



**CITY OF CLERMONT
PLANNING AND ZONING COMMISSION AGENDA
6:30 PM, Tuesday, March 5, 2019
City Hall – 685 W. Montrose Street, Clermont, FL**

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

MINUTES

February 5, 2019 Planning & Zoning Minutes

REPORTS

NEW BUSINESS

Item 1 - Ordinance No. 2019-15

Wise Large-Scale Comprehensive Plan Amendment

Consider an ordinance to change the future land use on approximately 13 acres located west of the CR 455 and Good Hearth Blvd. from Lake County Urban Low Density to City's Commercial future land use.

Item 2 - Ordinance No. 2019-17

City Parks Rezoning

Consider an ordinance to change the zoning on Palatlahaha Park, Seminole Park, and Park of Indian Hills to City PR Parks and Recreation zoning designation.

Discussion of Non-Agenda Items

ADJOURN

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

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

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

City of Clermont
MINUTES
PLANNING AND ZONING COMMISSION
February 5, 2019

Page 1

The meeting of the Planning & Zoning Commission was called to order 5, February, 2019 at 6:30 p.m. by Chairman Cuqui Whitehead. Other members present were Herb Smith, Ebo Enstuah, Julie Santos, and Tony Hubbard. Curt Henschel Planning Manager, John Kruse, Senior Planner, Regina McGruder, Senior Planner, Dan Mantzaris, Legal Counsel for the City, were also in attendance.

MINUTES of Planning and Zoning Commission meeting held on January 3, 2019 were approved as written.

REPORTS:

Cuqui Whitehead elected as Chairman.

Herb Smith elected as co-chair.

NEW BUSINESS

REQUEST:

Item # 1: Consider an ordinance for a planned unit development consisting of 321 single-family lots on 115 acres located southwest of Hartwood Marsh Road and Hancock Road.

APPLICANT: *Hartwood Residential PUD (Fuqua)*

Senior Planner, John Kruse, presented the staff report as follows:

The applicant, Hartwood Residential LLC, is requesting a rezoning to a Planned Unit Development (PUD) consisting of up to 321 single-family residential units on 115 +/- acres. The property is located southwest of the intersection of Hartwood Marsh Road and Hancock Road. This request is being heard concurrently with requests for annexation and a large-scale comprehensive plan amendment. The property is currently in Lake County with a zoning designation of R-6 Urban Residential. Once the property is annexed, it will become Urban Estate and Urban Transition zoning.

The applicant has provided a PUD site plan, prepared by Donald W. McIntosh Associates, showing the proposed layout. The project will consist of up to 321 residential lots. The development will be at a density of 2.8 units per acre. The applicant desires to offer a range of lot sizes from 40 feet in width up to 60 feet in width. The minimum lot area ranges from 4,600 square feet up to 7,200 square feet. The applicant has indicated a mixture of lot sizes, with 40-foot lots being the lowest in number with about 25% of the development. These lots will be placed on the perimeter of the project and will back up to the landscape/wall tract. In addition, the applicant has included a design item table with the lot sizes and associated setbacks. This has been done in the past with other Planned Unit Developments, such as WaterBrooke, Highland Ranch and most recently, Lakeview Preserve.

Staff understands the very nature of the PUD zoning requires waivers to the Land Development Code in order to provide flexible development options for the project. The applicant has requested several waivers to the Land Development Code.

These waivers include the following:

1. A minimum of 25% of the area of the Planned Unit Development shall be provided as open space. The final open space upon buildout will be 25% or greater while individual phases may contain less than the 25%. Section 122-316(b)4
2. Allow Impervious Surface Ratio (ISR) of 0.75 (75%) for the individual lots, while maintaining an overall PUD development ISR of 0.65 (65%). Section 122-315 (2)
3. Allow elevation changes of up to fifteen feet (15') in no more than 10% of the project area. Section 94-195 (Current code allows 10' for residential).
4. Internal roads in the proposed development shall not be required to provide cross access to adjacent parcels due to conservation, physical/environmental or commercial uses. Section 110-192
5. The overall density calculation for the number of lots shall be made prior to the deduction of public dedication of Right-of-Way, which is approximately 7 acres. Section 110-211
6. Allow lots on curves to have a minimum lot frontage of 30 feet but maintain a lot width of 40 feet at the minimum front building setback line. Section 110-211
7. Allow retaining wall heights up to 15 feet to deal with the extreme grades on the western portion of the site. Section 94-195 (Current code allows a maximum of 6 feet).
8. Allow lots along Hartwood Marsh Road to have a minimum setback of 20 feet for the rear yard setback, with a minimum building setback from Hartwood Marsh Road Right-of-way of 35 feet. Section 122-75 (Current code requires 50 feet).

Staff has reviewed the applicant's proposal and believes the proposed use at this location is compatible with the uses in the area. There is a mixture of uses in the surrounding area, such as single-family homes to the north and east, commercial uses to the west and a new church being constructed adjacent to the property. The developer will be dedicating approximately 7 acres of land for right-of-way use. This includes additional right-of-way along Hartwood Marsh Road for roadway improvements and an additional tract to Lake County for the installation of a 10-foot multi-purpose trail. The developer is also dedicating the majority of the right-of-way for the extension of Hancock Road south of Hartwood Marsh Road adjacent to the project. Part of the PUD conditions is that the developer will be responsible for constructing a two-lane extension of South Hancock Road to their project entrance. Property dedication to Lake County for a 10-foot multi-purpose trail is also required along the new South Hancock extension.

Staff believes the proposal meets the standards in regards to Section 122-315, Review Criteria for a PUD. The applicant is requesting several waivers, however; a majority of the waivers have been requested before in other PUD developments. Therefore, staff recommends approval of Ordinance 2019-09 for a Planned Unit Development to be developed in substantial accordance with the Preliminary Plan of Hartwood Marsh prepared by Donald W. McIntosh Associates with a revised date of January 29, 2019.

Applicant, John Florio, 2200 N Park Avenue, Winter Park, Macintosh & Associates. Available to answer any questions.

Chairman Whitehead opened the floor to the public. There was no one present to speak. Chairman Whitehead immediately closed to public portion of the hearing, and returned it to the Board.

Commissioner Smith asked for images of maps. Questioning the entrances.

Senior Planner Kruse clarified the PUD requirements.

Commissioner Enstuah asked if future land use and all other issues being the same as the county.

Senior Planner Kruse Confirmed.

Chairman Whitehead entertained motion for item 1. Commissioner Smith moves to approve the requested motion; it was seconded by Commissioner Hubbard. The vote was unanimous for approval. Motion passed 5-0.

REQUEST:

Item # 2: Consider request to amend Conditional Use Permit (Resolution No 2016-42) to allow for an increase to the professional office total square footage.

APPLICANT: *South Lake Medical Arts Pad O*

Senior Planner, Regina McGruder presented the staff report as follows:

The applicant, South Lake Medical Arts Center, is requesting to amend a Conditional Use Permit (Resolution No 2016-42) to allow for an increase to the professional office total square footage. The property is approximately 12+/- acres and is located at the southwest corner of Oakley Seaver and Citrus Tower Blvd. The current zoning is R-3 Residential/Professional District. The existing Conditional Use Permit was approved to allow up to 50,300 s.f. of professional offices, and 144 multifamily units and a parking structure, currently under construction. The applicant is again requesting to amend the Conditional Use Permit to allow for an increase to the professional office from 50,300 square feet up to 53,000 square feet. The applicant would like to construct a 5,000 square foot building on Pad O, the final building pad of the master development plan.

A Conditional Use Permit (Resolution No. 1485) was approved in 2006, to allow for an 116,000 square foot office complex with a parking structure. The project was never fully developed. In 2016, the CUP (Resolution No 2016-42) was amended to allow up to 144 multifamily units with a parking structure and up to 50,300 square feet of professional office space, the site currently has 47,717 square feet of professional office space built, which leaves approximately 2,583 square feet available for the last vacant building pad (Pad O), before the site maximum is reached. The applicant is requesting an increase to the professional office square feet to allow for construction of a 5,000 square foot office building. The proposed building will increase total professional office to approximately 53,000 square feet.

When evaluating a request for a Conditional Use Permit, Section 86-144 of the Land

Development Code requires specific development standards and provisions are met, Staff has reviewed the CUP application as submitted and finds the proposed use does not meet the general criteria. The site as proposed does not have sufficient parking to accommodate the proposed increase to the professional office square footage. The applicant has a signed agreement with Lake County Government, that provides 22 reserved and designated parking spaces for one of the office buildings. The reserved spaces cannot be included in the shared parking plan, because they are reserved and not available for public parking by the other tenants in the office center. The applicant is also requesting a variance for a parking deficient of 11 parking spaces. This request may create a hardship and insufficient parking for the overall professional office development. Therefore, Staff recommends denial of the request to amend the Conditional Use Permit with (Resolution No. 2019-01R).

Applicant Representative, Jennifer Cotch, 702 W. Montrose Street, Crawford, Modica & Holt Charter Attorneys at Law. States Pad O has been left behind of the establishment of this medical office. States the agreement states the building has shared parking.

Chairman Whitehead opened the floor to the public. There was no one present to speak. Chairman Whitehead immediately closed to public portion of the hearing, and returned it to the Board.

Commissioner Enstuah asked about reserved parking.

Senior Planner McGruder mentioned an agreement was made with the county for 22 parking spaces.

Ms. Cotch stated they are in full cooperation with the county.

Commissioner expresses his concern on the owner wanting to request changes on a previous matter.

Chairman Whitehead entertained motion for item 2. Commissioner Hubbard moves to approve the requested motion; it was seconded by Commissioner Smith. The vote was for approval. Motion passed 4-1.

REQUEST:

Item # 3: Consider ordinance to change the future land use from Lake County Regional Commercial to Clermont Industrial for property located at 15016 Pine Valley Blvd.

APPLICANT: *Andoc Comprehensive Plan Amendment*

Senior Planner, Regina McGruder, 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 November 14, 2017. The applicant signed a Utility Agreement to receive water and sewer services from the City. The property is currently under construction with an approved permit from Lake County, the site will continue development under Lake County's jurisdiction

until final completion. The property is being developed as a Veterinary Clinic. The property is approximately 1.92 acres.

The proposed map amendment will change the Future Land Use from Lake County's Regional Commercial to the City's Industrial. The related rezoning request will change the zoning from Lake County MP Industrial to the Clermont M-1 Industrial zoning classification.

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

Applicant, Dr. William, East Side Veterinary Hospital, curious if having an animal hospital would affect anything for him.

Senior Planner McGruder clarified that no changes will be made from county to city.

Chairman Whitehead opened the floor to the public. There was no one present to speak. Chairman Whitehead immediately closed to public portion of the hearing, and returned it to the Board.

Commissioner Smith is curious about the classification of the property.

Senior Planner McGruder stated they reviewed all of the options.

Chairman Whitehead entertained motion for item 3. Commissioner Smith moves to approve the requested motions; it was seconded by Commissioner Enstuah. The vote was unanimous for approval. Motioned passed 5-0.

Meeting adjourned at 7:04 PM



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date

Tuesday, March 5, 2019

Agenda Item Name

Ordinance No. 2019-15

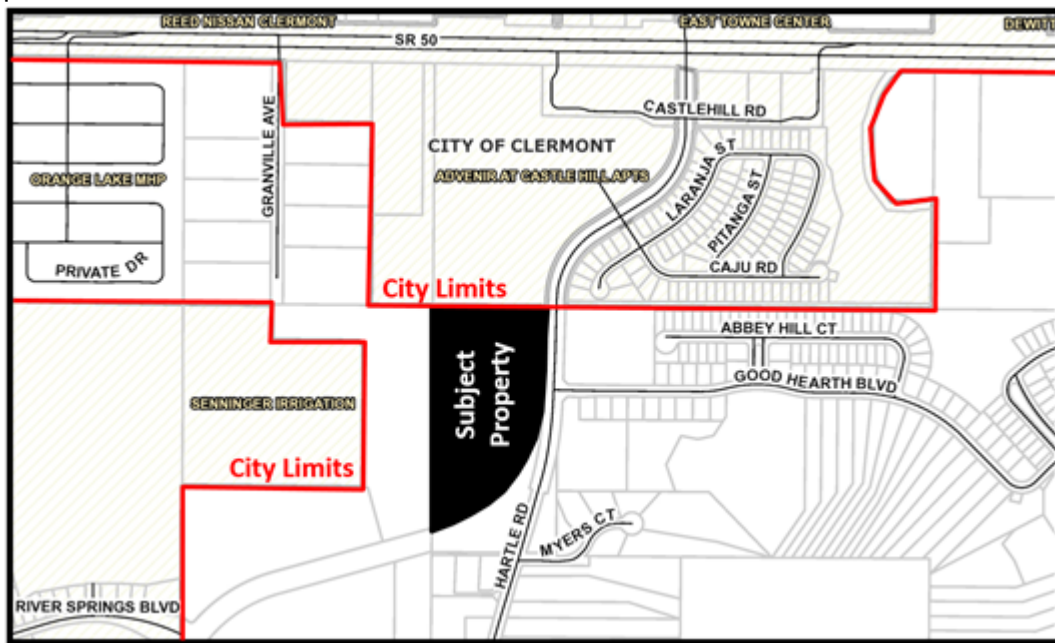
Wise Large-Scale Comprehensive Plan Amendment

Requested Action

Recommend approval of Ordinance 2019-15.

Staff Report

The applicant, LPG Urban & Regional Planners, LLC, is requesting voluntary annexation of the subject property. The property, approximately 13 acres, is located west of the CR 455/Hartle Road and Good Hearth Boulevard intersection. This request is being heard concurrently with requests for annexation and a rezoning to a Planned Unit Development (PUD). The property is located within the Interlocal Service Boundary Agreement (ISBA) and the Joint Planning Area (JPA). The property has been historically used for agricultural uses, formerly citrus and now planted pine.



The proposed map amendment will change the future land use from Lake County's Urban Low Density to the City's Commercial. Under Lake County's Comprehensive Plan, FLU Policy 1-1.3.2, the property can be developed at a maximum density (4 units/net acre) of 53 residential units and 144,945 square feet of commercial. The City's Commercial Future Land Use allows up to 0.25 Floor Area Ratio (FAR) and up to 12 units per acre. The commercial square footage would be the same, 144,945 square feet, but an increase of 8 units per acre, or 104 additional residential units could be constructed. The applicant is requesting a rezoning to a PUD for up to 96,000 square feet of commercial/office space and 96 multi-family units that would cap the development totals.

Several policies in the City's Comprehensive Plan support the proposed map amendment. These policies include: Policy 1.1.3: The City shall encourage infill through the use of higher density and intensity land use designations and mixed-use designations in appropriate locations.

Policy 1.2.4: The adopted FLUM contains and identifies appropriate locations for land use categories which were established to prevent urban sprawl, provide for the protection of natural and historic resources and maximize economic development.

Policy 1.9.2: The maximum intensity of commercial development shall be limited to 0.25 FAR. The maximum density for residential uses shall be 12 units per acre, except for lands which may allow a bonus density of up to 25 units per acre through an affordable housing component, as provided for in the Land Development Code, Section 122, Division 16 Special Overlay District. Densities higher than eight units per acre shall require a conditional use permit or a Planned Unit Development (PUD) zoning.

Policy 1.12.3: The City shall encourage requests for voluntary annexation into the City when those lands are logical extensions of the existing City limits, when services can be properly provided and when proposed uses are compatible with the City's comprehensive plan.

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 May.

Staff is able to support the request for the comprehensive plan change since the subject property meets the requirements for voluntary annexation, the City is capable of serving the property, it is not in conflict with the City's Comprehensive Plan, and the property can be developed in a similar fashion under Lake County's Urban Low Density. Therefore; staff recommends approval of the transmittal of the large-scale comprehensive plan amendment to change the future land use from Lake County Urban Low Density to the City's Commercial.

Additional Analysis

Fiscal Impact Summary

Fiscal Impact

Fund Number and Description

Available Budget Amount

Exhibits Attached (copies of original agreements)

- | | | |
|----|-----------------------------------|---------------------------------------|
| 1. | 2019-15 Wise CPA | 2019-15 Wise CPA.doc |
| 2. | Wise Map | Wise Map.pdf |
| 3. | 171094 Daniel Wise -Bndy_10-24_17 | 171094 Daniel Wise -Bndy_10-24_17.pdf |
| 4. | executive summary_05-14-18_SL | executive summary_05-14-18_SL.pdf |
| 5. | Wise CPA Legal Ad | Wise CPA Legal Ad.pdf |



CITY OF CLERMONT
ORDINANCE NO. 2019-15

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

TRACTS 38 AND 43, SECTION 26, TOWNSHIP 22 SOUTH, RANGE 26 EAST, ACCORDING TO LAKE HIGHLAND COMPANY'S PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 24, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.
LESS AND EXCEPT:

THAT PART OF SECTION 26, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:



CITY OF CLERMONT
ORDINANCE NO. 2019-15

COMMENCE AT AN AXLE FOUND AT THE CENTER OF SAID SECTION 26; THENCE N89°33'31"W ALONG THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 26 FOR A DISTANCE OF 665.32 FEET TO THE POINT OF BEGINNING; THENCE LEAVING SAID NORTH LINE RUN S00°22'13"W ALONG THE WEST LINE OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 26 FOR A DISTANCE OF 781.85 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 2000.00 FEET AND A CHORD BEARING OF S 13°13'33"W; THENCE LEAVING SAID WEST LINE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 06°16'21" FOR A DISTANCE OF 218.95 FEET TO A NON-TANGENT LINE; THENCE N73°38'17"W, 100.00 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 1,900.00 FEET AND A CHORD BEARING OF N09°05'12"E; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 14°33'03" FOR A DISTANCE OF 482.53 FEET TO THE POINT OF TANGENCY; THENCE N01°48'40"E, 492.21 FEET TO A POINT ON THE AFORESAID NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 26; THENCE S89°33'31"E ALONG SAID NORTH LINE, 59.52 FEET TO THE POINT OF BEGINNING.

SUBJECT TO AN EASEMENT DATED 1/30/53, FILED 2/3/53 FROM BORIS ARNOV, JR., A SINGLE MAN, TO HELEN MATHER-SMITH, AN UNMARRIED WOMAN, CONVEYING A PERPETUAL EASEMENT FOR INGRESS AND EGRESS OF PEDESTRIAN AND VEHICULAR TRAFFIC OVER THE FOLLOWING DESCRIBED LAND: ALL THAT PART OF THE SOUTHERLY 25 FEET OF TRACTS 38 AND 43, OF LAKE HIGHLAND'S COMPANY PLAT OF SECTION 26, TOWNSHIP 22 SOUTH, RANGE 26 EAST, RECORDED IN PLAT BOOK 3, PAGE 24, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, EXCEPT THAT PART OF SAID SOUTHERLY 25 FEET LYING WEST OF THE COUNTY ROAD.

ALSO LESS AND EXCEPT ORB 4561, PG 1260

PARCEL "A"

THAT PORTION OF TRACTS 38 AND 43, MAP OF SECTION 26 OF LAKE HIGHLANDS COMPANY, AS RECORDED IN PLAT BOOK 3, PAGE 52, AND LAKE HIGHLANDS COMPANY. PLAT, TOWNSHIP 22 SOUTH, RANGE 26 EAST, PLAT BOOK 3, PAGE 24, ALL OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, LYING IN SECTION 26, TOWNSHIP 22 SOUTH, RANGE 26 EAST AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE CENTER OF SECTION 26 AS SHOWN ON JOHN'S LAKE LANDING PHASE 1, AS RECORDED IN PLAT BOOK 65, PAGE 58, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE NORTH 89°33'31" WEST ALONG THE NORTH LINE OF THE SOUTHWEST 1 /4 OF SAID SECTION 26 AND THE NORTH BOUNDARY LINE OF SAID PLAT FOR 724.84 FEET TO THE WESTERLY BOUNDARY OF SAID PLAT; THENCE ALONG SAID WESTERLY BOUNDARY THE FOLLOWING FOUR (4) COURSES: SOUTH 01°48'40' WEST FOR 475.87 FEET TO THE POINT OF



CITY OF CLERMONT
ORDINANCE NO. 2019-15

BEGINNING; THENCE CONTINUE SQUIB 01'48'40" WEST FOR 16.34 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 1900.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE HAVING A CENTRAL ANGLE OF 14'33'03" FOR 482.53 FEET; THENCE SOUTH 73'38'17" EAST FOR 38.64 FEET TO POINT A AND THE WESTERLY EDGE OF PAVEMENT FOR HARTLE ROAD AS IT EXISTED ON JULY 03, 2014; THENCE DEPARTING SAID BOUNDARY OF JOHN'S LAKE LANDING PHASE 1, RUN ALONG THE WESTERLY EDGE OF PAVEMENT OF SAID HARTLE ROAD THE FOLLOWING FIVE (5) COURSES: SOUTH 11'58'12" WEST FOR 11.38 FEET; THENCE SOUTH 14'56'12" WEST FOR 17.62 FEET; THENCE SOUTH 15'49'20" WEST FOR 52.94 FEET; THENCE SOUTH 16'43'20" WEST FOR 79.99 FEET; THENCE SOUTH 17'05'28" WEST FOR 184.18 FEET TO THE SOUTH LINE OF SAID TRACT 43; THENCE NORTH 89'34'35" WEST ALONG SAID SOUTH LINE FOR 459.96 FEET TO THE WEST LINE OF SAID TRACT 43; THENCE NORTH 00'20'25" EAST ALONG SAID WEST LINE FOR 128.89 FEET; THENCE DEPARTING SAID WEST LINE, NORTH 74'35'13" EAST FOR 45.80 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 740.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 72'46'33" FOR 939.93 FEET; THENCE SOUTH 88'11'20" EAST ALONG A RADIAL LINE FOR 10.00 FEET TO THE POINT OF BEGINNING; CONTAINING 3.45 ACRES OR 150,211 SQUARE FEET, MORE OR LESS. TOGETHER WITH

PARCEL "B"

THAT PORTION OF TRACT 43, MAP OF SECTION 26 OF LAKE HIGHLANDS COMPANY, AS RECORDED IN PLAT BOOK 3, PAGE 52, AND LAKE HIGHLANDS COMPANY PLAT, TOWNSHIP 22 SOUTH, RANGE 26 EAST, PLAT BOOK 3, PAGE 24, ALL OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, LYING IN SECTION 26, TOWNSHIP 22 SOUTH, RANGE 26 EAST AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS

COMMENCE AT THE AFOREMENTIONED POINT "A"; THENCE ALONG THE WESTERLY BOUNDARY LINE OF JOHN'S LAKE LANDING PHASE 1, AS RECORDED IN PLAT BOOK 65, PAGE 58, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, THE FOLLOWING FOUR (4) COURSES: SOUTH 73'38'17" EAST FOR 22.31 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 73'38'17" EAST FOR 39.05 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 2000.00 FEET AND A RADIAL LINE WHICH BEARS SOUTH 73'38'17" EAST; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 06'16'21" FOR 218.95 FEET; THENCE SOUTH 00'22'13" WEST ALONG SAID BOUNDARY OF JOHN'S LAKE LANDING PHASE 1 AND BOUNDARY OF MYERS COVE AS RECORDED IN PLAT BOOK 29, PAGE 38, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, FOR 529.01 FEET TO THE SOUTH LINE OF SAID TRACT 43; THENCE NORTH 89'34'35" WEST ALONG SAID SOUTH LINE FOR 183.56 FEET TO THE EASTERLY EDGE OF PAVEMENT OF HARTLE ROAD AS IT EXISTED ON JULY 03, 2014; THENCE ALONG SAID EASTERLY EDGE OF PAVEMENT THE



CITY OF CLERMONT
ORDINANCE NO. 2019-15

FOLLOWING SEVEN (7) COURSES: NORTH 17°16'39" EAST FOR 178.58 FEET; THENCE NORTH 16°26'45" EAST FOR 80.85 FEET; THENCE NORTH 16°03'52" EAST FOR 20.50 FEET; THENCE NORTH 86°56'24" EAST FOR 1.36 FEET; THENCE NORTH 16°09'13" EAST FOR 22.28 FEET; THENCE NORTH 14°42'51" EAST FOR 26.66 FEET; THENCE NORTH 18°18'30" EAST FOR 11.14 FEET TO THE POINT OF BEGINNING.

Alternate Key 1648157

CHANGE IN FUTURE LAND USE CLASSIFICATION

FROM LAKE COUNTY: URBAN LOW DENSITY
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.

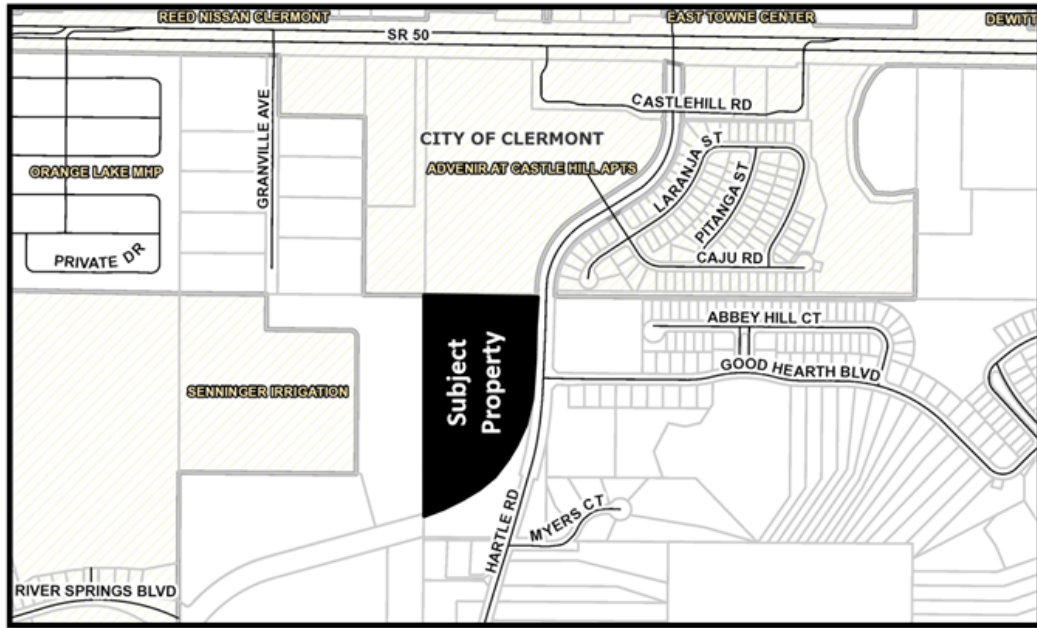
SECTION 3.

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.

CITY OF CLERMONT
ORDINANCE NO. 2019-15





CITY OF CLERMONT
ORDINANCE NO. 2019-15

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida, this 28th day of May, 2019.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Exhibit - Location Map - Wise Property

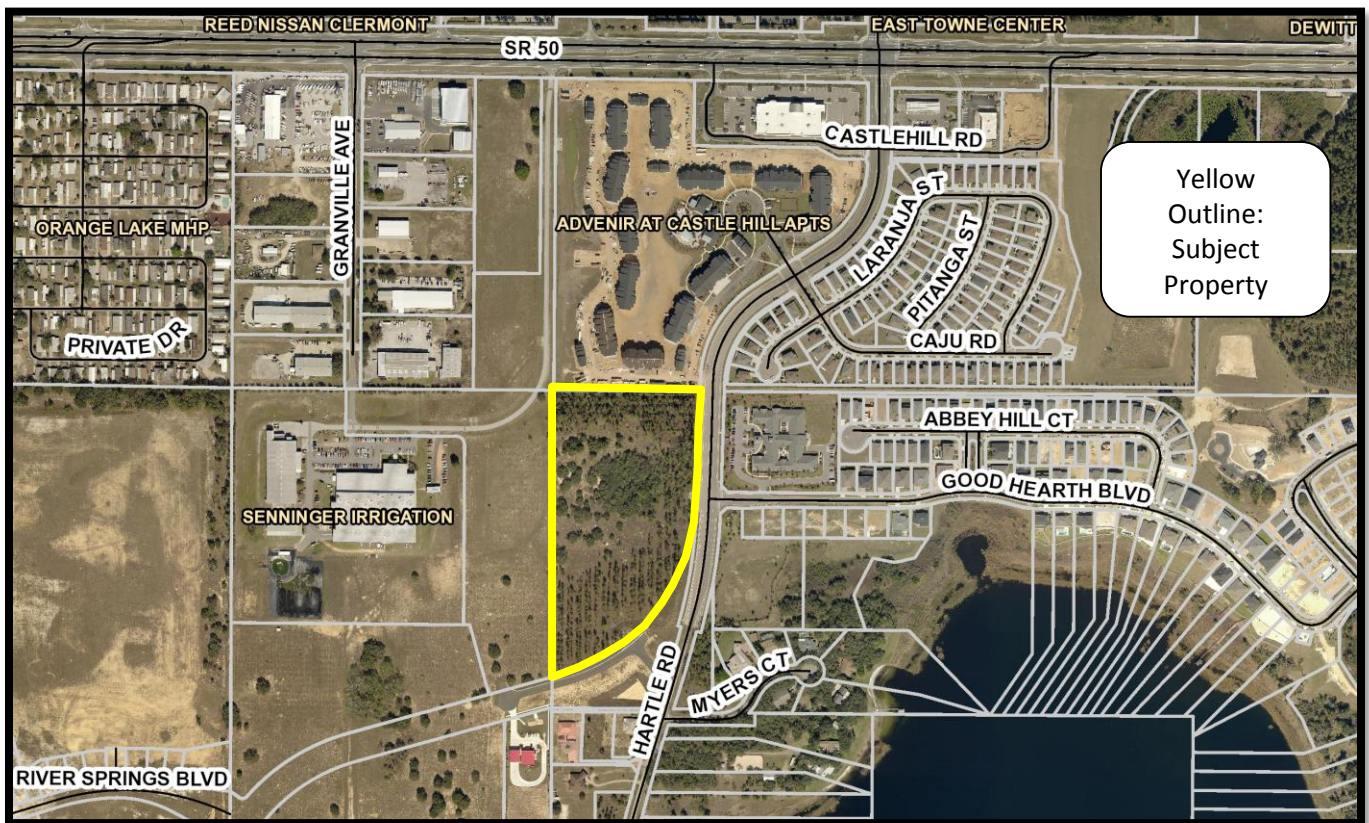
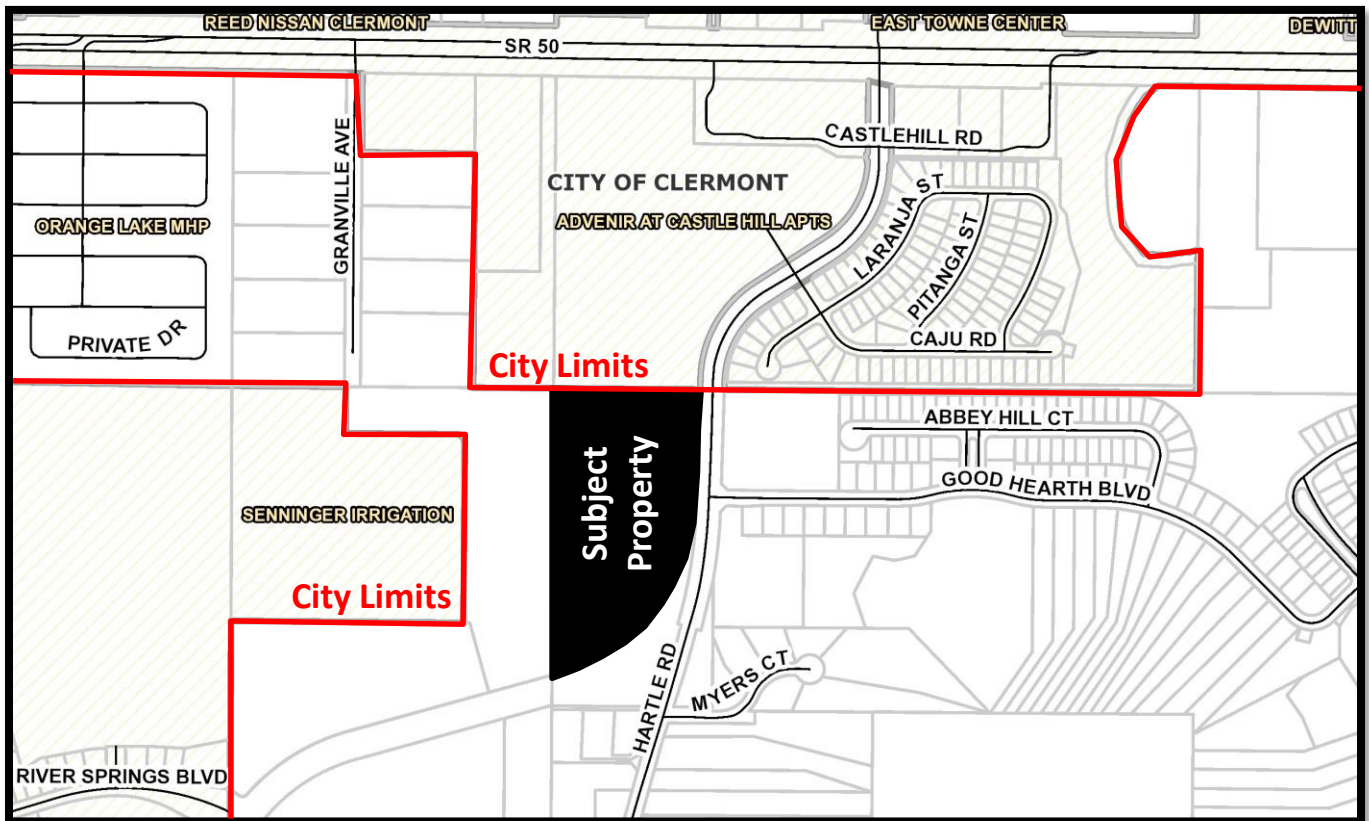


Exhibit – Future Land Use Map – Wise Property

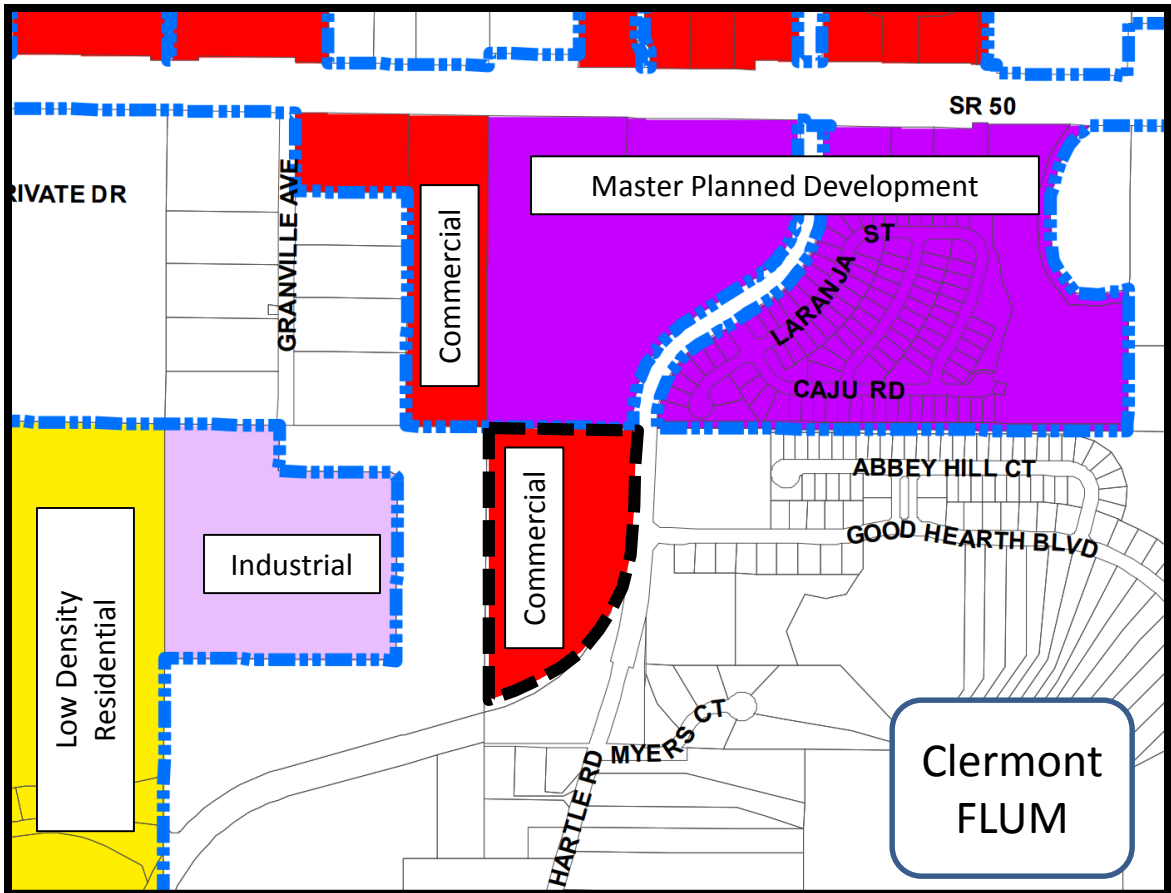
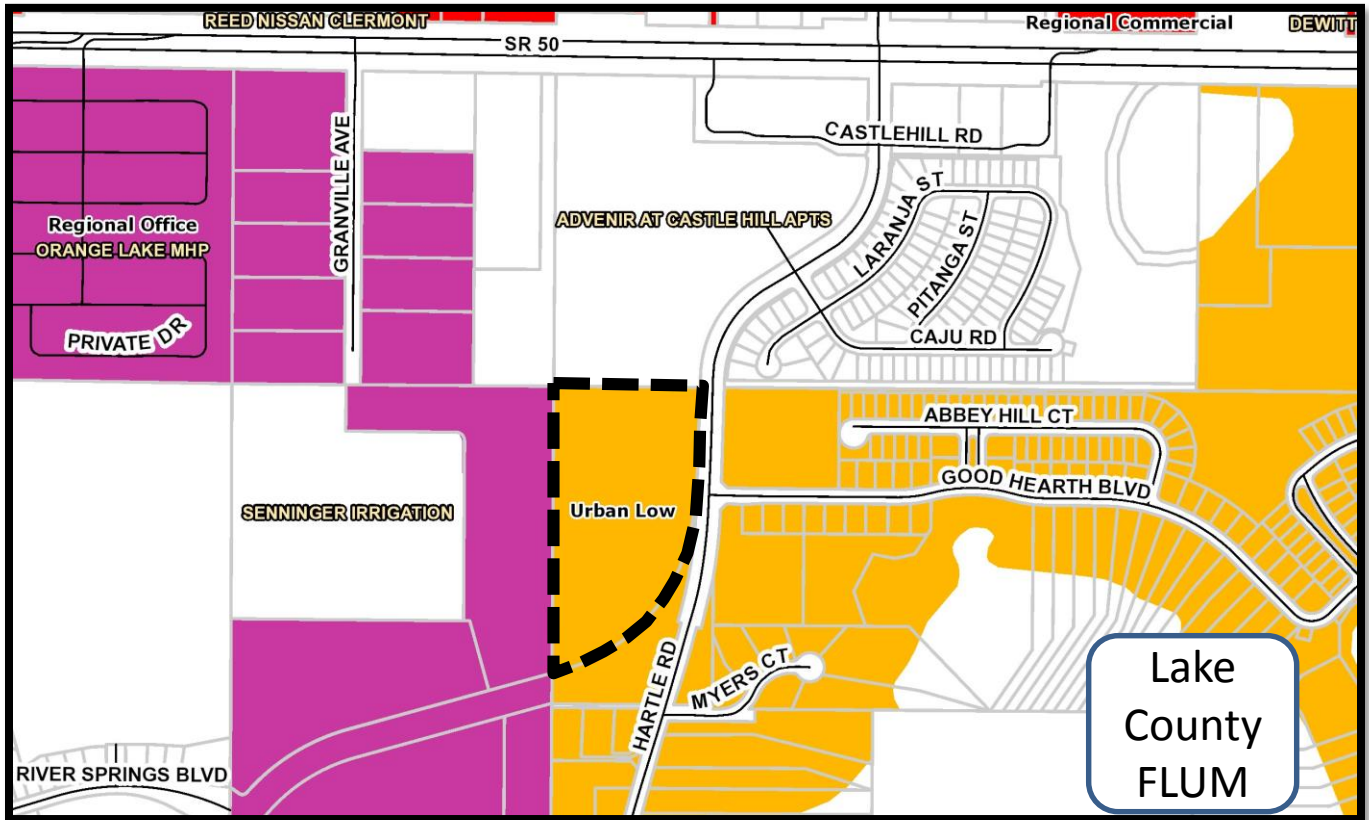
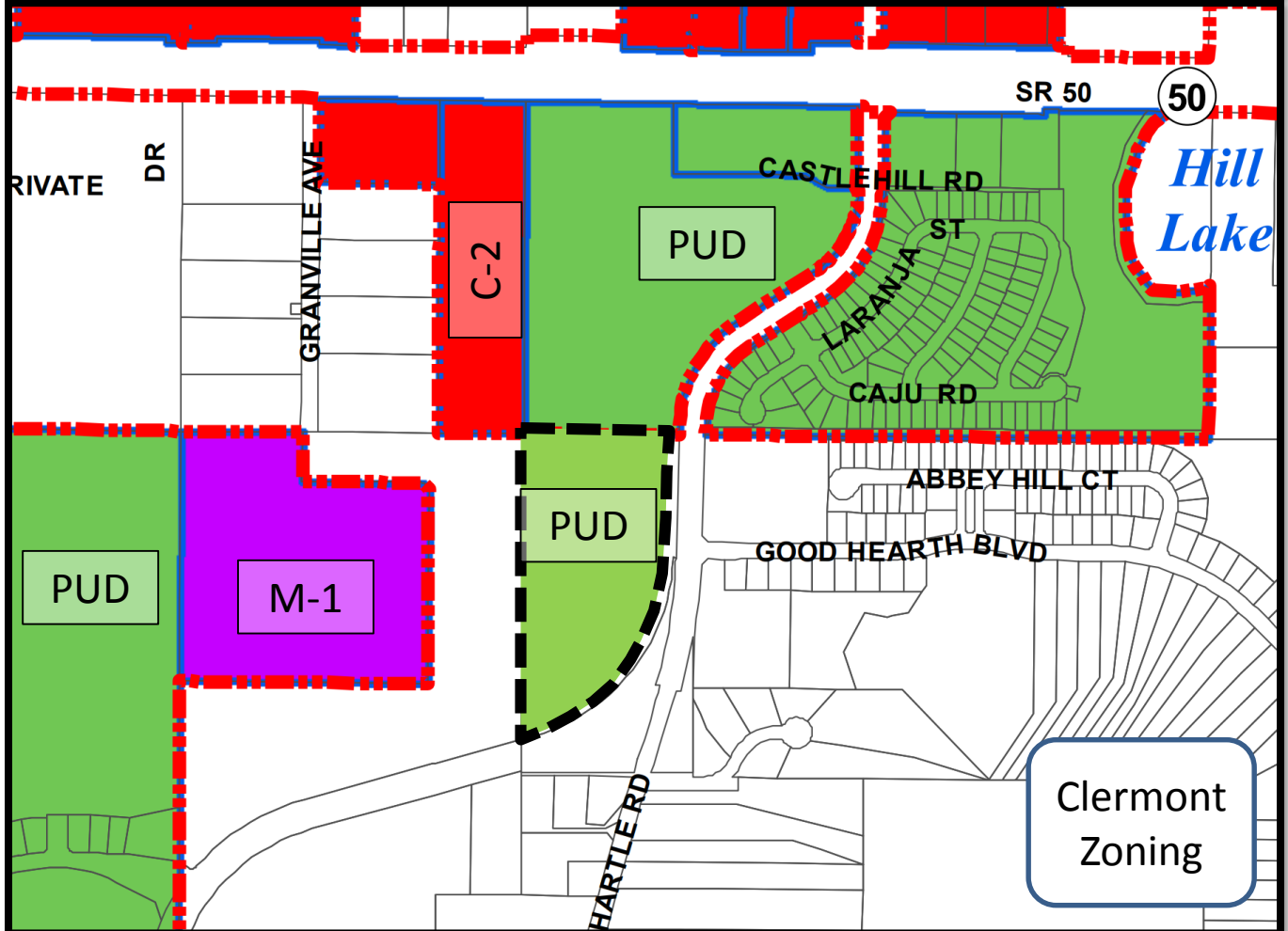
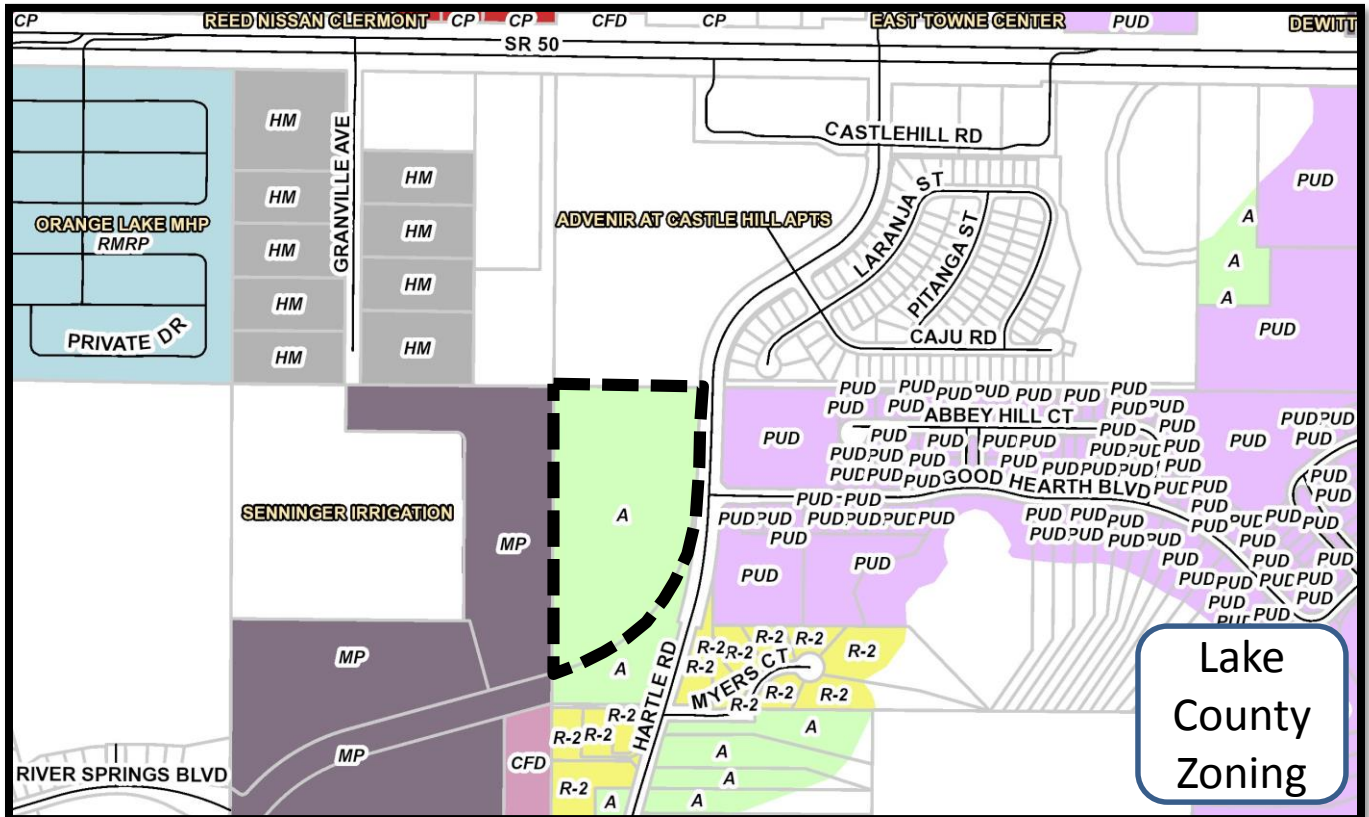


Exhibit – Zoning Map – Wise Property



TRACTS 38 AND 43, SECTION 26, TOWNSHIP 22 SOUTH, RANGE 26 EAST, ACCORDING TO LAKE HIGHLAND COMPANY'S PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 24, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

THAT PART OF SECTION 26, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS

SUBJECT TO AN EASEMENT TED 1/30/53, FILED 2/3/53 FROM BORIS ARNOV, JR., A SINGLE MAN, TO HELEN MATHER-SMITH, AN UNMARRIED WOMAN, CONVEYING A PERPETUAL EASEMENT FOR INGRESS AND EGRESS OF PEDESTRIAN AND VEHICULAR TRAFFIC OVER THE FOLLOWING DESCRIBED LAND: ALL THAT PART OF THE SOUTHERLY 2 FEET OF TRACTS 38 AND 43, OF LAKE HIGHLAND'S COMPANY PLAT OF SECTION 26, TOWNSHIP 22 SOUTH, RANGE 26 EAST, RECORDED IN PLAT BOOK 3, PAGE 24, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, EXCEPT THAT PART OF SAID SOUTHERLY 25 FEET LYING WEST OF THE COUNTY ROAD.

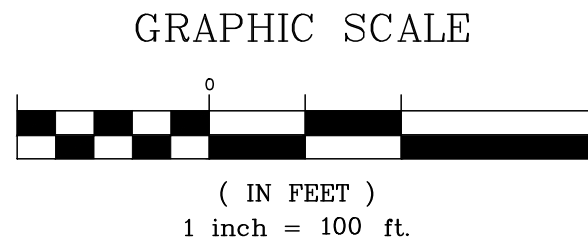
THAT PORTION OF TRACTS 38 AND 43, MAP OF SECTION 26 OF LAKE HIGHLANDS COMPANY, AS RECORDED IN PLAT BOOK 3, PAGE 52, AND LAKE HIGHLANDS COMPANY, PLAT, TOWNSHIP 22 SOUTH, RANGE 26 EAST, PLAT BOOK 3, P. 1, ALL OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, LYING IN SECTION 26, ? TOWNSHIP 22 SOUTH, RANGE 26 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PORTION OF TRACT 43, MAP OF SECTION 26 OF LAKE HIGHLANDS COMPANY, AS RECORDED IN PLAT BOOK 3, PAGE 52, AND LAKE HIGHLANDS COMPANY PLAT, TOWNSHIP 22 SOUTH, RANGE 26 EAST, PLAT BOOK 3, PAGE 24, ALL OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, LYING IN SECTION 26, TOWNSHIP 22 SOUTH, RANGE 26 EAST AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS

CONTAINING 1.10 ACRES OR 47,901 SQUARE FEET, MORE OR LESS

	WATER METER	POC	POINT OF COMMENCEMENT
	CLEAN OUT	POB	POINT OF BEGINNING
	GAS METER	ID	IDENTIFICATION
	FLAG POLE	LB	LICENSED BUSINESS
	FIRE HYDRANT	RLS	REGISTERED LAND SURVEYOR
	SIGN	PSM	PROFESSIONAL SURVEYOR AND MAPPER
	SET 5/8" IRON ROD AND CAP (LB 7514) OR AS NOTED	EOP	EDGE OF PAVEMENT
	SET NAIL AND DISC (LB 7514) OR AS NOTED	B0C	BACK OF CURB
	FOUND CONCRETE MONUMENT (AS NOTED)	IR	IRON ROD
	TELEPHONE JUNCTION BOX	CONC	CONCRETE
	LIGHT POLE	AC	AIR CONDITIONER PAD
	GUY WIRE	BFP	BACKFLOW PREVENTER
	OVERHEAD UTILITY LINE	IRC	IRON ROD & CAP
	SANITARY SEWER LINE	SAN	SANITARY LINE
	FENCE LINE	CLF	CHAIN LINK FENCE
	MEASURED	ICV	IRRIGATION CONTROL VALVE
	DESCRIBED	FOC	FIBER OPTIC CABLE
	PLAT	EJB	ELECTRIC JUNCTION BOX
	CALCULATED	INV	INVERT
	CENTERLINE	N&D	NAIL & DISK
	FLORIDA DEPARTMENT OF TRANSPORTATION	FFE	FINISHED FLOOR ELEVATION
	CATEGORY 5 CABLE JUNCTION	PC	POINT OF CURVATURE
	BOLLARD	PT	POINT OF TANGENCY
	STORM MANHOLE	PRC	POINT OF REVERSE CURVE
	SEWER MANHOLE	ORB	OFFICIAL RECORDS BOOK
	WELL	PG	PAGE
	GAS VALVE	RR	RAILROAD
	SEWER VALVE	SEC	SECTION
	FIRE VALVE	DB	DEED BOOK
	SPRINKLER	SQ.FT.	SQUARE FEET
	MONITORING WELL	SB2	SCHEDULE B 2 ITEM

PVC POLYVINYL CHLORIDE
CMP CORRUGATED METAL PIPE
RCP REINFORCED CONCRETE PIPE



1. THE SURVEY MAP (AND/OR) REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

3. CERTIFICATION IS LIMITED TO PARTIES NAMED HEREON.
4. BEARINGS SHOWN HEREON ARE FLORIDA STATE PLANE COORDINATE EAST ZONE BASED ON LENGEMANN L-NET GLOBAL NAVIGATION SATELLITE SYSTEM (GNSS) NETWORK, THAT IS CERTIFIED BY WYNTMAN GROUP, INCORPORATED, AND IS BASED ON NORTH AMERICAN DATUM OF 1983. 2007 ADJUSTMENT (SPCS'83-2007) THIS SURVEY WAS CHECKED TO LAKE COUNTY GEODETTIC AND BENCHMARK DENSIFICATION PROJECT 2002 "LK 176" AND REFERENCED TO THE EAST LINE OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 26, TOWNSHIP 22 SOUTH, RANGE 26 EAST AS BEING SOUTH 00°20'25" WEST.
5. THE LEGAL DESCRIPTION WAS SUPPLIED BY THE CLIENT AND COPIES OF THE ORIGINAL DEEDS WERE OBTAINED FROM THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.
6. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF TITLE AND THEREFORE IS SUBJECT TO CHANGE DUE TO ANY FACTS THAT MAY BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH.
7. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS, RIGHTS OF WAY, OWNERSHIP OR OTHER MATTERS OF RECORD BY THIS FIRM.
8. UNDERGROUND IMPROVEMENTS SUCH AS UTILITIES, FOUNDATIONS, ETC. WERE NOT LOCATED.
9. LANDS SHOWN HEREON LIE IN FLOOD ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL FLOODPLAIN), ACCORDING TO FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 12069 C 0595 E EFFECTIVE DATE: DECEMBER 18, 2012.
10. THE EXPECTED USE OF LAND, AS CLASSIFIED IN THE FLORIDA STANDARDS OF PRACTICE (5J-17.051 FAC), IS "RESIDENTIAL". THE MINIMUM RELATIVE DISTANCE ACCURACY FOR THIS TYPE OF BOUNDARY SURVEY IS 1 FOOT/7,500 FEET. THE ACCURACY OBTAINED BY MEASUREMENT AND CALCULATION OF A CLOSED GEOMETRIC FIGURE WAS FOUND TO EXCEED THIS REQUIREMENT.
11. THIS SURVEY MEETS ALL APPLICABLE REQUIREMENTS OF THE FLORIDA STANDARDS OF PRACTICE AS CONTAINED IN CHAPTER 5J-17.052 OF THE FLORIDA ADMINISTRATIVE CODES.
12. DATE OF FIELD WORK IS REFLECTED IN TITLE BLOCK, NOT THE DATE OF SIGNATURE.
13. THIS MAP IS INTENDED TO BE DISPLAYED AT A SCALE OF 1/100 OR SMALLER.
14. HORIZONTAL DATUM SHOWN HEREON IS IN U.S. FEET.

[illegible]

DATE: _____
JAMES M. STRAUGHAN, PROFESSIONAL SURVEYOR & MAPPER FLORIDA
REGISTRATION NO. 5309

BESDH
BOOTH ERN STRAUGHN HOTT
902 North Sinclair Ave. Office: 352.343.8481
Tavares, Florida 32778 Fax: 352.343.8495
www.besandh.com
ENGINEERS SURVEYORS PLANNERS
LICENSED BUSINESS 7514



**DANIEL WISE, TRUSTEE
LARGE SCALE COMPREHENSIVE PLAN AMENDMENT
NOVEMBER 2018**

Prepared By:

LPG Urban & Regional Planners, Inc.
1162 Camp Avenue
Mt. Dora, Florida 32757
(352) 385-1940

City of Clermont
Large Scale Comprehensive Plan Amendment
Daniel Wise, Trustee

Executive Summary

The proposed large scale comprehensive plan amendment consists of 13.31 ± acres and is located off of Hartle Road (Figured 1 and 2) south of SR 50. The subject site abuts the City of Clermont along the northern property boundary and the applicant is requesting annexation. The subject property should be considered infill development. It should also be noted that there is a planned roadway along the northern property boundary known as Hooks Street extension.

The site is designated as Urban Low on the Lake County Future Land Use Map (Figure 3). The applicant is proposing to designate the site as Commercial on the City's Future Land Use Map (Figure 4). Pursuant to FLU Policy 1-1.3.2 of the Lake County Comprehensive Plan, the property could have been developed at a maximum density (4 units/net acre) of 53 residential units and 144,945 square feet of commercial (Table 1). Under the proposed City designation of Commercial land use pursuant to FLU Policies 1.2.4 and 1.9.2 the property can be developed at a maximum density of 156 units and 144,945 square feet of commercial (Table 1). The net change in maximum development is an additional 103 residential units.

School Impact Analysis

The proposed land use will increase the students generated by 35 students; however, the school impact analysis indicates that there is sufficient capacity available to support the amendment.

Existing County Land Use Residential Units: 53 SF units

Proposed Development Residential Units: 156 SF units

Lake County Student Generation Rates	
Single-Family	
Type	Student Multipliers per Dwelling Unit
High School	0.102
Middle School	0.074
Elementary School	0.152
Total	0.328

The anticipated number of students generated by the existing land use is shown in Table 3. The anticipated number of students generated by the proposed development is shown in Table 4. In summary, the proposed change increases the students generated by 35 students (16 elementary, 8 middle school and 11 high school). There are adequate school facilities to accommodate the proposed amendment.

**TABLE 3
STUDENTS GENERATED BASED ON EXISTING DEVELOPMENT**

SCHOOL	SF Units	STUDENT GENERATION RATE	STUDENTS GENERATED	MF UNITS	STUDENT GENERATION RATE	STUDENTS GENERATED	GRAND TOTAL
ELEMENTARY	53	0.152	8	0	0.143	0	8
MIDDLE	53	0.074	4	0	0.063	0	4
HIGH	53	0.102	5	0	0.077	0	5
GRAND TOTAL							17

**TABLE 4
STUDENTS GENERATED BASED ON PROPOSED DEVELOPMENT**

SCHOOL	SF Units	STUDENT GENERATION RATE	STUDENTS GENERATED	MF UNITS	STUDENT GENERATION RATE	STUDENTS GENERATED	GRAND TOTAL
ELEMENTARY	156	0.152	24	0	0.143	0	24
MIDDLE	156	0.074	12	0	0.063	0	12
HIGH	156	0.102	16	0	0.077	0	16
GRAND TOTAL							52

School Name	Projected Enrollment 2020-2021	Permanent Student Capacity	Projected Five-Year Capacity %	Student Enrollment w/Impact	% of Perm. Capacity w/Impact
Grassy Lake Elementary	1,049	1,175	89%	1,069	91%
East Ridge Middle	1,152	1,590	72%	1,162	73%
Lake Minneola High	1,765	1,835	96%	1,779	97%

Source: Lake County School District Five-Year Plan, Fiscal Year 2016-2020

Potable Water Analysis

The City of Clermont currently owns, operates and maintains a central potable water treatment and distribution system. The maximum pumping capacity of these facilities is limited by the City's Consumptive Use Permit (Permit No. 2478) as issued by the St. Johns River Water

Management District (SJRWMD). Permit no. 2478 allows for an annual withdrawal from the Floridian Aquifer of 7.91 mgpd. The City currently utilizes approximately 5.976 mgpd.

The City has a current available capacity of 1.93 mgpd. An analysis was conducted of the proposed amendment based on land use and the City's Level of Service (LOS) standards (Table 2). The analysis concludes that the proposed amendment will not cause a deficiency and the City will have a remaining available capacity of 1.85 mgpd.

Sanitary Sewer Analysis

The City of Clermont currently owns, operates, and maintains a central sanitary sewer system. The City's central sanitary system is comprised of one (1) wastewater treatment plant (WWTP) with a permitted capacity of 4.0 mgpd. The City currently utilizes approximately 3.028 mgpd. The City has a current available capacity of 0.972 mgpd.

An analysis was conducted of the proposed amendment based on land use and the City's Level of Service (LOS) standards (Table 3). The analysis concludes that the proposed amendment will not cause a deficiency and the City will have a remaining available capacity of 0.942 mgpd.

Solid Waste Analysis

The City of Clermont provides solid waste collection service to all its residents through a private franchise service. The City's adopted level of service (LOS) for solid waste is 6.63 lbs per day per resident. The estimated population with the amendment is 429 (156 x 2.75 pph) and will generate approximately 1.42 tons per day. The proposed amendment will not cause a deficiency in the LOS.

Transportation Impact Analysis

The proposed land use will generate an additional 37 PM peak hour trips as outlined below; however, the analysis does not take into account an internal capture rate. Utilizing an internal capture rate of 11% would decrease the PM peak hour trips from 37 to 25 thus the proposed amendment should be considered insignificant.

TRIP GENERATION ANALYSIS

Proposed Land Use Program

Land Use	Size/Unit	ITE Code	Daily Trips	PM Peak Hour Trips	PM Trips Enter	PM Trips Exit
Single Family	156 unit	210	1,485	156	98	58
Office/Commercial	144,945 SF	710	1,598	216	37	179
TOTAL GROSS TRIPS (PROPOSED)			3,083	306	96	211

Existing Land Use Program

Land Use	Size/Unit	ITE Code	Daily Trips	PM Peak Hour Trips	PM Trips Enter	PM Trips Exit
Single Family	53 units	210	505	53	33	20
Office/Commercial	144,945 SF	710	1,598	216	37	179
TOTAL GROSS TRIPS (EXISTING)			2,103	269	70	199

Net Difference (Proposed Net Trip Generation Minus Existing Net Trip Generation)

Land Use	PM Peak Hour Trips	PM Trips Enter	PM Trips Exit
TOTAL NET TRIPS (PROPOSED – EXISTING)	37	26	12

Environmental Analysis

The subject site consists of upland soils (Figure 5). Portions of the subject property are located within the 100 year flood plain (Figure 6). Prior to development, an environmental assessment will be conducted. Should protected species occupy the site, appropriate permits will be secured prior to development.

Comprehensive Plan Compliance

The proposed amendment is in compliance with the following policies (among others) of the City of Clermont's Comprehensive Plan:

Future Land Use

FLU Policy 1.1.3:	Encourage Infill
FLU Policy 1.2.4:	Commercial
FLU Policy 1.9.1:	Mix of Uses
FLU Policy 1.9.2:	Maximum Commercial Intensity

Table 1 – Maximum Development Analysis

Ordinance #	Acres	Existing Land Use	Existing Intensity of Development	Proposed City Land Use	Proposed Maximum Development	Net Change in Development Potential
Daniel Wise *	13.31	Urban Low (4 unit/acre)	53 Units 144,945 SF	Commercial (12 units/acre & .25 FAR)	156 Units 144,945 SF	+ 103 Units
TOTAL	13.31		53 Units 144,945 SF		156 Units 144,945 SF	+103 Units

* Annexation Ordinance No

Existing Lake County Urban Low - Max. Density = 4 units/net acre per FLU Policy 1-1.3.2

City of Clermont - FLU Policy 1.2.4 and 1.9.2 – Max Density = 12 units/acre and .25 FAR

Table 2 – Water Analysis

Ordinance #	Acres	Existing County Land Use	Proposed City Land Use	Maximum Development	Water Demand (gross) (mgpd)	Capacity or Deficit (mgpd)
Current Capacity						1.93
Daniel Wise Trustee*	13.31	County Urban Low 4 units/net acre 0.25 FAR	Commercial 12 units/acre 0.25 FAR	156 Units 144,945 SF	0.079	1.85

* Annexation Ordinance No

Water demand was calculated at 185 gallons per capita per day pursuant to City's LOS standard

Table 3 – Wastewater Analysis

Ordinance #	Acres	Existing County Land Use	Proposed City Land Use	Maximum Development	WasteWater Demand (gross) (mgpd)	Capacity or Deficit (mgpd)
Current Capacity						0.972
Daniel Wise Trustee*	13.31	County Urban Low 4 units/net acre 0.25 FAR	Commercial 12 units/acre 0.25 FAR	156 Units 144,945 SF	0.030	0.942

* Annexation Ordinance No

Wastewater demand was calculated at 70 gallons per capita per day pursuant to City's LOS standard

Figure 1



Figure 2



Figure 3

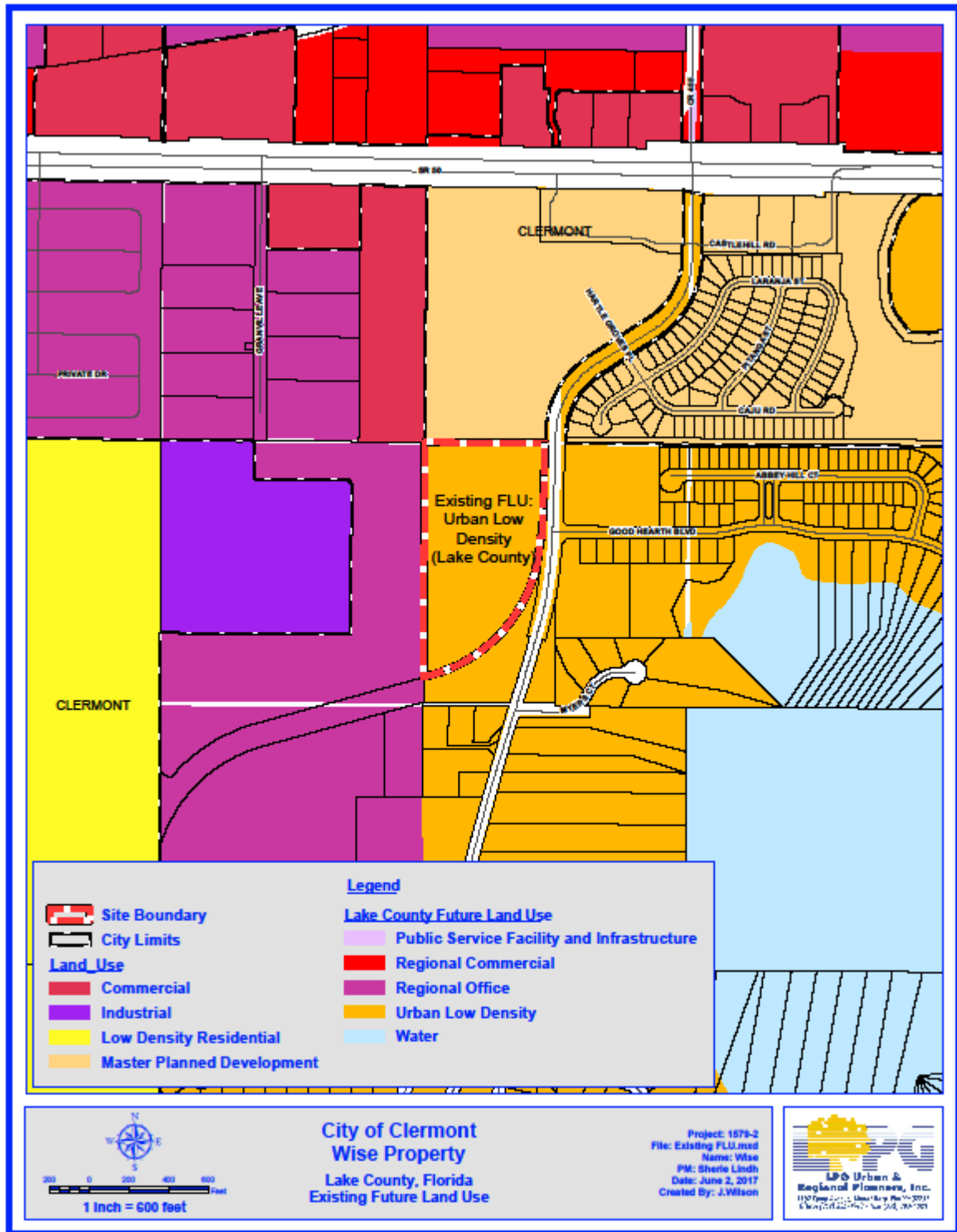


Figure 4

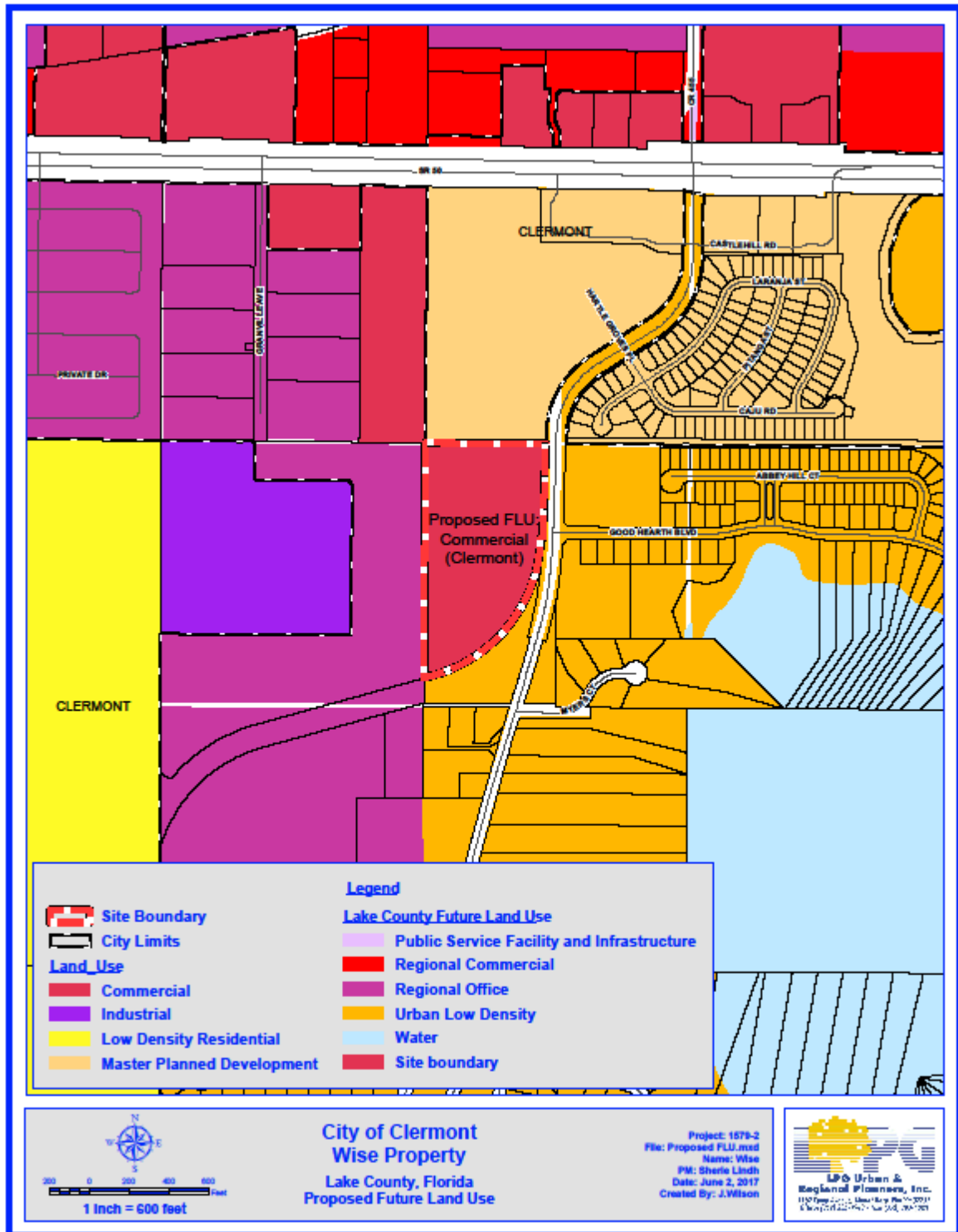


Figure 5



Figure 6



CITY OF CLERMONT

NOTICE OF PROPOSED AMENDMENT TO COMPREHENSIVE PLAN ORDINANCE NO. 2019-15

The City of Clermont will hold public hearings on Tuesday, March 5, 2019 at 6:30 p.m. before the Planning and Zoning Commission to consider a proposed change to the City's Future Land Use Map; and on Tuesday, March 12, 2019 at 6:30 p.m. before the City Council to consider introduction of the ordinance and transmittal of the proposed amendment. The map amendment would change the Future Land Use designation for the parcel below from Lake County Urban Low Density to Commercial.

The City of Clermont will hold a public hearing on Tuesday, May 28, 2019 (final hearing) beginning at 6:30 p.m. before the City Council to consider the adoption of the proposed change to the City's Future Land Use Map.

Location:
West of the CR 455/Hartle Road and Good Hearth Boulevard Intersection
Alternate Key 1648157

Ordinance No. 2019-15

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

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

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

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

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

Tracy Ackroyd Howe, MMC
City Clerk

0048493 - February 23 & May 14, 2019

PLEASE READ CAREFULLY • SUBMIT CORRECTIONS ONLINE

PROOF CREATED AT: 2/15/2019 9:56:44 AM
NEXT RUN DATE: 02/23/19
PROOF DUE: 02/22/19 12:59:55



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date

Tuesday, March 5, 2019

Agenda Item Name

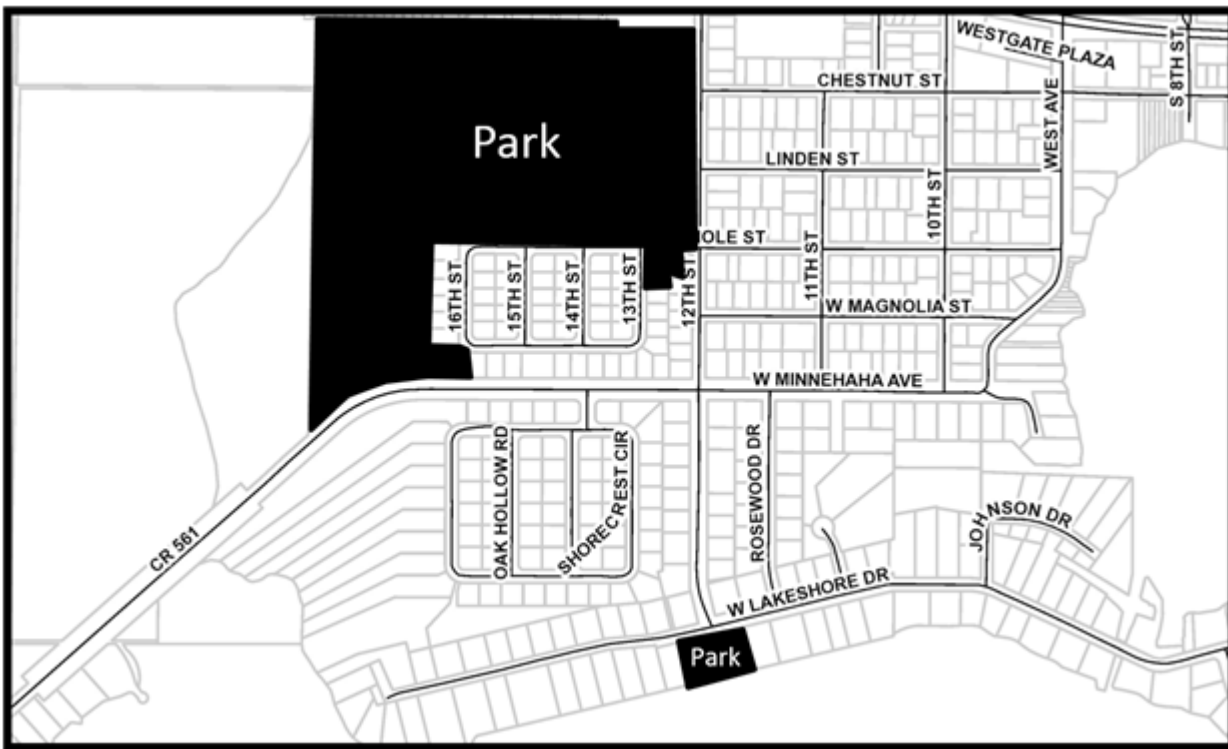
Ordinance No. 2019-17
City Parks Rezoning

Requested Action

Recommend approval of Ordinance 2019-17.

Staff Report

This rezoning request is an administrative request for City owned property that is currently used for parks. This is the continuation of the ongoing effort to have the City parks and recreational areas designated with the PR Parks and Recreation zoning designation. This proposed change will include the following three park properties: Palatlakaha Park, Seminole Park, and Park of Indian Hills.





The properties are currently zoned R-1-A Single Family Low Density or R-1 Single Family Medium Density. The Land Development Code allows the City the ability to conduct activities in any zoning district, however; most people only look at the zoning map and not the zoning code. This zoning designation is the most appropriate for the use of the property and if approved, will be reflected on the zoning map.

Section 122-280 of the Land Development Code indicates the purpose of a parks and recreation district is to designate and ensure that publicly owned areas of the city are preserved for park, open space, and recreational purposes for the benefit of the residents and the overall environment. The permitted uses include publicly owned recreational facilities that may include both active and passive facilities. The active and passive activities conducted at Palatka Park, Seminole Park, and Park of Indian Hills would be permitted uses in this zoning designation. Therefore, staff recommends approval of the rezoning request from R-1-A Single Family Low Density and the R-1 Single Family Medium Density to PR Parks and Recreation zoning district.

Additional Analysis

Fiscal Impact Summary

Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)

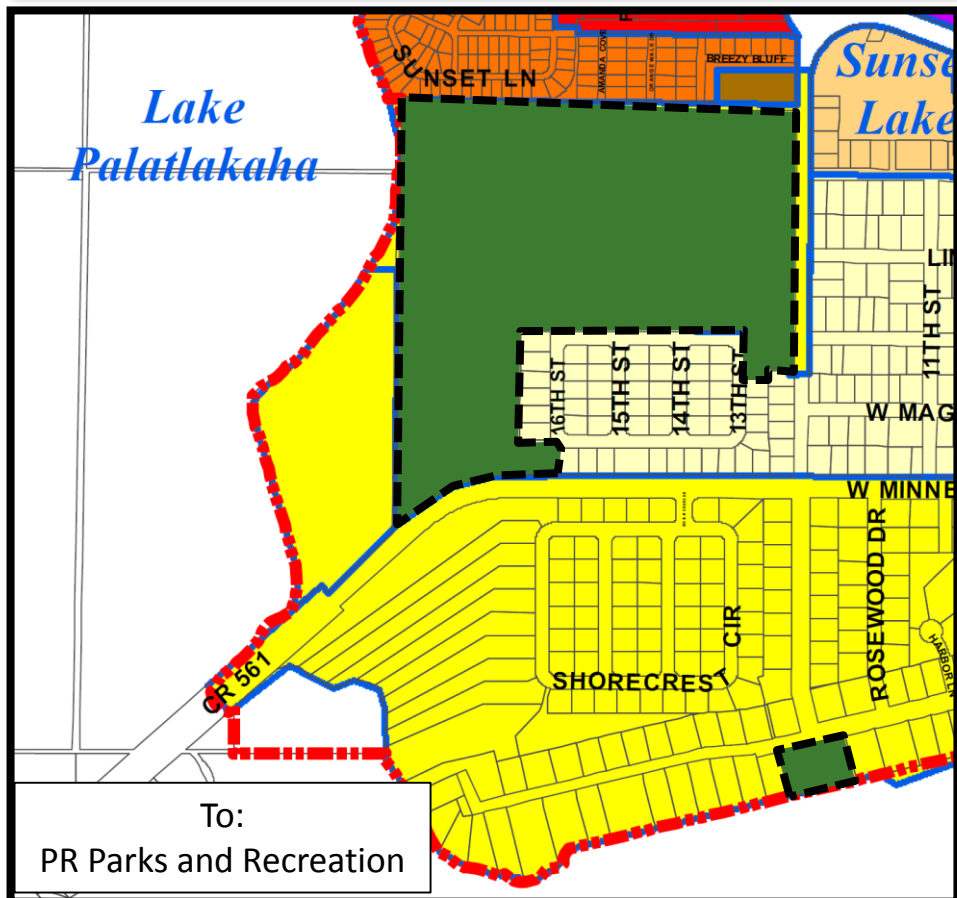
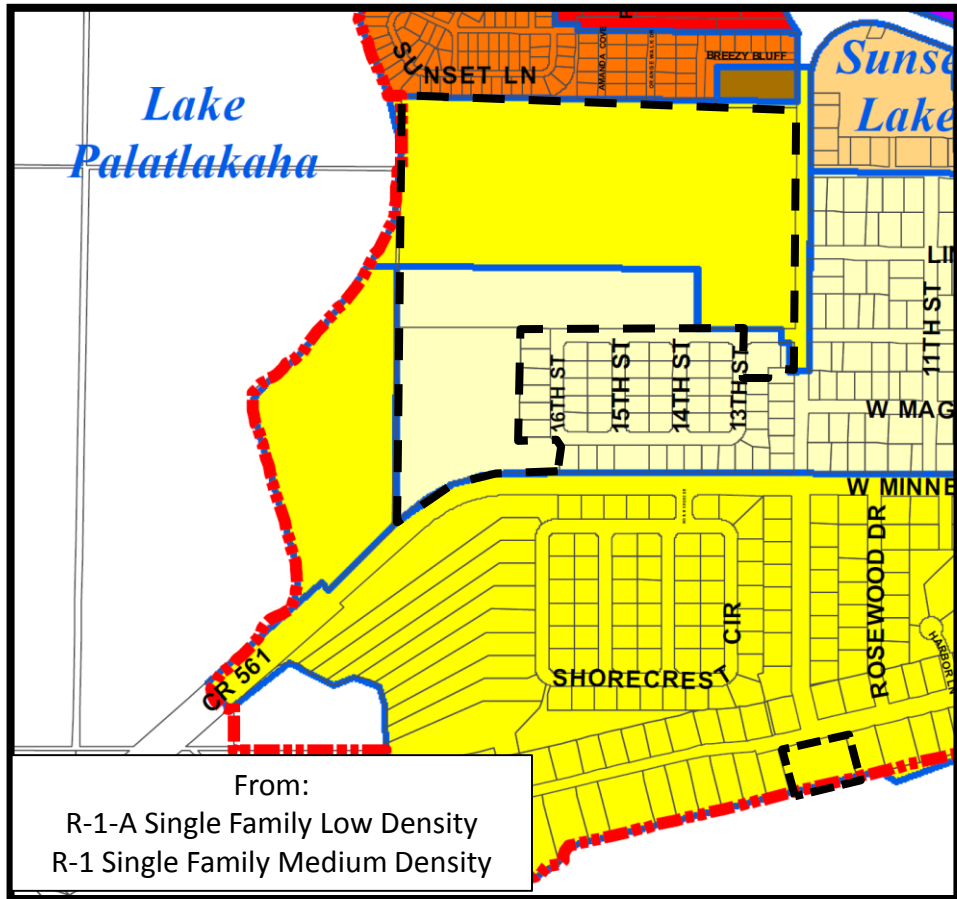
1.	12th Street South Parks Maps REZ	12th Street South Parks Maps REZ.pdf
2.	2019-17 12th Street Area Park REZ	2019-17 12th Street Area Park REZ.doc
3.	ORD 2019-17 Legal Ad Proof	ORD 2019-17 Legal Ad Proof.pdf

Exhibit - Location Map



Parcel #	AK	Park
1	1714184	Palatlakaha Park
2	3874692	Palatlakaha Park
3	1621216	Seminole Park
4	3881389	Seminole Park
5	3704801	Park of Indian Hills

Exhibit - Zoning Map –Rezoning





CITY OF CLERMONT
ORDINANCE NO. 2019-17

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.

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

A parcel of land bounded and described as follows:

Tracts A & B according to the plat of Park Place as recorded in Plat Book 31, Page 1, Public Records of Lake County, Florida.

All of Blocks 134, 135 and 136 according to the plat of CITY OF CLERMONT, as recorded in Plat Book 8, Page 19, Public Records of Lake County, Florida. Together with the South ½ of Highland Ave. lying West of the Westerly right of way line of 12th St. Together with a portion of Chestnut St. in between Blocks 135, 136 lying West of the Westerly right of way line of 12th St. said subdivision. Together with a portion of Linden St. in between Blocks 134, 135 lying West of the Westerly right of way line of 12th St. said subdivision.

The South 310' of Govt. Lot 7 of Section 23, Township 22 South, Range 25 East.

And

That certain parcel designated as "PARK" according to the Plat of Indian Hills as recorded in Plat Book 8, Page 86, Public Records of Lake County, Florida.

And

Tract B according to the plat of Hazelwood as recorded in Plat Book 27, Page 46, Public Records of Lake County, Florida.

Lot 76 according to the plat of Indian Hills as recorded in Plat Book 8, Page 86, Public Records of Lake County, Florida less S19'



CITY OF CLERMONT
ORDINANCE NO. 2019-17

LOCATION:

Palatlakaha Park:

West of 12th Street and North of Seminole Street
(Alternate Key 1714184 & 3874692)

Seminole Park and adjoining parcel:

Southwest corner of the intersection of Seminole Street and 12th Street
(Alternate Key 1621216 & 3881389)

Park of Indian Hills:

Parcel south of the intersection of West Lakeshore Drive and 12th Street
(Alternate Key 3704801)

**From: R-1-A Single Family Low Density Residential District and
R-1 Single Family Medium Density Residential District
To: PR Parks and Recreation District**

SECTION 2.

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

SECTION 3.

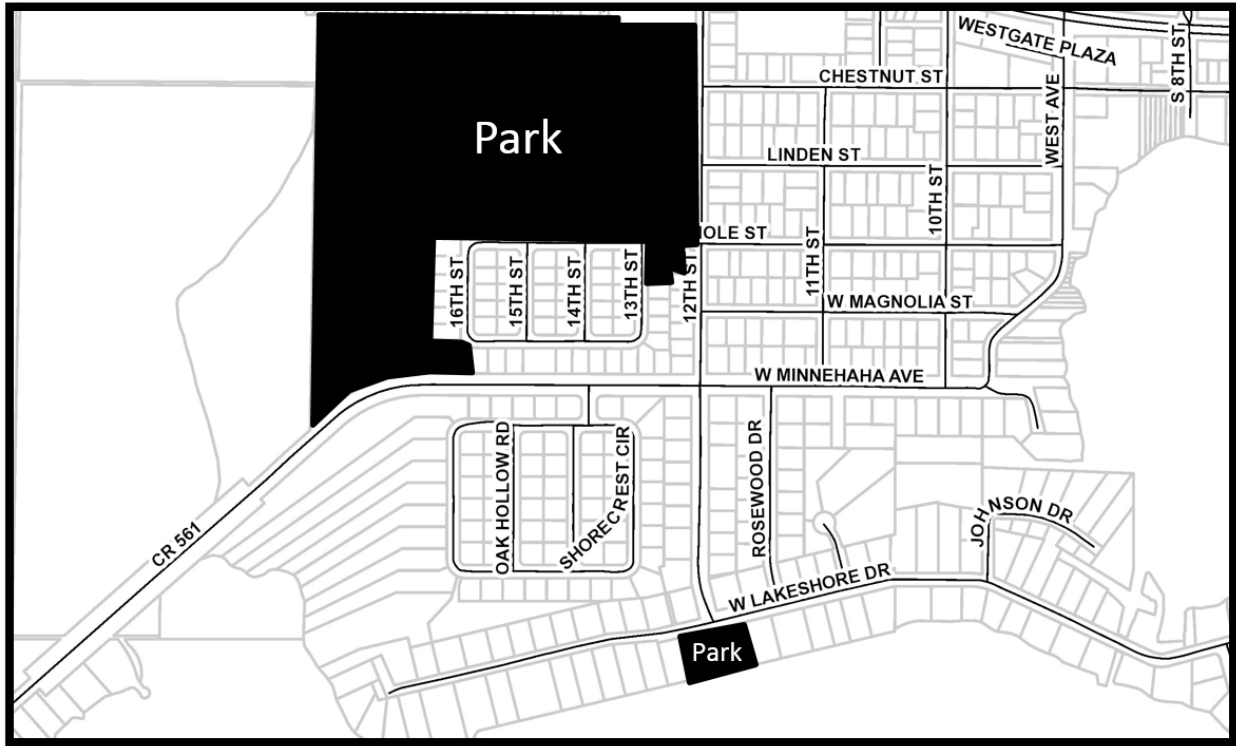
Should any Section or part of this Section be declared invalid by any court of competent jurisdiction, such adjudications shall not apply to or affect any other provision of this Ordinance, except to the extent that the entire Section or part of the Section may be inseparable in meaning and effect from 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. 2019-17

Location map:





CITY OF CLERMONT
ORDINANCE NO. 2019-17

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 26th day of March, 2019.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Advertising Receipt

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

Account Number: 7101866
Order Number: 10085350
Phone: (352) 241-7331
Date: 02/21/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
LEGAL NOTICE Notice is hereby given that the City Council of the City of Cler	02/26/2019	03/12/2019	\$369.16

LEGAL NOTICE

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

ORDINANCE NO. 2019-17

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

Palatka Park:
West of 12th Street and North of Seminole Street
(AK 1714184 & 3874692)
Seminole Park and adjoining parcel:
Southwest corner of the intersection of Seminole Street and 12th Street
(AK 1621216 & 3881389)
Park of Indian Hills:
Parcel south of the intersection of W. Lakeshore Drive and 12th Street
(AK 3704801)

LEGAL DESCRIPTION

A parcel of land bounded and described as follows:

Tracts A & B according to the plat of Park Place as recorded in Plat Book 31, Page 1, Public Records of Lake County, Florida.

All of Blocks 134, 135 and 136 according to the plat of CITY OF CLERMONT, as recorded in Plat Book 8, Page 19, Public Records of Lake County, Florida. Together with the South ½ of Highland Ave. lying West of the Westerly right of way line of

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Tract B according to the plat of Hazelwood as recorded in Plat Book 27, Page 46, Public Records of Lake County, Florida.

Lot 76 according to the plat of Indian Hills as recorded in Plat Book 8, Page 86, Public Records of Lake County, Florida less S19'

From: R-1-A Single Family Low Density Residential District and R-1 Single Family Medium Density Residential District
To: PR Parks and Recreation District

This request will be considered by the Planning & Zoning Commission on Tuesday, March 5, 2019 at 6:30 p.m. A public meeting to consider the request will be held before the City Council on Tuesday, March 26, 2019 at 6:30 p.m. for final enactment.

All meetings will be held at City Hall, located at 685 W. Montrose Street. This ordinance is available for public inspection in the office of the City

Clerk, 685 W. Montrose St., Monday through Friday between the hours of 8:00 A.M. and 5:00 P.M.

Please be advised that, under State law, if you should decide to appeal a decision made with respect to this matter, you may need to ensure that a verbatim record is made. Persons with disabilities who need assistance should contact the City Clerk's office, (352) 241-7331, at least 48 hours prior to the public hearings.

Tracy Ackroyd Howe, MMC
City Clerk

Ad No: 10085350
February 26, 2019 &
March 12, 2019

Payment Info	
Ad Price	\$369.16
Tax	\$0.00
Sub Total	\$369.16
Prepaid Amount	\$0.00
Balance Due	\$369.16