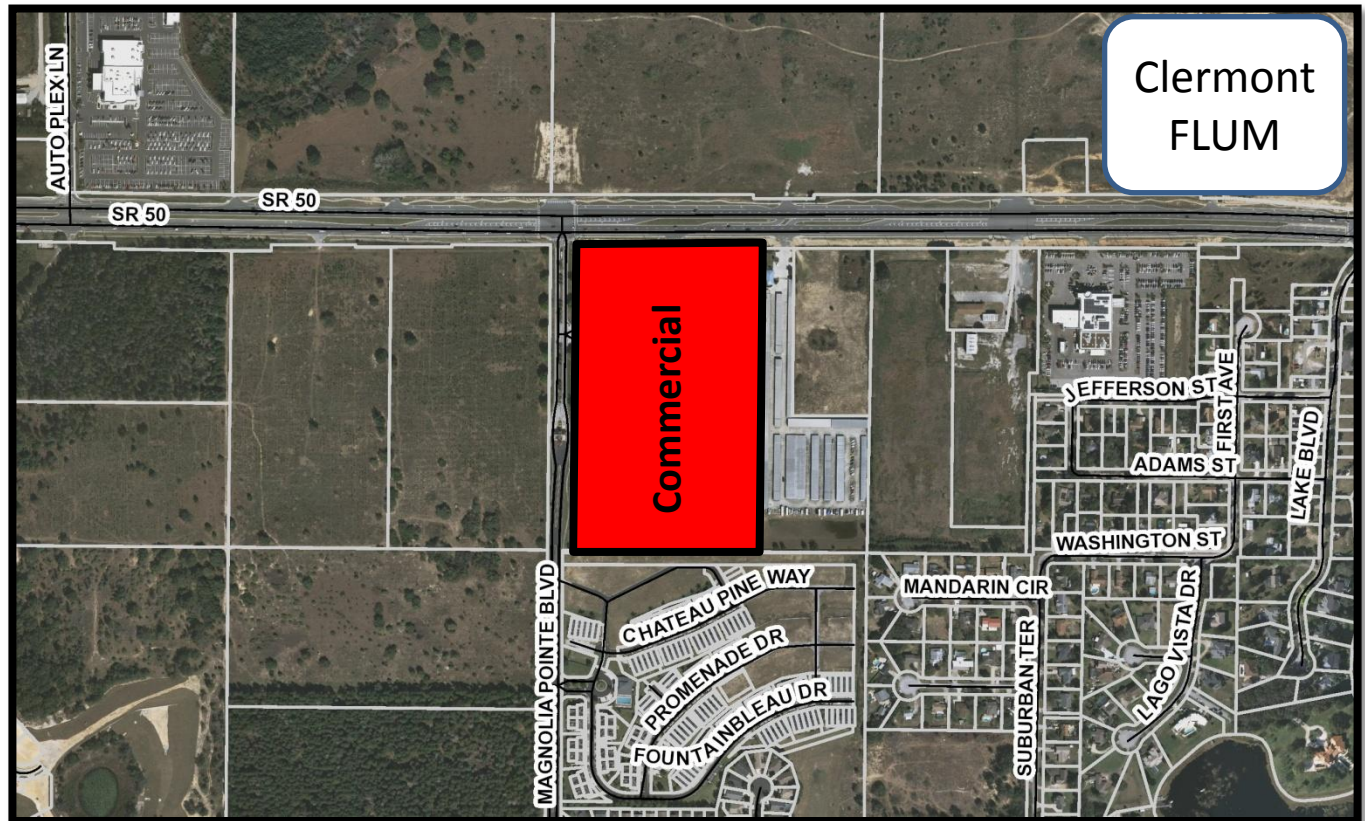
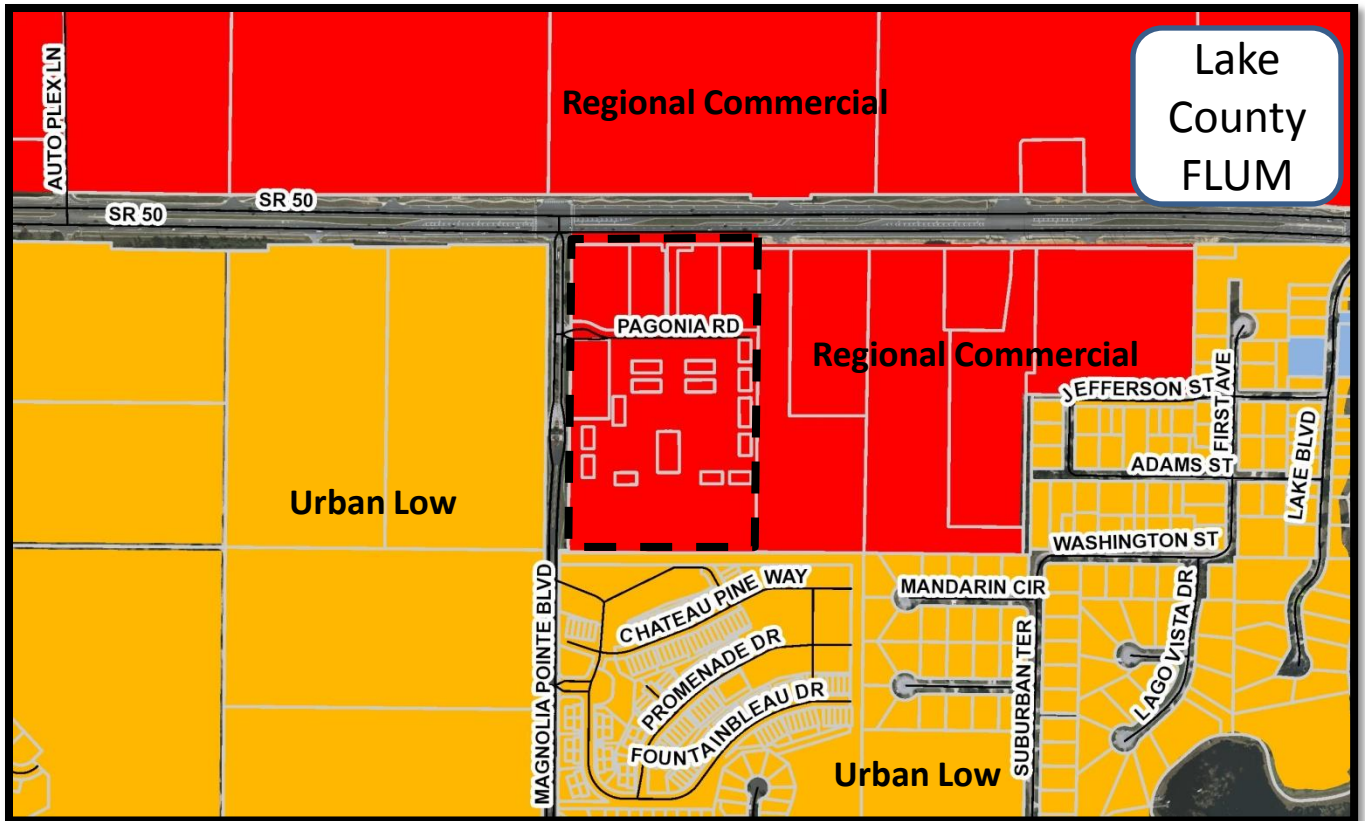


Exhibit – Zoning Magnolia Center



Deposited By
City of Clermont
TRAC / Ack Royal
P.O. Box 1200
Clermont, FL 34712-0200

WATER & WASTEWATER SERVICE AGREEMENT

RECEIVED
APR 19 2005

This document constitutes an agreement between the CITY of Clermont, hereby referred to as CITY, a municipality of the State of Florida, and Yolo Land Development, LLC, a Corporation (individual, corporation, partnership) and its successors or assigns, hereby referred to as OWNER.

WITNESSETH

Whereas, OWNER is proposing to develop Yolo Magnolia Center, which is located on real property (the "Property") described on Exhibit 'A', attached hereto and by this reference made a part hereof; and

Whereas, the Property is located in the unincorporated area of Lake County and the OWNER is requesting water and sewer service from the CITY; and

Whereas, as a condition of CITY providing said water and sewer service to the Property, OWNER is to extend water and sewer lines to serve the Property and lines and appurtenances must be sized to meet the minimum requirements of CITY Land Development Regulations and to meet the flow demands for the subdivision; and

Whereas, the CITY may, at the sole option of the CITY, elect to enlarge or oversize the water and/or sewer lines and appurtenances in order to provide additional capacity to other properties; and

Whereas, as a condition of the provision of water and sewer service to the Property by the CITY, OWNER agrees that this Agreement shall constitute an unconditional application to annex the Property into the City of Clermont, if CITY chooses to do so; and

Whereas, OWNER and CITY are entering into this Agreement to set forth the terms and conditions under which water and sewer service shall be extended and sized.

NOW THEREFORE, in consideration of the mutual promises and covenants hereinafter contained, the parties do hereby agree as follows:

Section 1. OFF-SITE WATER/SEWER – Each and all of the foregoing premises are incorporated into and constitute a part of this Agreement.

- 1.1 CITY shall provide water and sewer service for the Property.
- 1.2 OWNER shall connect to the existing City system at connection point or points approved by CITY.
- 1.3 The route of any off site lines shall be according to engineering plans produced by OWNER and approved by the CITY.
- 1.4 The OWNER shall construct the facilities, lines and appurtenances necessary to serve the development and provide such documentation necessary for the CITY to ascertain that the lines shall meet the minimum line size requirements as specified by the CITY Land Development Regulations.

CFN 2005062941
BR 02821 Pgs 0284 - 2897 (6pgs)
DATE: 04/29/2005 11:16:45 AM
JAMES C. MATKINS, CLERK OF COURT
LAKE COUNTY
RECORDING FEES \$2.00

- 1.5 In the event the CITY chooses to oversize the lines or appurtenances, the CITY shall provide to the OWNER the specifications regarding sizes to be included in the final improvement plans.
- 1.6 The OWNER shall be responsible for the construction of all on site and off site lines and appurtenances to serve the project. No building permits shall be issued until water and sewer are provided to the site or until a bond or letter of credit is in place to guarantee completion of off-site improvements. No Certificate of Occupancy shall be issued until water and sewer extensions have been completed and accepted by the CITY.
- 1.7 The OWNER shall be responsible for all costs of on site and off site improvements, including but not limited to design, material, permitting and installation of sufficient size lines, lift stations and other appurtenances necessary to allow the CITY to serve the Property.
- 1.8 The CITY shall be responsible for the difference in cost of materials to oversize the line if the CITY chooses to oversize based on plans and cost estimates provided by OWNER to CITY, and approved in advance by the CITY.
- 1.9 The OWNER shall provide to the CITY a cost estimate for materials for the minimum size lines and appurtenances and a cost estimate for materials for the approved oversize. Cost estimate shall be contractors bid. The CITY shall review and either approve or reject the costs.
- 1.10 The OWNER and CITY shall agree on the cost difference, which will be the responsibility of the CITY, prior to commencement of construction.
- 1.11 The OWNER shall be responsible for all costs including design, permitting, materials and construction of the water and sewer lines and appurtenances, both on site and off site, required to serve the Property, with reimbursement for the difference in costs as determined in Section 1.9 from the CITY in the form of Impact Fee Credits.
- 1.12 The Impact Fee Credits shall be established subject to Sections 1.9 and 1.11, and at the time of issuance of each building permit by applying the then current impact fee, which shall be deducted from the Impact Fee Credit balance until credit is used.
- 1.13 Impact Fee Credits may not be transferred outside of the Property described on Exhibit 'A' but should be assignable to any heirs, assigns or successors in interest or title to part or all of said Property.

Section 2. DEVELOPMENT STANDARDS

The project shall be developed according to the CITY Land Development Regulations unless otherwise stipulated in this Agreement or subsequent amendments to this Agreement.

Section 3. ANNEXATION

- 3.1 Owner agrees that CITY may annex the Property into the City of Clermont if CITY chooses to do so. All land transfers will contain a deed restriction or covenant noting the existence of this requirement to annex, such restriction to be recorded as a covenant to run with the land.

- 3.2 This agreement shall be recorded in the Public Records of Lake County, Florida at cost to OWNER, and this agreement, upon recording, shall constitute an irrevocable application by the undersigned owner to annex the property described on Exhibit 'A', attached hereto, into the City of Clermont, which right to annex the City may exercise at any time in the future.

Section 4. SEVERABILITY

In the event that any provision of this agreement shall be held invalid or unenforceable, the provision shall be deleted from this agreement without affecting in any respect whatsoever the validity of the remainder of this agreement.

Section 5. NOTICES

All notices, demands, or other writings required to be given or made or sent in this Agreement, or which may be given or made or sent, by either party to the other, shall be deemed to have been fully given or made or sent when in writing and addressed as follows:

CITY

OWNER

City of Clermont
City Manager
P.O. Box 120219
Clermont, FL 34712-0219

Section 6. AMENDMENTS

Any amendment to this agreement is not effective unless the amendment is in writing and signed by all parties.

Section 7. EFFECTIVE DATE

The effective date of this agreement shall be the day of execution of the agreement required hereunder.

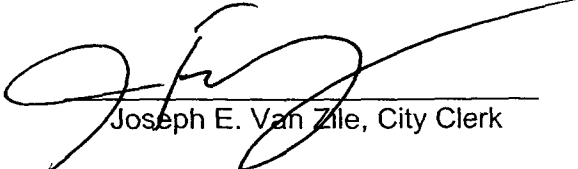
IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement on the date listed below. CITY through its City Manager, authorized to execute same by City Council action, and OWNER through Daniel Hessberg of V.O.L.O Land Development, LLC.

DATED this 22 day of October, 2002.

CITY OF CLERMONT

ATTEST:


Harold S. Turville Jr., Mayor


Joseph E. Van Zile, City Clerk

OWNER

Y.O.L.O Land Development, LLC
Daniel Hessburg

STATE OF FLORIDA
COUNTY OF LAKE

I HEREBY CERTIFY that on this day, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared Daniel S. Hessburg as MANAGING MEMBER of Yolo Land Development, LLC who provided identification in the form of MEMBER or who is personally known to be the person described in and who executed the foregoing, and that he acknowledged before me that he executed the same.

Witness my hand and official seal this 19th day of April, 2005.



Eileen S. Vieira
Commission #DD236080
Expires: Jul 29, 2007
Bonded Thru
Atlantic Bonding Co., Inc

Eileen S. Vieira
Notary Public

Exhibit A

State Road 50

132.00

75.00

30.00

Magnolia Pointe
Boulevard

500'
INGRESS/
EGRESS
ESMT.

South Right-of-Way

N89°58'59"W

778.25'

MAIN INGRE
DRIVE

247.00
272.00
PARCEL 1
1.54 ACRES

155.00
PARCEL 2
0.97 ACRES

195.00
PARCEL 3
1.22 ACRES

PARCEL 4
9.674 ACRES

694.74'

MAIN INGRE
DRIVE

12,000 SF
RETAIL

FUTURE EXPANSION
FOR FOOD STORE

50,000 SF
FOOD STORE

15,000 SF
RETAIL

24,000 SF
RETAIL

S00°48'41"W

1253.56'

The quality of this image
is equivalent to the quality
of the original document.

PARCEL 5
MAGNOLIA CENTER

N00°47'07"E

MINI-STORAGE (UNDER CONSTRUCTION)

MASTER STORMWATER
AREA
3.3 ACRES

S89°28'27"E

778.76'

Office of Ed Havill

Lake County Property Appraiser

April 27, 2005

Property Record Card

View Map of Property

General Information:			
Alternate Key:	1037450	Parcel:	25-22-26-000200001500
Name:	YOLO LAND DEVELOPMENT LLC	Millage Group:	0003
Address:	548 US HIGHWAY 27 STE C MINNEOLA, FL 34715-	Loc Notes:	17400 STATE ROAD 50 CLERMONT FL 34711
Legal Description:	BEG 448.6 FT W OF SE COR OF NW 1/4, RUN N 01DEG 00MIN 01SEC E 1260.31 FT TO S R/W OF SR 50, W'LY ALONG SAID R/W TO W LINE OF SE 1/4 OF NW 1/4, S TO SW COR OF SE 1/4 OF NW 1/4, E'LY ALONG S LINE OF NW 1/4 TO POB--LESS W 100 FT-- ORB 2149 PG 0423		

Land Data:								
Line	Use Code	Frontage	Depth	Notes	No. Units	Type	Class Value	Just Value
1	1000	.0	.0		22.11	AC	0	1381875

Building Characteristics:					
Bldg No.	Section Type	Section No.	Ext Wall Type	No. of Stories	Floor Area

Residential:									
Fireplaces	Baths (2 Fix)	Baths (3 Fix)	Baths (4 Fix)	Baths (Ex Fix)	Bed	A/C	Built In Kitchen	Sq. Ft.	Year Built

Miscellaneous Improvements:					
No.	Type	No. Units	Type	Year	Depr Value

Sales History :						
O.R. Book	O.R. Page	Sale Date	Instrument	Q/U	Vac Impr	Sale Price
2149	0423	7/22/2002	WD	Q	V	\$1,600,000.00

Value:	
Total Just Value:	\$1,381,875.00
Total Exempt Value:	\$0.00
Total Taxable Value:	\$1,381,875.00 *May Reflect Save-Our-Homes Limitations

Draw Building

The quality of this image
is equivalent to the quality
of the original document.

CFN 2009014709
Bk 03730 Pgs 1624 - 1634; (11pgs)
DATE: 02/11/2009 11:31:36 AM
NEIL KELLY, CLERK OF COURT
LAKE COUNTY
RECORDING FEES 95.00

ORDINANCE #2009-8

PH#51-08-2

Magnolia Property Associates, LLC

AN ORDINANCE OF THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE LAKE COUNTY ZONING MAP; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Lake County (the "Applicant"), pursuant to Section 125.66, Florida Statute, has initiated an amendment for property owned by Clermont-Falls Creek Development, Magnolia Property Associates LLC, B&L Properties LLC, and Magnolia Point Clermont I, LLC (the "Owner"),

AND with exception to Magnolia Point Clermont I, LLC, all property owners have joined on the County initiated application; and

WHEREAS, this petition will amend Planned Unit Development (PUD) Ordinance #2006-08 to revise allowable uses; and

WHEREAS, this petition will rescind and supersede Ordinances #2000-9 and #2006-8; and

WHEREAS, the subject property consists of roughly 22.5 acres and is located in the Clermont Joint Planning Area, along SR 50 at the southeast side of the intersection of SR 50 and Magnolia Pointe Boulevard, in Section 25 Township 22S Range 26E and having Alternate Keys #3866085, #3859724, #3871969, #1037450, #3860011, #3870740, #3870741, #3870742, #3870737, #3870739, #3870738, #3870736, #3870749, #3870750, #3870745, #3870744, #3870746, #3870747, #3870748, and #3860067, further described as:

LEGAL DESCRIPTION: [EXHIBIT "A" – ATTACHED]

WHEREAS, the property is located within the Urban Expansion, Community Activity Center, Employment Center Future Land Use Categories as shown on the Lake County Comprehensive Plan Future Land Use Map (FLUM); and

ORDINANCE NO. #2009-8
(PH#51-08-2) (Lake County)

1 **WHEREAS**, the Lake County Zoning Board, on the 7th day of January, 2009, reviewed petition PH#51-
2 08-2;

3 **AND**, after giving notice of hearing on petition for a change in the use of land, including a notice that
4 said would be presented to the Board of County Commissioners of Lake County, Florida, on the 27th day of
5 January, 2009; and

6 **WHEREAS**, the Board of County Commissioners reviewed said petition, the recommendations of the
7 Lake County Zoning Board, and any comments, favorable or unfavorable, from the Public and surrounding
8 property owners at a Public Hearing duly advertised; and

9 **WHEREAS**, upon review, certain terms pertaining to the development of the above described property
10 have been duly approved; and

11 **NOW THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of Lake County,
12 Florida, that the Land Development Regulations of Lake County, Florida, be altered and amended as they
13 pertain to the above tract of land, as described in EXHIBIT "A", subject to the following terms:

14 **SECTION I. Terms.** This Ordinance shall mean and include the following land uses and rescinds and
15 supersedes any and all ordinances previously granted. The County Manager or designee shall amend the
16 Official Zoning Map to PUD zoning in accordance with this Ordinance. Development of the property shall be in
17 conformance with the approved PUD Master Conceptual Plan attached hereto as **Exhibit "B"**. To the extent
18 where there are conflicts between Exhibit B, Exhibit C and this Ordinance, this Ordinance shall take
19 precedence.

20
21 **A. Land Uses:**

- 22
23 1. Permitted Uses. Development of the site shall be limited to uses permitted within the C-1 and C-2
24 Zoning Districts as defined in the Lake County Land Development Regulations, as amended, with
25 exception to the following uses:

- 26
27 a. Adult Use
28 b. Automotive Repair
29 c. Automotive Service Station/Convenience Store

ORDINANCE NO. #2009-8
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- d. Auto-parts or other auto-related uses, except as expressly permitted below
- e. Bar or Tavern
- f. Carwash
- g. Hotel/Motel
- h. Recreation, Commercial
- i. Self-Service Laundry or Dry-Cleaning
- j. Self-Service Storage
- k. Theater
- l. Recreational Vehicles
- m. Truck Yard
- n. Bingo Parlors and all other types of gambling establishments
- o. Pawn Shops and establishments specializing in the resale of second hand goods
- p. Vehicle Storage: No storage of commercial, disabled, abandoned or non-licensed vehicles shall be permitted for any purpose

2. Commercial Uses Permitted with Specific Conditions. The following uses shall be permitted subject to the specific criteria provided below:

- a. Retail, Convenience: No fuel sales shall be permitted.
- b. Restaurant, Fast Food:
 - i. Shall be allowed only on Lots 1, 2, 3 and 4.
 - ii. No more than three (3) Fast Food Restaurants shall be permitted.
 - iii. No more than one (1) stand-alone Fast Food Restaurant shall be permitted.
 - iv. Lot 1 shall not permit a stand-alone Fast Food Restaurant.
 - v. Drive-through windows shall not be permitted for any stand-alone Fast Food Restaurant.
 - vi. No Fast Food Restaurant shall occupy an end cap suite or have a drive-thru on Lot 1.
 - vii. No Fast Food Restaurant shall occupy an end cap suite or have a drive-through on Lot 1 if Lots 1 and 2 are combined into a single lot and developed within a common building. This condition does not apply to Lot 2 if combined.
 - viii. Hours of operation shall be limited to 5:00 AM to 11:00PM.
- c. Restaurant, General: Restaurants are permitted beer, wine, and alcohol sales in conjunction with sale of food.
- d. Vehicular Sales. Vehicular sales are prohibited, with the exception of Lot 4, which may allow a motorcycle dealership subject to the following regulations:
 - i. Inside sales only.
 - ii. Daytime display of vehicles is permitted. All vehicles shall be moved inside at night.
 - iii. Test driving within the development or rental of vehicles is not permitted.
 - iv. Any service or repair work area shall be completely enclosed, including air compressors.
 - v. Hours of operation shall be limited to 8:00 a.m. to 6:00 p.m.

- 1
- 2 e. Wholesale and Warehouse:
- 3 i. Gross leasable area shall not exceed 10,000 square feet.
- 4 ii. Limited to wholesale consumer products only, i.e. wines, foods, or restaurant supply.
- 5 iii. Warehousing or wholesaling of building, hardware or manufacturing goods or products is
- 6 prohibited.
- 7
- 8 f. Lot 5 shall be limited to medical and professional office uses.
- 9
- 10 g. Buildings H, J, K, L, M, N, and P of Lot 6 shall be limited to:
- 11 1. Medical Service and Professional Office.
- 12 2. Personal Care Services (excluding self-service laundry mats, and laundry drop-off and
- 13 pick-up stations).
- 14 3. Retail sales of health and beauty products, including marketing and training.
- 15 4. The total square footage of Personal Care Services, including retail sales of health and
- 16 beauty products, on Lot 6 shall not exceed 10,000 square feet.
- 17 5. Dance studio within Building P only. Hours shall be limited to: 7:00 AM to 9:00 PM.
- 18
- 19 h. Lots 1 & 2 may be combined and developed with a common building or developed individually.
- 20 Lots 3 & 4 may also be combined and developed with a common building or developed
- 21 individually. If combined, common building(s) on Lots 1&2 and/or Lots 3&4 shall contain
- 22 architectural enhancements to the facades on the front and rear sides similar to those
- 23 depicted on Exhibit "C".
- 24
- 25 3. Manufacturing and industrial uses shall not be permitted.
- 26
- 27 B. Open Space, Impervious Surface Ratio, and Intensity:
- 28
- 29 1. Total development of the site shall not exceed a maximum gross square footage of 300,000 square
- 30 feet.
- 31 2. A minimum 25% open space shall be implemented with the development plan.
- 32 3. A maximum impervious surface ratio of 65% over the entire commercial development shall be
- 33 implemented into the design criteria for all development.
- 34
- 35 C. Setbacks:
- 36
- 37 1. All setbacks shall conform to the landscape buffering requirements outlined in the Lake County Land
- 38 Development Regulations, as amended.
- 39 2. Building structures shall maintain a 200-foot setback from the south property line of Lot 6.
- 40 3. No loading docks or dumpsters shall be located within 400 feet of any property line of any lot of the
- 41 Magnolia Pointe Subdivision.
- 42

D. Buffering/Screening:

1. Landscaping of Lot 6 shall be consistent with the approved landscape plan, approved May 8th, 2007.
2. A landscaped buffer shall be provided between all commercial, multifamily, right-of-way and residential land uses pursuant to the Lake County Land Development Regulations, as amended.
3. Lake County Type "A" buffer shall be required along Magnolia Pointe Boulevard and the east boundary of Lot 4.
4. A 25-foot buffer of solid pine trees shall be maintained along the south boundary of the PUD (adjacent to Magnolia Pointe Condos). In the event that the existing 25-foot buffer of solid pine trees along the south boundary of the subject property is destroyed or removed for any reason, a Type "B" buffer shall be installed within ninety (90) days thereafter.
5. A six-foot high masonry or brick wall shall be constructed along the west boundary line, starting south of the guard house to the southern boundary of the retention pond, then along said southern boundary line to the eastern boundary line of the property.
6. The wall or berm shall be constructed at the beginning of construction on Lot 6.
7. All outside storage shall be screened by a wooden fence and/or vegetative buffer substantial enough to screen the uses from adjacent properties.
8. Any additional landscape requirements not specifically outlined by items 1 through 7 of this section shall be applied in accordance with the Land Development Regulations, as amended.

E. Architectural Design Standards:

1. Design:
 - a. No pre-engineered metal buildings shall be permitted in the development.
 - b. Buildings on Lot 6 shall be themed in a Mediterranean manner, and shall have tile roofs.
 - c. Design shall comply with the City of Clermont commercial design guidelines and the Lake County Land Development Regulations, as amended.
2. Height:
 - a. Any structure on Lot 1, 2, 3, 4, & 6 shall not be taller than 35 feet.
 - b. Any structure on Lot 5 shall not be taller than 45 feet.
3. Orientation: The building on Lot 5 shall face west toward Magnolia Pointe Boulevard.

F. Lighting:

1. Lighting for parking lot, driveways, and utility areas (whether mounted on poles or walls of building) shall conform to Illuminating Engineering Society ("I.E.S.") standards for "cutoff" lighting fixtures.
2. Lighting "trespass" onto adjacent property shall not exceed 0.1 foot candles at the property line.
3. Ornamental and spotlighting for aesthetic effect, landscape accent, signage, etc. shall be directed onto the subject property.

ORDINANCE NO. #2009-8
(PH#51-08-2) (Lake County)

G. Access Standards:

1. Construction traffic shall access the property via S.R. 50 and avoid Magnolia Pointe Boulevard unless prohibited by the Florida Department of Transportation or Lake County Public Works.
2. Access to the site will be limited to the existing private road (Magnolia Pointe Boulevard), a right in/right out from S.R. 50 near the middle of the property on the north property line as shown on "Exhibit B".

H. Water and Sewer: Connection to central water and central sewer shall be required with all development.

I. Concurrency Management Review: Prior to requesting approval, the Owner must undergo Lake County Concurrency Management Review or sign an affidavit of deferral, deferring concurrency management review.

J. Development Review and Approval: Prior to the issuance of any permits, the Owner shall be required to submit formal site plan, as applicable, for review and approval by Lake County. The site plan shall meet all submittal requirements and comply with all County codes and ordinances, as amended.

K. Future Development Orders: Any requested development order must comply with the Lake County Land Development Regulations, as amended, and the Lake County Comprehensive Plan, as amended.

L. Concurrency Management Review and Vested Development Rights: Future rights to develop the property are subject to a finding that the development will meet the concurrency standards contained in the Lake County Comprehensive Plan and Land Development Regulations through Concurrency Management Review; without such a Review, no vested development rights shall have been granted by the County or acquired by the Applicant.

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

SECTION 2. Conditions as altered and amended which pertain to the above tract of land shall mean:

A. After establishment of the facilities as provided herein, the aforementioned property shall only be used for the purposes named in this Ordinance. Any other proposed use must be specifically authorized by the Zoning Board and the Board of County Commissioners.

B. No person, firm or corporation shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building structure, or alter the land in any manner (except for normal maintenance activities – i.e. painting screening, etc.) within the boundaries of the above described land without first submitting the necessary plans in accordance with the Lake County Land Development Regulations, as

ORDINANCE NO. #2009-8
(PH#51-08-2) (Lake County)

1 amended, and obtaining approval from the County Manager or designee upon obtaining the permits
2 required from the other appropriate governmental agencies.

3
4 C. This amendment shall inure to the benefit of, and shall constitute a covenant running with the land and the
5 terms, conditions, and provisions hereof shall be binding upon the present owner and any successor, who
6 shall be subject to each and every condition herein set out.

7
8 D. Prior to any amendment to this Ordinance, the Owner shall provide proof that a community meeting was
9 held with all owners and the adjacent residential neighborhoods.

10
11 E. The combining of Buildings E and F on Lot 6 shall not require an amendment to this Ordinance.

12
13 F. Construction and operation of the proposed use shall at all times comply with the regulations of this and
14 other governmental agencies.

15
16 G. The transfer of ownership or lease of any or all of the property described in this Ordinance shall include in
17 the transfer or lease agreement, a provision that the purchaser or lessee is made good and aware of the
18 conditions pertaining to this Ordinance, and agrees to be bound by these conditions. The purchaser or
19 lessee may request a change from the existing plans and conditions by following the procedures contained
20 in the Lake County Land Development Regulations, as amended.

21
22 **SECTION 3. Severability:** If any section, sentence, clause or phrase of this Ordinance is held to be invalid
23 or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of
24 the remaining portions of this Ordinance.

25
26 **SECTION 4. Effective Date:** This Ordinance shall become effective as provided by law.

27
28 ENACTED this 27 day of January, 2009.

29
30 FILED with the Secretary of State February 5, 2009.

31
32
33 EFFECTIVE February 5, 2009.
34
35
36
37
38
39
40
41
42

ORDINANCE NO. #2009-8
(PH#51-08-2) (Lake County)

BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA


WELTON G. CADWELL, CHAIRMAN

ATTEST:


NEIL KELLY, Clerk of the
Board of County Commissioners
Lake County, Florida

APPROVED AS TO FORM AND LEGALITY

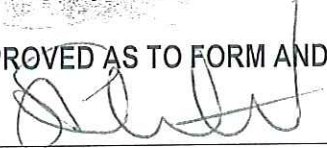
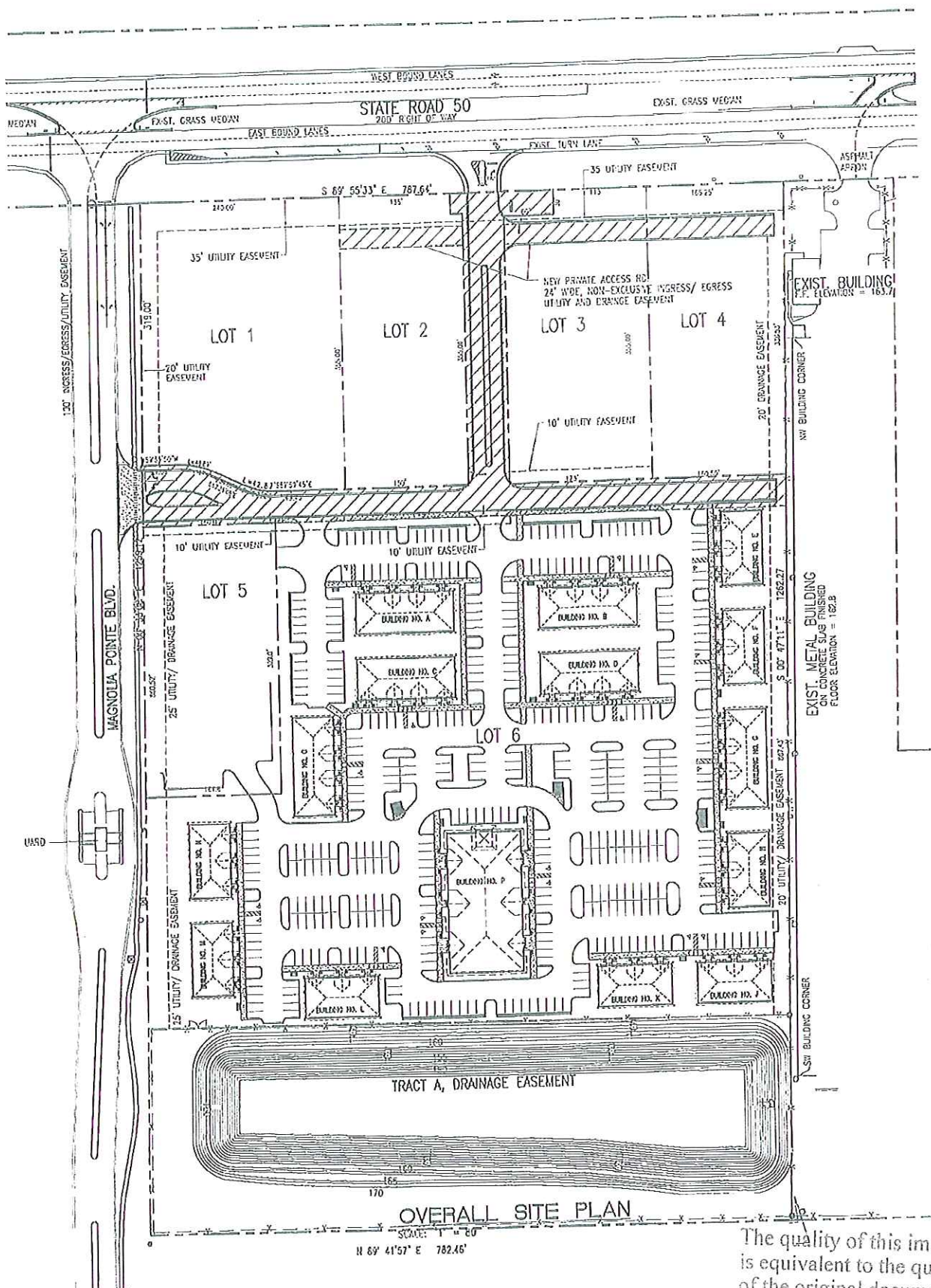
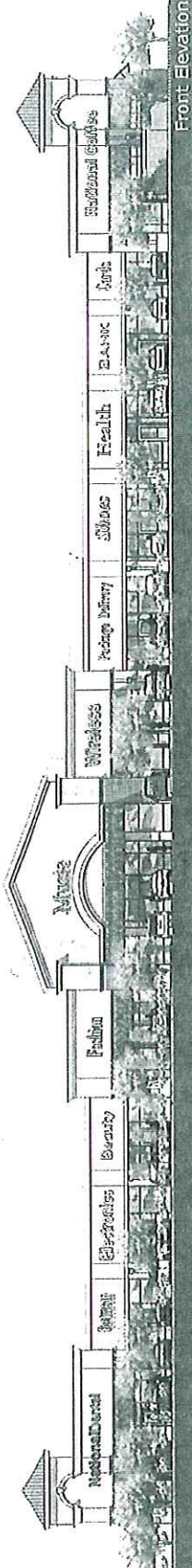

SANFORD A. MINKOFF, County Attorney

EXHIBIT "A"

THE SE ¼ OF NW ¼ OF SEC 25 TWP. 22S RGE. 26 E, LAKE COUNTY, FLORIDA; LESS AND EXCEPT THE FOLLOWING LANDS: R/W FOR SR 50; ALSO LESS AND EXCEPT: BEGIN AT THE SE CORNER OF THE NW ¼ OF SEC 25 TWP. 22S RGE. 26E, LAKE COUNTY, FLORIDA, THENCE N 89 DEG. 14'43" W, ALONG THE ¼ SECTION LINE, 448.64 FT; THENCE N 01 DEG 00'01" E 1260.31 FT TO THE S R/W LINE OF SR 50; THENCE S 89 DEG 45'47" E 448.64 FT ALONG SAID R/W LINE TO THE E LINE OF SAID ¼ SECTION; THENCE S 01 DEG 00'01" ALONG SAID ¼ SECTION LINE, 1,264.36 FT TO THE POB; ALSO LESS AND EXCEPT THE FOLLOWING DESCRIBED: THE W 100 FT OF THE SE ¼ OF NW ¼ OF SEC 25 TWP 22S RGE 26E, LAKE COUNTY, FLORIDA; PARCEL 2: (NON-EXCLUSIVE EASEMENT ESTATE) TOGETHER WITH THAT CERTAIN RESERVATION OF INGRESS AND EGRESS EASEMENT, OVER THE FOLLOWING DESCRIBED LAND: THE W 100 FT OF THE SE ¼ OF NW ¼ OF SEC 25 TWP. 22S RGE. 26E, LAKE COUNTY, FLORIDA, LESS AND EXCEPT THAT PART WITHIN THE R/W FOR SR 50.



30.5.20



Front Elevation



Rear Elevation



Multi-Tenant Retail
Clermont, FL
04.28.08

The image and design intent shown in this rendering are general in nature. Some minor representations and items here are for illustration purposes only and do not indicate final form, shape, and color. The actual built project may vary from this rendering.



Exhibit C

The quality of this image
is equivalent to the quality
of the original document.

LEGAL NOTICE

Notice is hereby given that the City of Clermont will consider a request for a Conditional Use Permit to allow a mixed use Planned Unit Development with C-1 Light Commercial and C-2 General Commercial uses, at the following location:

LOCATION

Magnolia Center; 22.78 +/- acres located at the southeast corner of Highway 50 and Magnolia Pointe Boulevard

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

This request will be considered by the Planning & Zoning Commission on Tuesday, May 5, 2015 at 6:30pm.

A public meeting to consider the request will be held before the City Council on Tuesday, May 26, 2015 at 6:30pm.

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

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

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

Tracy Ackroyd, MMC
City Clerk

Daily Commercial
April 28 & May 21, 2015



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date											
Tuesday, May 5, 2015											
Agenda Item Name											
Ordinance No. 2015-61; Magnolia Center Large-Scale Comp Plan Amendment											
Requested Action											
Move to recommend approval of Ordinance 2015-61.											
Staff Report											
This administrative request is being heard concurrently with requests for annexation and a conditional use permit (CUP) for a planned unit development (PUD). The City is requesting annexation of the subject parcel as authorized by the utility agreement with the property owner. The agreement with the City was executed on April 19, 2005. Approximately one-half of the property is improved and is receiving water and sewer services from the City. The remainder of the site is vacant and will be developed. The property, approximately 22.78 acres, is being developed as a shopping center and professional offices. The proposed map amendment will change the future land use from Lake County's Regional Commercial to the City's Commercial designation. A related request for a conditional use permit will create a City PUD with limited C-1 and C-2 uses. Upon approval by the City Council, the proposed amendment would be transmitted to the Florida Department of Economic Opportunity (DEO) and the reviewing agencies for review. DEO would then issue an Objections, Recommendations and Comments letter to the City, and the amendment would then be scheduled for a final public hearing in July. Staff recommends approval of the transmittal of the large-scale comprehensive plan amendment to change the future land use from Lake County Regional Commercial to Commercial in the City.											
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>Ordinance</td><td>Magnolia Center CPA Ord. 2015-61.doc</td></tr><tr><td>2.</td><td>Maps</td><td>Magnolia Center Maps.pdf</td></tr><tr><td>3.</td><td>Utility Agreement</td><td>2002-31 Utility Agreement.pdf</td></tr></table>			1.	Ordinance	Magnolia Center CPA Ord. 2015-61.doc	2.	Maps	Magnolia Center Maps.pdf	3.	Utility Agreement	2002-31 Utility Agreement.pdf
1.	Ordinance	Magnolia Center CPA Ord. 2015-61.doc									
2.	Maps	Magnolia Center Maps.pdf									
3.	Utility Agreement	2002-31 Utility Agreement.pdf									

CITY OF CLERMONT
ORDINANCE No. 2015-61

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

A parcel of land lying in Section 25, Township 22 South, Range 26, Lake County, Florida, more particularly described as follows:

Beginning 448.6 feet west of southeast corner of northwest $\frac{1}{4}$, run north 01°00'01" east 1260.31 feet to south right-of-way of SR 50, westerly along said right-of-way to west line of southeast $\frac{1}{4}$ of northwest $\frac{1}{4}$ south to southwest corner of southeast $\frac{1}{4}$ of northwest $\frac{1}{4}$, easterly along south line of northwest $\frac{1}{4}$ to point of beginning – less west 100 feet, ORB 2149 PG 0423

CITY OF CLERMONT
ORDINANCE No. 2015-61

Containing 22.78 acres, more or less

Magnolia Center; southeast corner of Highway 50 and Magnolia Pointe Blvd.

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

Section 2.

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

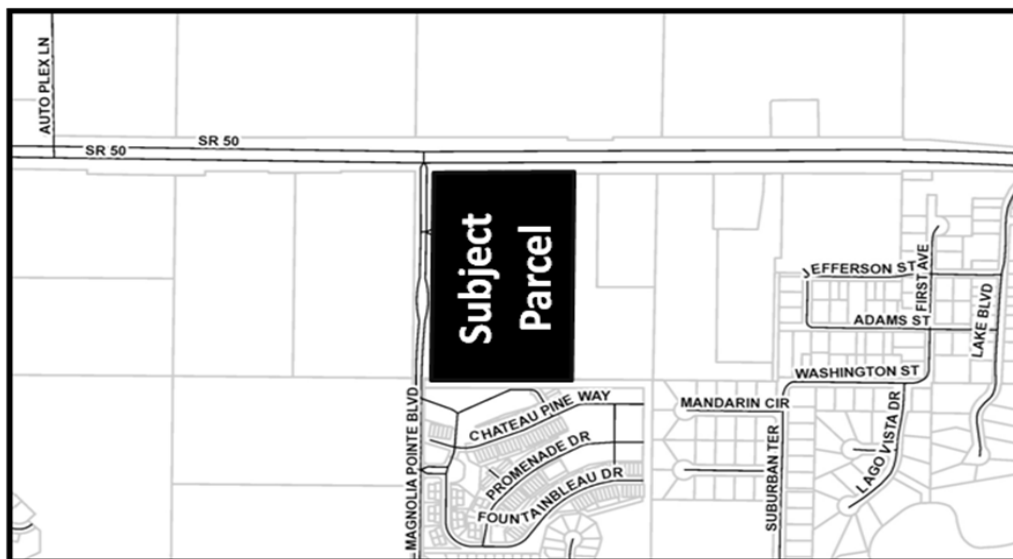
Section 3.

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

Section 4.

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

Location map:



CITY OF CLERMONT
ORDINANCE No. 2015-61

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida, this 28th day of July, 2015.

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Exhibit - Location Map Magnolia Center

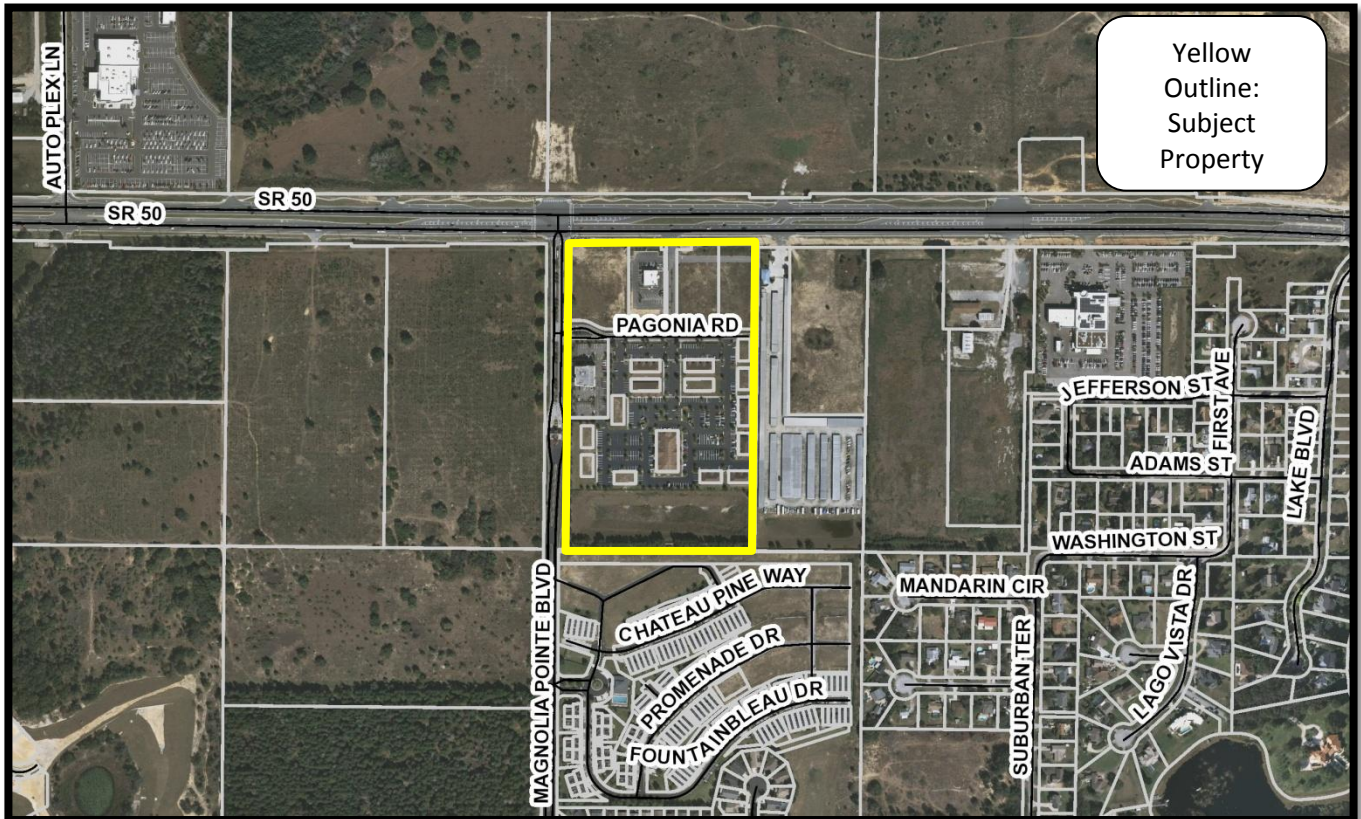
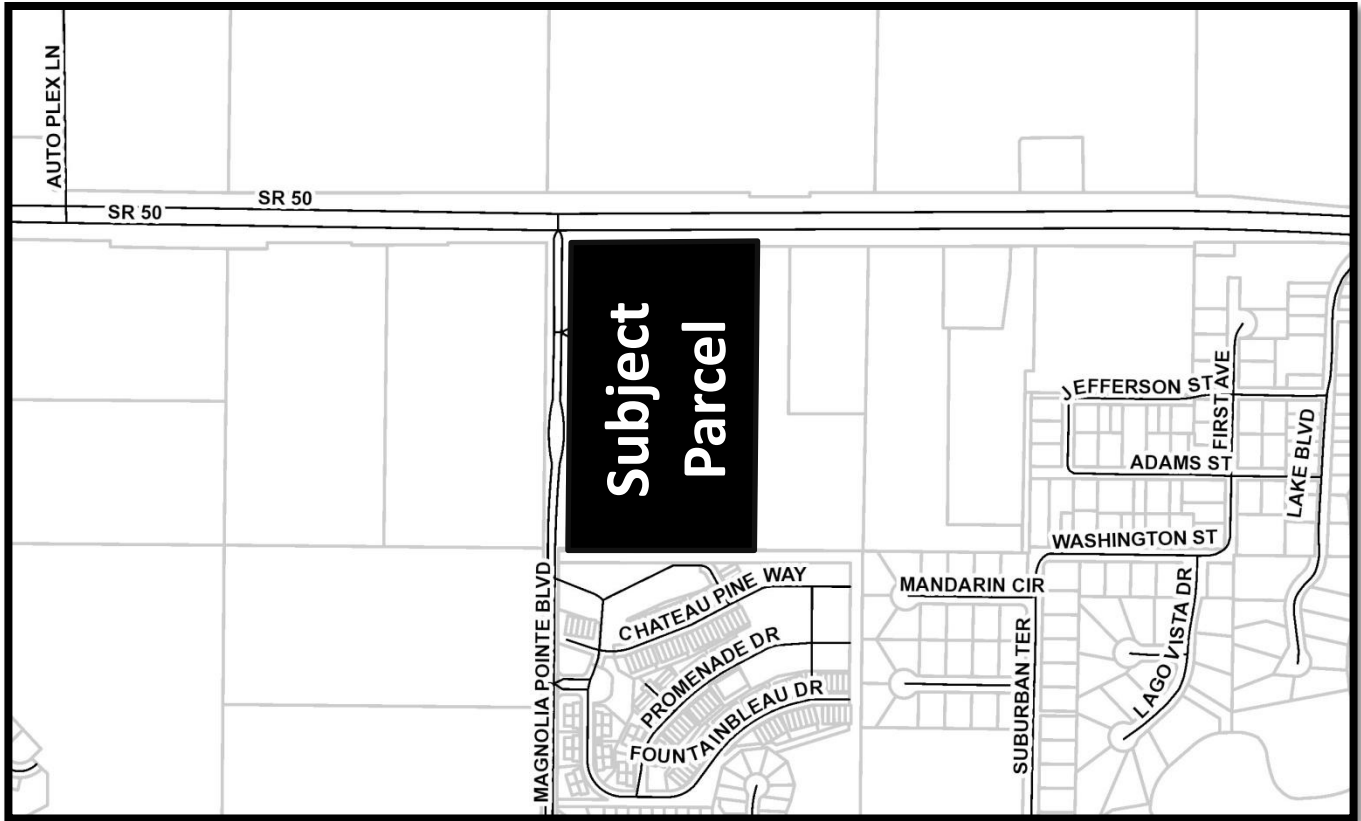


Exhibit – Future Land Use Magnolia Center

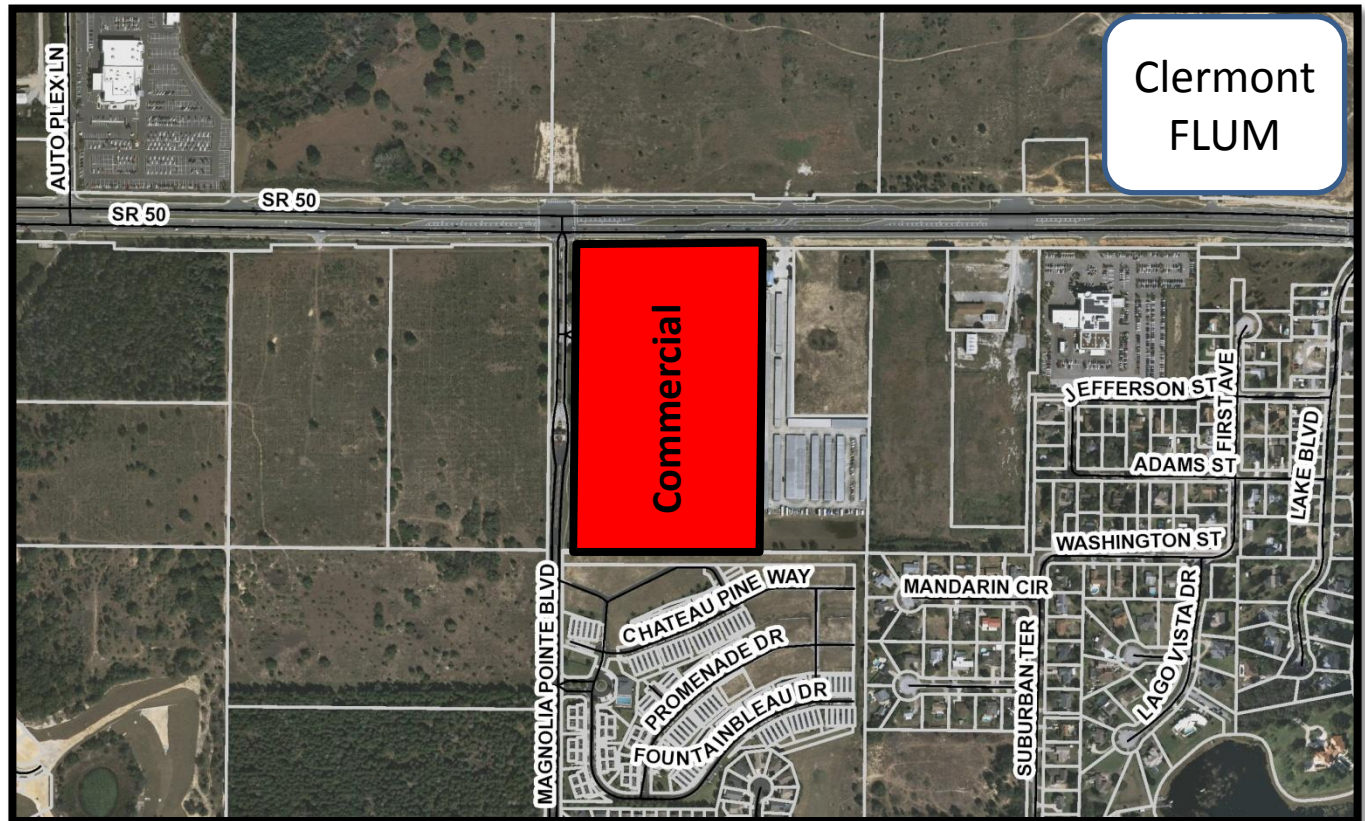
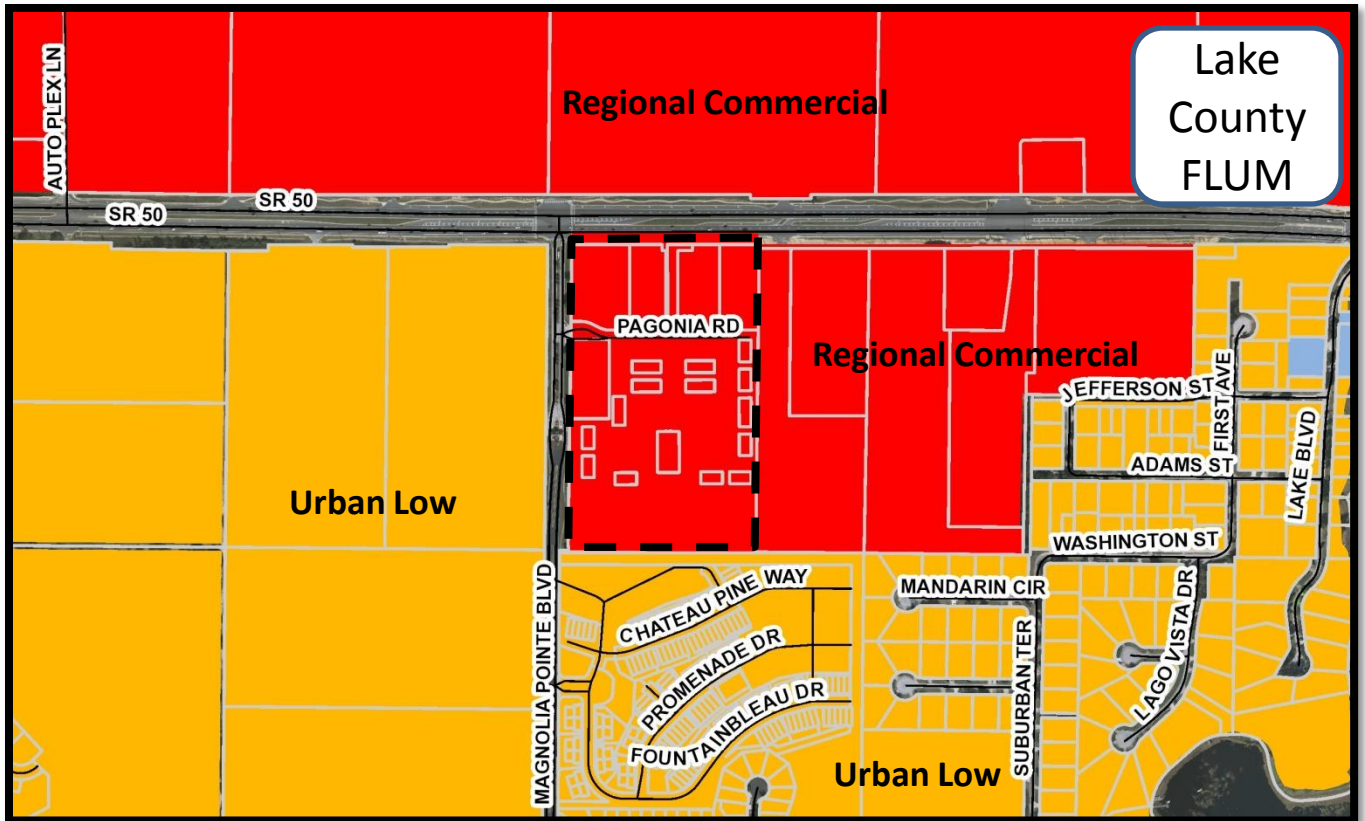


Exhibit – Zoning Magnolia Center



22000001 B
City of Clermont
TRAC 1 Ackd
P.O. Box 1200
Clermont, FL 34712-0200

WATER & WASTEWATER SERVICE AGREEMENT

RECEIVED
APR 19 2005

This document constitutes an agreement between the CITY of Clermont, hereby referred to as CITY, a municipality of the State of Florida, and Yolo Land Development, LLC, a Corporation (individual, corporation, partnership) and its successors or assigns, hereby referred to as OWNER.

WITNESSETH

Whereas, OWNER is proposing to develop Yolo Magnolia Center, which is located on real property (the "Property") described on Exhibit 'A', attached hereto and by this reference made a part hereof; and

Whereas, the Property is located in the unincorporated area of Lake County and the OWNER is requesting water and sewer service from the CITY; and

Whereas, as a condition of CITY providing said water and sewer service to the Property, OWNER is to extend water and sewer lines to serve the Property and lines and appurtenances must be sized to meet the minimum requirements of CITY Land Development Regulations and to meet the flow demands for the subdivision; and

Whereas, the CITY may, at the sole option of the CITY, elect to enlarge or oversize the water and/or sewer lines and appurtenances in order to provide additional capacity to other properties; and

Whereas, as a condition of the provision of water and sewer service to the Property by the CITY, OWNER agrees that this Agreement shall constitute an unconditional application to annex the Property into the City of Clermont, if CITY chooses to do so; and

Whereas, OWNER and CITY are entering into this Agreement to set forth the terms and conditions under which water and sewer service shall be extended and sized.

NOW THEREFORE, in consideration of the mutual promises and covenants hereinafter contained, the parties do hereby agree as follows:

Section 1. OFF-SITE WATER/SEWER – Each and all of the foregoing premises are incorporated into and constitute a part of this Agreement.

- 1.1 CITY shall provide water and sewer service for the Property.
- 1.2 OWNER shall connect to the existing City system at connection point or points approved by CITY.
- 1.3 The route of any off site lines shall be according to engineering plans produced by OWNER and approved by the CITY.
- 1.4 The OWNER shall construct the facilities, lines and appurtenances necessary to serve the development and provide such documentation necessary for the CITY to ascertain that the lines shall meet the minimum line size requirements as specified by the CITY Land Development Regulations.

CFN 2005062941
BR 02821 Pgs 0284 - 2891 (6pgs)
DATE: 04/29/2005 11:16:45 AM
JAMES C. MATKINS, CLERK OF COURT
LAKE COUNTY
RECORDING FEES \$2.00

- 1.5 In the event the CITY chooses to oversize the lines or appurtenances, the CITY shall provide to the OWNER the specifications regarding sizes to be included in the final improvement plans.
- 1.6 The OWNER shall be responsible for the construction of all on site and off site lines and appurtenances to serve the project. No building permits shall be issued until water and sewer are provided to the site or until a bond or letter of credit is in place to guarantee completion of off-site improvements. No Certificate of Occupancy shall be issued until water and sewer extensions have been completed and accepted by the CITY.
- 1.7 The OWNER shall be responsible for all costs of on site and off site improvements, including but not limited to design, material, permitting and installation of sufficient size lines, lift stations and other appurtenances necessary to allow the CITY to serve the Property.
- 1.8 The CITY shall be responsible for the difference in cost of materials to oversize the line if the CITY chooses to oversize based on plans and cost estimates provided by OWNER to CITY, and approved in advance by the CITY.
- 1.9 The OWNER shall provide to the CITY a cost estimate for materials for the minimum size lines and appurtenances and a cost estimate for materials for the approved oversize. Cost estimate shall be contractors bid. The CITY shall review and either approve or reject the costs.
- 1.10 The OWNER and CITY shall agree on the cost difference, which will be the responsibility of the CITY, prior to commencement of construction.
- 1.11 The OWNER shall be responsible for all costs including design, permitting, materials and construction of the water and sewer lines and appurtenances, both on site and off site, required to serve the Property, with reimbursement for the difference in costs as determined in Section 1.9 from the CITY in the form of Impact Fee Credits.
- 1.12 The Impact Fee Credits shall be established subject to Sections 1.9 and 1.11, and at the time of issuance of each building permit by applying the then current impact fee, which shall be deducted from the Impact Fee Credit balance until credit is used.
- 1.13 Impact Fee Credits may not be transferred outside of the Property described on Exhibit 'A' but should be assignable to any heirs, assigns or successors in interest or title to part or all of said Property.

Section 2. DEVELOPMENT STANDARDS

The project shall be developed according to the CITY Land Development Regulations unless otherwise stipulated in this Agreement or subsequent amendments to this Agreement.

Section 3. ANNEXATION

- 3.1 Owner agrees that CITY may annex the Property into the City of Clermont if CITY chooses to do so. All land transfers will contain a deed restriction or covenant noting the existence of this requirement to annex, such restriction to be recorded as a covenant to run with the land.

- 3.2 This agreement shall be recorded in the Public Records of Lake County, Florida at cost to OWNER, and this agreement, upon recording, shall constitute an irrevocable application by the undersigned owner to annex the property described on Exhibit 'A', attached hereto, into the City of Clermont, which right to annex the City may exercise at any time in the future.

Section 4. SEVERABILITY

In the event that any provision of this agreement shall be held invalid or unenforceable, the provision shall be deleted from this agreement without affecting in any respect whatsoever the validity of the remainder of this agreement.

Section 5. NOTICES

All notices, demands, or other writings required to be given or made or sent in this Agreement, or which may be given or made or sent, by either party to the other, shall be deemed to have been fully given or made or sent when in writing and addressed as follows:

CITY

OWNER

City of Clermont
City Manager
P.O. Box 120219
Clermont, FL 34712-0219

Section 6. AMENDMENTS

Any amendment to this agreement is not effective unless the amendment is in writing and signed by all parties.

Section 7. EFFECTIVE DATE

The effective date of this agreement shall be the day of execution of the agreement required hereunder.

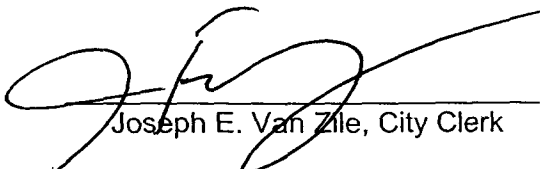
IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement on the date listed below. CITY through its City Manager, authorized to execute same by City Council action, and OWNER through Daniel Hessberg of V.O.L.O Land Development, LLC.

DATED this 22 day of October, 2002.

CITY OF CLERMONT

ATTEST:


Harold S. Turville Jr., Mayor


Joseph E. Van Zile, City Clerk

OWNER

Y.O.L.O Land Development, LLC
Daniel Hessburg

STATE OF FLORIDA
COUNTY OF LAKE

I HEREBY CERTIFY that on this day, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared Daniel S. Hessburg as MANAGING MEMBER of Yolo Land Development, LLC who provided identification in the form of MEMBER or who is personally known to be the person described in and who executed the foregoing, and that he acknowledged before me that he executed the same.

Witness my hand and official seal this 19th day of April, 2005.



Eileen S. Vieira
Commission #DD236080
Expires: Jul 29, 2007
Bonded Thru
Atlantic Bonding Co., Inc

Eileen S. Vieira
Notary Public

Exhibit A

State Road 50

132.00

75.00

30.00

Magnolia Pointe
Boulevard

500'
INGRESS/
EGRESS
ESMT.

South Right-of Way

N89°58'59"W

778.25'

MAIN INGRE
DRIVE

694.74'

MAIN INGRE
DRIVE

1260.47'

N00°47'07"E

MINI-STORAGE (UNDER CONSTRUCTION)

S00°48'41"W

1253.56'

12,000 SF
RETAIL

FUTURE EXPANSION
FOR FOOD STORE

50,000 SF
FOOD STORE

15,000 SF
RETAIL

24,000 SF
RETAIL

PARCEL 5
MAGNOLIA CENTER

MASTER STORMWATER
AREA
3.3 ACRES

S89°28'27"E

778.76'

The quality of this image
is equivalent to the quality
of the original document.

247.00
272.00
PARCEL 1
1.54 ACRES

155.00
PARCEL 2
0.97 ACRES

195.00
PARCEL 3
1.22 ACRES

PARCEL 4
9.674 ACRES

Office of Ed Havill

Lake County Property Appraiser

April 27, 2005

Property Record Card

View Map of Property

General Information:			
Alternate Key:	1037450	Parcel:	25-22-26-000200001500
Name:	YOLO LAND DEVELOPMENT LLC	Millage Group:	0003
Address:	548 US HIGHWAY 27 STE C MINNEOLA, FL 34715-	Loc Notes:	17400 STATE ROAD 50 CLERMONT FL 34711
Legal Description:	BEG 448.6 FT W OF SE COR OF NW 1/4, RUN N 01DEG 00MIN 01SEC E 1260.31 FT TO S R/W OF SR 50, W'LY ALONG SAID R/W TO W LINE OF SE 1/4 OF NW 1/4, S TO SW COR OF SE 1/4 OF NW 1/4, E'LY ALONG S LINE OF NW 1/4 TO POB--LESS W 100 FT-- ORB 2149 PG 0423		

Land Data:								
Line	Use Code	Frontage	Depth	Notes	No. Units	Type	Class Value	Just Value
1	1000	.0	.0		22.11	AC	0	1381875

Building Characteristics:					
Bldg No.	Section Type	Section No.	Ext Wall Type	No. of Stories	Floor Area

Residential:									
Fireplaces	Baths (2 Fix)	Baths (3 Fix)	Baths (4 Fix)	Baths (Ex Fix)	Bed	A/C	Built In Kitchen	Sq. Ft.	Year Built

Miscellaneous Improvements:					
No.	Type	No. Units	Type	Year	Depr Value

Sales History :						
O.R. Book	O.R. Page	Sale Date	Instrument	Q/U	Vac Impr	Sale Price
2149	0423	7/22/2002	WD	Q	V	\$1,600,000.00

Value:	
Total Just Value:	\$1,381,875.00
Total Exempt Value:	\$0.00
Total Taxable Value:	\$1,381,875.00 *May Reflect Save-Our-Homes Limitations

Draw Building

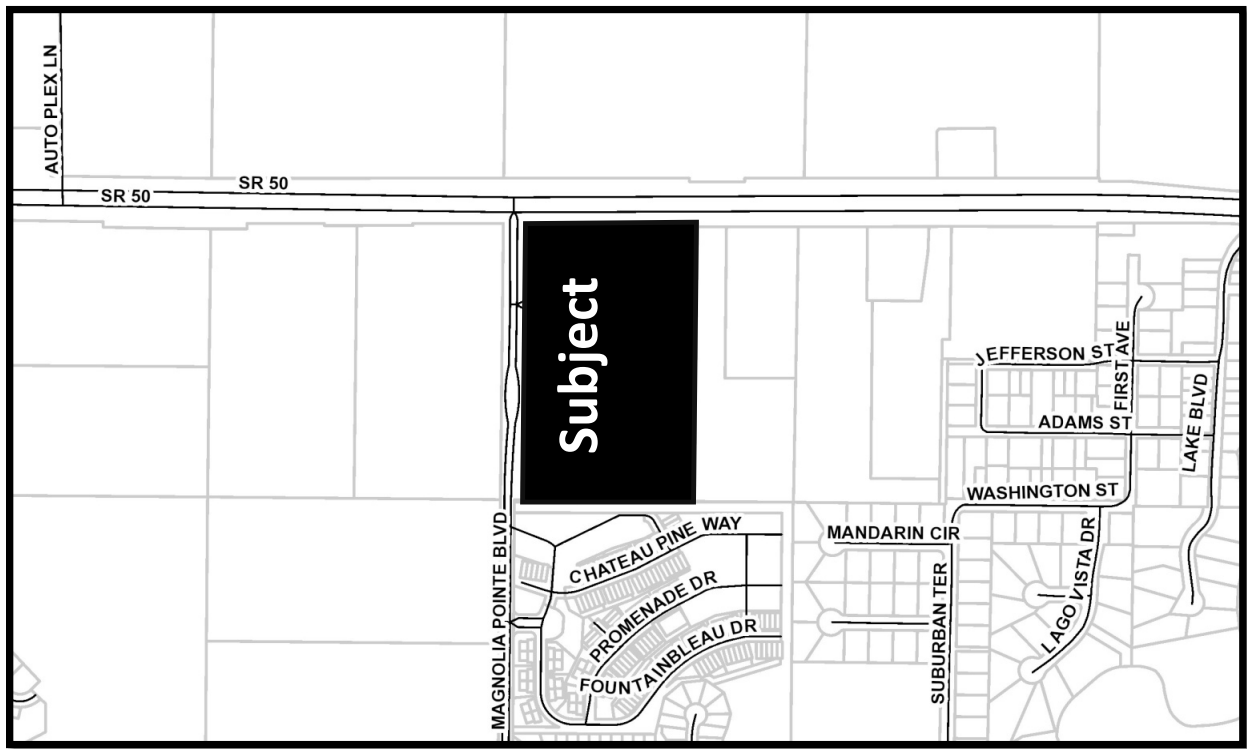
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CITY OF CLERMONT

NOTICE OF PROPOSED AMENDMENT TO COMPREHENSIVE PLAN ORDINANCE NO. 2015-61

The City of Clermont will hold public hearings Tuesday, May 5, 2015 at 6:30 p.m. before the Planning and Zoning Commission and Tuesday, May 12, 2015 at 6:30 p.m. before the City Council to consider transmittal of a proposed change to the City's Future Land Use Map. The map amendment would change the Future Land Use designation for the parcel below from Lake County Regional Commercial to Commercial.

The City of Clermont will hold public hearings on Tuesday, July 28, 2015 (final reading of the ordinance) 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: Magnolia Center, 22.78 +/- acres
Property located at the southeast corner of Highway 50
And Magnolia Pointe Blvd.***

Ordinance #2015-61:

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, MMC
City Clerk

Daily Commercial
April 21, 2015 and July 14, 2015