CITY OF CLERMONT
COUNCIL MEETING AGENDA
6:30 PM, Tuesday, August 13, 2019

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

CALL TO ORDER

INVOCATION & PLEDGE OF ALLEGIANCE

PROCLAMATION

Honoring the Late Council Member Ray Goodgame

PRESENTATIONS

ASLA Award

PUBLIC COMMENTS

REPORTS

CONSENT AGENDA

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

Item No. 1 - Meeting Minutes	Consider approval of July 23, 2019 Council Meeting minutes.
Item No. 2 - Surplus Request	Consider declaring end of life inventory as surplus from the departments of: Purchasing, Parks & Recreation and Police, and dispose of in accordance with the Purchasing Policy.
Item No. 3 - Bid Award	Consider award to Traverse Group, Inc. to provide Streetscape Phase 1 improvements to Osceola Street and West Avenue in the lump sum budgeted amount of $3,997,913.13.
Item No. 4 - Bid Award	Consider award to Providence Construction & Development Co. to provide East side water reclamation facility ribs rerate expansion in the lump sum budgeted amount of $1,289,000.
Item No. 5 - Contract Award	Consider award to Powell Studio Architecture, LLC.; CPH, Inc.; The Lunz Group, Inc. for on-call architectural services.

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Item No. 6 - Field of Interest Fund Agreement	Consider agreement with the Community Foundation of South Lake to collect funds related to the sale of plaques and bricks for the Artwalk Project.
Item No. 7 - Interlocal Agreement	Consider agreement with the City of Minneola providing wholesale wastewater treatment for up to 30,000 gallons per day.
Item No. 8 - Joint Parking Use Agreement and Sidewalk Easement	Consider an agreement and easement adjacent to the proposed Artwalk Project.
Item No. 9 - Easement	Consider easement to allow service from Duke Energy to the boat ramp, restrooms and lighting located at 5 2nd Street.

UNFINISHED BUSINESS

Item No. 10 - Resolution No. 2019-14R *Take 5 Quick Lube*	Consider a Conditional Use Permit to allow for an automotive service center with three service bays for property located at 1900 South US Highway 27.
Item No. 11 - Resolution No. 2019-17R Withdrawn *Blessed Sacrament Catholic Church*	Consider a Conditional Use Permit to allow an overflow parking lot for property located at 901 12th Street.
Item No. 12 - Ordinance No. 2019-14 *Final* *Table to August 27, 2019* *Wise Annexation*	Consider annexation of 13 acres located west of the CR 455 and Good Hearth Blvd. intersection.
Item No. 13 - Ordinance No. 2019-15 *Final* *Table to August 27, 2019* *Wise Large-Scale Comprehensive Plan Amendment*	Consider ordinance to change the future land use on approximately 13 acres located west of the CR 455 and Good Hearth Boulevard from Lake County Urban Low Density to City's Commercial future land use.
Item No. 14 - Ordinance No. 2019-16 *Final* *Table to August 27, 2019* *Wise PUD Rezoning*	Consider ordinance to rezone 13+/- acres to Planned Unit Development for mixed-use consisting of 96 multi-family units and 96,000 square feet of commercial/office use on a parcel west of the CR 455/Hartle Road and Good Hearth Boulevard intersection.

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Item No. 15 - Variance Request *1230 Ryan Street*	Consider request to allow a detached accessory structure be located in the front yard setback.
Item No. 16 - Variance Request *Goodman Commerce Center*	Consider request to allow for 3 inch caliper replacement trees instead of 6 inch caliper trees and a reduced fee in lieu of replacement trees for property located at the corner of Hancock Road and Trade Avenue.

NEW BUSINESS

Item No. 17 - Variance Request *229 Brookdale Loop*	Consider variance request to allow for a 17 foot rear yard setback.
Item No. 18 - Utility Agreement *Oak Properties LLC - CarMax Dealership*	Consider Water and Sewer Services Agreement to construct a new automotive dealership on SR 50, east of CR 455.
Item No. 19 - Ordinance No. 2019-29 *Transmittal* *Hartwood Properties CPA* *Table to August 27, 2019*	Consider ordinance to change the future land use from Lake County Regional Office to City of Clermont Master Planned Development for 80+/- acres located 1/4 mile south of Hartwood Marsh Road, east of US Hwy 27.
Item No. 20 - Ordinance No. 2019-32 *Transmittal* *Bradshaw North CPA* *Table to August 27, 2019*	Consider ordinance to change the future land use from Lake County Wellness Way 1 to City of Clermont Commercial for 16.7 +/- acres located northeast of the intersection of US Hwy 27 and Schofield Road.
Item No. 21 - Council Member Appointment	Consider appointing a qualified person to fill the unexpired term of Seat No. 2.

ADJOURN

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

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

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

WHEREAS, the City of Clermont has lost one of its most passionate champions, with the death of Council Member Edwin "Ray" Goodgame on July 28, 2019; and

WHEREAS, Council Member Goodgame was sworn into office on November 9, 2004 and served the citizens of the City of Clermont for 15 years; and

WHEREAS, Council Member Goodgame was recently nominated for the Florida League of Cities' "E. Harris Drew" Municipal Official Lifetime Achievement Award; and

WHEREAS, Council Member Goodgame served as the past chairman of the Lake-Sumter Metropolitan Planning Organization, past president of the Clermont Historical Society, a member of the South Lake Transportation Task Force, a member of the West Orange-South Lake Transportation and Economic Development Task Force, a board member and liaison of the Cooper Memorial Library Association, a board member of the Community Foundation of South Lake, a member of the Clermont Kiwanis Club, a member of the Lions Club and a member of the South Lake Chamber of Commerce as well as previously serving on the Tourism Development Council and the Firefighters Pension Board of Trustee; and

WHEREAS, Council Member Goodgame was a proponent of affordable housing for seniors, advocated for the City to be involved with a Feed Clermont program to donate food to hungry citizens, took part in implementing an incentive for local contractors when bidding on projects and advocating for the County to provide more funding to existing parks and purchase additional land for parks; and

WHEREAS, During Council Member Goodgame's service, the City earned numerous awards, including Best Central Florida City to Live In, Best Central Florida City to Launch a New Business, Top 20 City in America for Retirees and Top 20 American Cities Leading the Way in Economic Development and Quality of Life; and

WHEREAS, the City of Clermont honors individuals who exhibit the qualities of champions, including courage, dedication, and commitment; and

WHEREAS, in the South Lake Tablet of July 2018, Council Member Goodgame stated "If you have recently moved to Clermont, know that you are living in the best-managed city any place. We have one of the highest ranked Fire Departments around. Our Police Department is outstanding as well. Take a look around and study any other city and I believe you will find out you are living in the greatest city in the USA. Thank you for the privilege of serving as your representative."

NOW, THEREFORE, I, Gail L. Ash, Mayor of the City of Clermont do hereby proclaim August 13, 2019 as

EDWIN "RAY" GOODGAME DAY

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Clermont to be affixed this 13th day of August, two thousand and nineteen.

_____
Gail L. Ash, Mayor

ATTEST:

_____
Tracy Ackroyd Howe, MMC
City Clerk

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
July 23, 2019

The City Council met in a regular meeting on Tuesday, July 23, 2019 in the Clermont City Council Chambers. Mayor Ash called the meeting to order at 6:30pm with the following Council Members present: Council Members Brishke, Bates and Travis. Other City officials present were City Manager Gray, City Attorney Mantzaris, and City Clerk Howe.

Absent: Council Member Goodgame

INVOCATION AND PLEDGE OF ALLEGIANCE

Drew Marshall gave the invocation followed by the Pledge of Allegiance.

PUBLIC COMMENTS

Joe Briggs, President of the Historic Society, thanked Council for the roof repair of the Townsend House.

REPORTS

City Manager Gray requested items 10, 15, and 16 be tabled to August 13, 2019 and item 18 be tabled to September 10, 2019.

Item No. 10 – Resolution No. 2019-17R, *Blessed Sacrament Catholic Church*

City Clerk Howe read Resolution No. 2019-17R aloud by title only.

> A Resolution of the City Council of the City of Clermont, Lake County, Florida, granting a Conditional Use Permit to allow an overflow vehicle parking lot in the M-1 Industrial Zoning district.
>
> Council Member Bates moved to table Resolution No. 2019-17R to August 13; seconded by Council Member Brishke. The motion passed with all members present voting aye.

Item No. 15 – Variance Request, *1230 Ryan Street*

> Council Member Brishke moved to table the variance request to August 13; seconded by Council Member Bates. The motion passed with all members present voting aye.

Item No. 16 – Variance Request, *Goodman Commerce Center*

> Council Member Bates moved to table the variance request to August 13; seconded by Council Member Brishke. The motion passed with all members present voting aye.

Item No. 18 – Ordinance No. 2019-28, *Final*

City Clerk Howe read Ordinance No. 2019-38 aloud by title only.

> An Ordinance of the Code of Ordinances of the City Council of the City of Clermont, Lake County, Florida, amending the Code of Ordinances, Chapter 122 Zoning, Article V Supplementary Districts, Section 360 Vacation Rental License Regulations; providing for codification; severability; effective date; and publication.
>
> Council Member Bates moved to table Ordinance No. 2019-28 to September 10; seconded by Council Member Brishke. The motion passed with all members present voting aye.

City Manager Gray requested the second meeting in November be rescheduled to November 19, 2019 to swear in seats 2 and 4.

Council Member Bates motioned to move the November 26, 2019 Council Meeting to November 19, 2019; seconded by Council Member Brishke. The motion passed with all members present voting aye.

City Attorney Mantzaris – No report.

Council Member Bates inquired about coyotes in the City. City Manager Gray replied the City has not received a complaint this year but staff will contact Florida Wildlife.

Council Member Brishke reported on Friday, July 19, she attended the Chamber of Commerce breakfast at Bella Collina. The presentation was a panel discussion with the City of Mascotte's City Manager and the Mayor of Montverde.

Council Member Travis – No report.

Mayor Ash reported she attended the monthly Coffee with the Mayor at Clermont Brewing Company with 35 attendees and talked about upcoming businesses, events, and special occasions.

CONSENT AGENDA

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

Item No. 1 – Meeting Minutes	Consider approval of July 09, 2019 Council Meeting minutes.
Item No. 2 – Bid Award	Consider award to Leisure Craft, Inc. to purchase park benches, bike racks, and trash cans in the estimated budgeted annual amount of $65,407.50.
Item No. 3 – Plat Approval	Consider plat approval for Waterbrooke Phase 2 for 145 residential lots.
Item No. 4 – Plat Approval	Consider plat approval for Waterbrooke Amenities Center.
Item No. 5 – Plat Approval	Consider plat approval for Crestview Subdivision for 119 single family lots.
Item No. 6 – Interlocal Agreement	Consider transfer of jurisdiction from Lake County to the City for a portion of Hunt Street right-of-way located south of SR 50 and west of Citrus Tower Boulevard.
Item No. 7 – School Resource Officer Agreements	Consider agreements with the School Board of Lake County and the Education Charter Foundation of Florida to provide one Police Officer per school at Lost Lake Elementary School, Cypress Ridge Elementary School, Clermont Elementary School and South Lake Imagine Charter School.

Council Member Bates moved to approve the Consent Agenda; seconded by Council Member Brishke. The motion passed with all members present voting aye.

UNFINISHED BUSINESS

The next two items were heard concurrently and voted on separately.

Item No. 8 – Variance Request, *Clermont Brewing Company*

Item No. 9 – Ordinance No. 2019-34, *Final, Clermont Brewing Company*

City Clerk Howe read Ordinance No. 2019-34 aloud by title only.

> An Ordinance of the City Council of the City of Clermont, Lake County, Florida, closing and permanently abandoning a portion of Desoto Street as shown in the Official Map of the City of Clermont according to the plat thereof as recorded in Plat Book 8, Page 17, Public Records of Lake County, Florida and described herein as shown below; providing for severability, publication and for an effective date.

Development Services Director Henschel presented the variance and vacation request. The applicant is requesting for a retaining wall to exceed the six-foot height requirement by the City's Land Development Code by one foot for a total proposed height of seven feet. The subject property is located at 750 W. Desoto Street and is located in the Central Business District. A one-foot variance would allow the wall to remain as built. Staff recommended approval of the variance request. A right-of-way vacation is being requested with the variance request as a final survey revealed the steps to the new building were erroneously placed within the Desoto Street right-of-way. In an effort to properly address the situation, the most effective way is to vacate this portion of the right-of-way. Staff recommended approval of Ordinance No. 2019-34.

Mr. David Wallace was present on behalf of the applicant and thanked the Council for their efforts.

Mayor Ash opened the Public Hearing. There were no comments. Mayor Ash closed the Public Hearing.

Council Member Travis moved to approve the variance request; seconded by Council Member Brishke. The motion passed with all members present voting aye.

Council Member Bates moved to approve Ordinance No. 2019-34; seconded by Council Member Brishke. The motion passed 4 to 0 on a roll call vote.

NEW BUSINESS

Item No. 11 – Board Appointment

City Manager Gray stated Board Member Cuqui Whitehead resigned from the Planning and Zoning Commission with her term being unexpired. An individual will need to be appointed to the vacant seat to serve the remaining time. There are currently five residents who submitted requests to serve the unexpired term.

Mayor Ash inquired if the interested parties would like to address the Council.

John Higgins, 2349 Hempstead Avenue, provided a brief background of his experience and expressed interest for consideration for the vacant seat.

Bob Wade, provided a brief overview of his background and expressed interest to have the opportunity to do something for the City.

City Manager Gray clarified the interested parties were not required to attend tonight's meeting.

Council Member Travis expressed support for Mr. Murry.

> Council Member Travis moved to appoint Tim Murry to the vacant seat; seconded by Council Member Bates. The motion passed with all members present voting aye.

Item No. 12 – Clermont Historical Society Agreement

City Manager Gray stated the City has an agreement with the Clermont Historical Society for the Historic Village. The village is owned by the City but the contents are owned by the Historical Society. The agreement allows the Society to run and operate the village as well as sublease the depot out with getting the City involved. Ideas have come up to use the train depot as a possible rental facility or as a gift shop with concessions. The City staff has discussed the matter with the Historical Society. They expressed the desire to keep running the depot and have it under their control. The Council previously asked to put the matter back on an agenda to discuss to give staff direction on how to move forward. The existing agreement can be cancelled or changed any time with or without cause.

Donna DiGennaro read a statement aloud and provided a copy of the statement to the Council.

Roxanne Brown, works at the Historic Village, requested and expressed support for keeping the partnership between the City and the Clermont Historical Society.

Joe Briggs, President of the Clermont Historical Society, expressed support for keeping the partnership between the City and the Clermont Historical Society.

Larry Rescoe, 1139 W. Lakeshore Drive, on the board of the Historic Village, expressed support for keeping the partnership between the City and the Clermont Historical Society.

Micki Blackburn Nagel, 10924 Lake Minneola Shores, expressed support for keeping the partnership between the City and the Clermont Historical Society.

Charlene Forth, 939 W. Desoto Street, inquired about how the topic was initiated. City Manager Gray replied the community requested the Council look into the matter.

Charlene Forth, expressed support for keeping the partnership between the City and the Clermont Historical Society.

Judy Kunzler Combs, expressed support for keeping the partnership between the City and the Clermont Historical Society.

Marilyn Paone, 2520 Squaw Creek, expressed support for keeping the partnership between the City and the Clermont Historical Society.

Jim Purvis, 4206 Hammersmith Drive, expressed support for keeping the partnership between the City and the Clermont Historical Society.

Libby Hanna, 1251 Fran Mar Court, expressed support for keeping the partnership between the City and the Clermont Historical Society.

Larry Oskin, 3500 Windansea Court, thanked City Manager Gray, Council Member Goodgame and Communications Director Deen for their support of the village and expressed support for keeping the partnership between the City and the Clermont Historical Society.

Mayor Ash clarified the Council is not discussing closing the Historic Village.

Council Member Bates requested for clarification of the request before the Council. City Manager Gray clarified the request which came before the Council is if the City wanted to operate the train depot and expressed the belief the request came from residents who were here when the train depot was a barbeque restaurant where people could have lunch.

Council Member Bates inquired if the Society has put effort into making the train depot a revenue source.

Council Member Travis suggested donations be taken for the Historical Society if the City does place someone permanently in the train depot. The theory was to sell historic items like the Citrus Tower with the proceeds going towards Historic Village.

Council Member Bates inquired about the cost of building an office add-on to the train depot. City Manager Gray stated the cost has not been looked into but can be.

Mayor Ash expressed opposition to having structures in the Historic Village which are not historic.

Council Member Brishke expressed opposition to making changes to historic structures. City Manager Gray stated the matter was initiated by the citizens. The Historic Society has attempted to sell water, snacks and items previously but did not work. As a result, citizens suggested the City to take over the efforts and enhance the train depot. No one wants to cancel the agreement.

Council Member Brishke expressed support for leaving the agreement as is due to the Historical Society taking good care of the property.

Mayor Ash stated over the years there have been many meetings where citizens and members of the Historic Society have complained about the conditions of the buildings or items stolen from the Historic Society. Every structure in the Historic Village belongs to the City of Clermont. The contents in the buildings were donated from individuals to use in the structures. If there is a problem with complaints to the City, then that alludes to a problem that the City needs to address.

Council Member Bates suggested using rooms at Victory Pointe to run concessions. City Manager Gray stated there is not a lot of room for a concession.

Council Member Brishke suggested having the items for the train depot be offered downtown to drive the people into downtown. City Manager Gray stated the people at the Historic Village do send people downtown all of the time.

Council Member Bates suggested to talk with the Historical Society about their previous efforts to sell items at the Historic Village and to allow the Historical Society to try it again but with help from the City this time.

City Manager Gray stated if the Council wants to change the agreement, then staff can bring the revised agreement to the Council for approval.

Council Member Bates suggested leaving the agreement alone and talk more with the Historical Society.

Mayor Ash expressed support for a trial run of having a third party run the train depot along with the Historical Society to see if everyone benefits.

City Manager Gray stated staff can work with the Historical Society and then return to the Council at a later date.

Item No. 13 – Resolution No. 2019-16R, *Walmart/Avis Rental*

City Clerk Howe read Resolution No. 2019-16R aloud by title only.

> A Resolution of the City Council of the City of Clermont, Lake County, Florida, granting an amendment to a Conditional Use Permit (Resolution 1316 and 2016-12) to allow for an automotive rental services business in a (PUD) Planned Unit Development Zoning district.

Planning Manager Kruse presented the Conditional Use Permit at 1450 John's Lake Road. The zoning is Planned Unit Development with permitted uses that include general retail and grocery sales. The proposed vehicle rental business will have a maximum of five designated parking spaces to park rental vehicles. The rental vehicles will include two pickup trucks, two cargo vans, and one box truck parked on site. All rental services will be conducted via a self-service kiosk and a smart phone. The proposed self-service business will not increase the square footage of the store. The applicant indicated the objective of the self-service rental business is to provide customer and residents the convenience to rent a vehicle to transport big and bulky items. The Planning and Zoning Commission voted to recommend approval. Staff recommended approval.

John Wadden, 11500 Preston Way, Orlando, FL, representative of applicant, stated the objective of the request is for green and smart technology offering convenience for the citizens.

Mayor Ash opened the Public Hearing.

Jim Purvis, 4206 Hammersmith Drive, expressed concerns with the application and applicant.

Mandy Jones, 12033 Willow Grove Lane, requested clarification on the functionality of the kiosk.

John Wadden responded to public comments. There will be an attendant to make sure the rental vehicles are in great condition. This is a self-service product where the customers can use smart phones to link-in to the reservation system. A pilot program has been in place for months with no major glitches and zero stolen vehicles.

John Higgins, 2349 Hempstead Avenue, expressed concern with the request.

Mayor Ash closed the Public Hearing.

Council Member Bates inquired about advertisement and location. Mr. Wadden replied no signage is being asked for and the partnership with Walmart allows them to choose which spaces will be used in their parking lot.

Mayor Ash inquired about having some access at the gas station since the parking lot is closer to the gas station. Mr. Wadden clarified the process will be completed entirely by the use of a smart phone. If individuals do not have a smart phone, then they can go to the Budget Rental facility a few miles away.

Council Member Bates inquired about the cleaning of the rental cars. Mr. Wadden replied the users will have to take photos when the rental is returned and must be reviewed before the rental is closed out.

Council Member Travis expressed support for the request.

Council Member Bates inquired about the timeframe. City Manager Gray stated the applicant will be adding the proposed use to the existing Conditional Use Permit and any issues can be addressed through Code Enforcement.

Council Member Brishke moved to approve Resolution No. 2019-16R; seconded by Council Member Bates. The motion passed with all members present voting aye.

Item No. 14 – Resolution No. 2019-18R, *Art District LLC*

City Clerk Howe read Resolution No. 2019-18R aloud by title only.

> A Resolution of the City Council of the City of Clermont, Lake County, Florida, granting a Conditional Use Permit to allow for restaurant, retail and art walk uses to occupy more than 3,000 square feet of floor space in the central business district.

Assistant City Manager Kinzler presented the Art Walk District project. He reviewed the downtown waterfront district, background of the art walk project, complete concept and design of the Art Walk, finalize sidewalk and parking easements, final cost and requested Council approval. Construction will begin in late 2019 with Phase 1 consisting of shops and restaurants.

City Manager Gray stated this is a Conditional Use Permit proposal by Jayson Stringfellow for the Art District.

Development Services Director Henschel presented the Conditional Use Permit request to allow a building to occupy more than 3,000 square feet of total floor area in the Central Business District. The applicant desires to construct a new retail building approximately 4,800 square feet, with uses as restaurants, retail sales and an art walk. The proposed uses are permitted within the Central Business District zoning district. Staff recommended approval of the requested Conditional Use Permit. Planning & Zoning Commission recommended approval of the requested Conditional Use Permit.

Alex Stringfellow, applicant, expressed excitement about the public/private partnership. Jeff Powell was present for any questions.

Mayor Ash opened the Public Hearing. There were no comments. Mayor Ash closed the Public Hearing.

Council Member Bates inquired about walkway coverage. Assistant City Manager Kinzler confirmed the walkway will be covered.

Council Member Travis moved to approve Resolution No. 2019-18R; seconded by Council Member Bates. The motion passed with all members present voting aye.

Item No. 17 – Fiscal Year 2020 Proposed Ad Valorem Millage Rate

Assistant Finance Director Brosonski presented information regarding the Fiscal Year 2020 proposed ad valorem millage rate. The ad valorem millage rate is used in calculating property tax revenues, which is the largest single revenue source for the City. The proposed rate will be included in the property tax notices that will be sent to all City residents in August. If the current rate of 4.2061 is approved for Fiscal Year 2020, the proposed General Fund budget will be balanced with no use of reserves for the fourth consecutive year. The projected General Fund reserves at the end of Fiscal Year 2020 will be 25.74 percent of operating expenditures. As an alternate to the current millage rate, the rolled back millage rate of 3.9939 may be approved. The rolled back millage rate is the rate that will generate the same amount of revenue to the City as last year, with the exception of new construction. If the rolled back millage rate is approved for Fiscal Year 2020, reserves in the amount of $590,419 will have to be used to balance the proposed General Fund budget. The General Fund reserves at the end of the Fiscal Year will be 23.73 percent of operating expenditures, less than the minimum required percentage of 25 percent.

The current millage rate of 4.2061 continues to be the lowest millage rate when compared to similar sized cities and the lowest millage rate in the Central Florida region. The tentative millage rate is scheduled for adoption on September 5, 2019 and the final millage rate is scheduled for adoption on September 19, 2019. Staff recommended for the Council to approve the millage rate at 4.2061.

Mayor Ash opened the Public Hearing. There were no comments. Mayor Ash closed the Public Hearing.

> Council Member Bates moved to approve the millage rate of 4.2061; seconded by Council Member Travis. The motion passed with all member present voting aye.

ADJOURN: With no further comments, this meeting adjourned at 8:25pm.

APPROVED:

_____
Gail L. Ash, Mayor

ATTEST:

_____
Tracy Ackroyd Howe, City Clerk

CITY OF CLERMONT

AGENDA ITEM

Meeting Date
Tuesday, August 13, 2019
Agenda Item Name
Surplus Request
Requested Action
Request to approve and declare end of life inventory as surplus from the Purchasing Department, Parks and Recreation Department, and the Police Department and dispose of in accordance with the Purchasing Policy.
Staff Report

The Purchasing Department, on behalf of the Parks and Recreation Department, Purchasing Department, and the Police Department recommends approval of the above action.

Parks and Recreation Department

Qty:	Property Description
(1)	2007 Ford Ranger #5246 183,309 miles

Purchasing Department

Qty:	Property Description
(3)	Office Chairs
(2)	Sprint Airave Access Point Towers

Police Department

Qty:	Property Description
(2)	X26 Taser
(5)	X26 Taser Right Handed Holster
(7)	Left Handed Gun Holster
(7)	Right Handed Gun Holster
(1)	Pronto ID Maker
(4)	Energizer Power Inverter
(39)	Stop Sticks (13 Sets)
(17)	Wood Night Sticks
(3)	Provision Car Cameras

Additional Analysis
Fiscal Impact Summary
Surplus Property is anticipated to be sold for approximately $5,000.

Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)		
1.	Parks and Recreation Disposal	Parks and Recreation Disposal Form #5246.pdf
2.	Purchasing Department Disposal	Purchasing Department Disposal.pdf
3.	Police Department Disposal	Police Department Disposal.pdf

PROPERTY DISPOSAL FORM

Dept. / Division: P&R/EVENTS Property Tag #: 10595

Contact Person: Jennifer Mac Neil Phone: 352-708-5951

Year / Make / Model: 2007 / Ford / Ranger Vehicle No. 5246

Miles / Hours: 183309 Serial / VIN: IFTYR10UX7PA67482

Description of Property White 2 door 2007 Ford Ranger License Plate # XA7343

☐ *See attached form with multiple items listed. All items must include above information.*

*****MUST CHECK ACTION BELOW (One Action Per Form)*****

☐ **CANNIBALIZED:** The equipment is in non-repairable condition but components parts of the equipment may be used to repair or replace parts on other pieces of equipment.

☐ **LOST / STOLEN:** Accidental loss or damage - disposition is unknown (Police report must be attached to this form).

☐ **TRADE-IN:** Returned to vendor. Submit any other information as to the asset(s) description, trade-in value, etc.

☒ **NON-REPAIRABLE:** A piece of equipment that is not repairable or not cost effective to repair.

☐ **OBSOLETE:** Refers to any item, material and software, which is of no use to the City or has expired its useful life.

☐ **SCRAP:** Any metallic material that can be dissolved to produce new metals.

☐ **ABANDONED:** Property which has been left behind by owner or unclaimed and recovered by the Police Department (abandoned property does not require City Council approval).

☐ **OTHER:** _____

Director Signature: _____ Date: 7/18/19

*******This form must be sent to the Purchasing Department to dispose of property*******

Date Approved by City Council: _____ Agenda Item: _____

Method of Disposal: _____ Date Disposed: _____

Purchasing Director: _____ Date: _____

Munis Asset Number: _____

Revised 4/12/2017

CLERMONT
Choice of Champions

PROPERTY DISPOSAL FORM

Dept. / Division: PURCHASING Property Tag #: NONE

Contact Person: Ramsey Gross Phone:

Year / Make / Model: Vehicle No.

Miles / Hours: Serial / VIN:

Description of Property 3 ~~(2)~~ Office Chairs

☐ *See attached form with multiple items listed. All items must include above information.*

*****MUST CHECK ACTION BELOW (One Action Per Form)*****

☐ **CANNIBALIZED:** The equipment is in non-repairable condition but components parts of the equipment may be used to repair or replace parts on other pieces of equipment.

☐ **LOST / STOLEN:** Accidental loss or damage - disposition is unknown (Police report must be attached to this form).

☐ **TRADE-IN:** Returned to vendor. Submit any other information as to the asset(s) description, trade-in value, etc.

☒ **NON-REPAIRABLE:** A piece of equipment that is not repairable or not cost effective to repair.

☐ **OBSOLETE:** Refers to any item, material and software, which is of no use to the City or has expired its useful life.

☐ **SCRAP:** Any metallic material that can be dissolved to produce new metals.

☐ **ABANDONED:** Property which has been left behind by owner or unclaimed and recovered by the Police Department (abandoned property does not require City Council approval).

☐ **OTHER:**

Director Signature: [signature] Date: 7-22-19

*******This form must be sent to the Purchasing Department to dispose of property*******

Date Approved by City Council: Agenda Item:

Method of Disposal: Date Disposed:

Purchasing Director: Date:

Munis Asset Number: NONE

Revised 4/12/2017

CLERMONT
Choice of Champions

PROPERTY DISPOSAL FORM

Dept. / Division: PURCHASING Property Tag #: NONE

Contact Person: Ramsey Gross Phone: 7353

Year / Make / Model: 2012/Airvana/HubBub Vehicle No.

Miles / Hours: Serial / VIN: 12027000972

Description of Property Sprint Airave Access Point Tower

☐ *See attached form with multiple items listed. All items must include above information.*

*****MUST CHECK ACTION BELOW (One Action Per Form)*****

☐ **CANNIBALIZED:** The equipment is in non-repairable condition but components parts of the equipment may be used to repair or replace parts on other pieces of equipment.

☐ **LOST / STOLEN:** Accidental loss or damage - disposition is unknown (Police report must be attached to this form).

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☐ **OTHER:**

Director Signature: [signature] Date: 7-18-19

*******This form must be sent to the Purchasing Department to dispose of property*******

Date Approved by City Council: Agenda Item:

Method of Disposal: Date Disposed:

Purchasing Director: Date:

Munis Asset Number: NONE

Revised 4/12/2017

CLERMONT
Choice of Champions

PROPERTY DISPOSAL FORM

Dept. / Division: PURCHASING

Property Tag #: NONE

Contact Person: Ramsey Gross

Phone: 7353

Year / Make / Model: 2012/Airvana/HubBub

Vehicle No.

Miles / Hours:

Serial / VIN: 12027001989

Description of Property Sprint Airave Access Point Tower

☐ *See attached form with multiple items listed. All items must include above information.*

*****MUST CHECK ACTION BELOW (One Action Per Form)*****

☐ **CANNIBALIZED:** The equipment is in non-repairable condition but components parts of the equipment may be used to repair or replace parts on other pieces of equipment.

☐ **LOST / STOLEN:** Accidental loss or damage - disposition is unknown (Police report must be attached to this form).

☐ **TRADE-IN:** Returned to vendor. Submit any other information as to the asset(s) description, trade-in value, etc.

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☐ **SCRAP:** Any metallic material that can be dissolved to produce new metals.

☐ **ABANDONED:** Property which has been left behind by owner or unclaimed and recovered by the Police Department (abandoned property does not require City Council approval).

☐ **OTHER:**

Director Signature: Freddy Swaty

Date: 7-18-19

*******This form must be sent to the Purchasing Department to dispose of property*******

Date Approved by City Council:

Agenda Item:

Method of Disposal:

Date Disposed:

Purchasing Director:

Date:

Munis Asset Number: NONE

Revised 4/12/2017

PROPERTY DISPOSAL FORM

Dept. / Division: POLICE

Property Tag #:

Contact Person: Debbie Arroyo

Phone: 352-536-8424

Year / Make / Model: X26 TASER

Vehicle No.

Miles / Hours:

Serial / VIN: X00-331489

Description of Property TASER

☐ *See attached form with multiple items listed. All items must include above information.*

*****MUST CHECK ACTION BELOW (One Action Per Form)*****

☐ **CANNIBALIZED:** The equipment is in non-repairable condition but components parts of the equipment may be used to repair or replace parts on other pieces of equipment.

☐ **LOST / STOLEN:** Accidental loss or damage - disposition is unknown (Police report must be attached to this form).

☐ **TRADE-IN:** Returned to vendor. Submit any other information as to the asset(s) description, trade-in value, etc.

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☐ **OBSOLETE:** Refers to any item, material and software, which is of no use to the City or has expired its useful life.

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☐ **ABANDONED:** Property which has been left behind by owner or unclaimed and recovered by the Police Department (abandoned property does not require City Council approval).

☐ **OTHER:**

Director Signature:

Date: 7-18-19

*******This form must be sent to the Purchasing Department to dispose of property*******

Date Approved by City Council:

Agenda Item:

Method of Disposal:

Date Disposed:

Purchasing Director:

Date:

Munis Asset Number:

Revised 4/12/2017

PROPERTY DISPOSAL FORM

Dept. / Division: POLICE

Property Tag #:

Contact Person: Debbie Arroyo

Phone: 352-536-8424

Year / Make / Model: X26 TASER

Vehicle No.

Miles / Hours:

Serial / VIN: X00-331795

Description of Property TASER

☐ *See attached form with multiple items listed. All items must include above information.*

*****MUST CHECK ACTION BELOW (One Action Per Form)*****

☐ **CANNIBALIZED:** The equipment is in non-repairable condition but components parts of the equipment may be used to repair or replace parts on other pieces of equipment.

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☐ **OBSOLETE:** Refers to any item, material and software, which is of no use to the City or has expired its useful life.

☒ **SCRAP:** Any metallic material that can be dissolved to produce new metals.

☐ **ABANDONED:** Property which has been left behind by owner or unclaimed and recovered by the Police Department (abandoned property does not require City Council approval).

☐ **OTHER:**

Director Signature:

Date: 7-18-19

*******This form must be sent to the Purchasing Department to dispose of property*******

Date Approved by City Council:

Agenda Item:

Method of Disposal:

Date Disposed:

Purchasing Director:

Date:

Munis Asset Number:

Revised 4/12/2017

PROPERTY DISPOSAL FORM

Dept. / Division: POLICE

Property Tag #:

Contact Person: Debbie Arroyo

Phone: 352-536-8424

Year / Make / Model: X26 TASER HOLSTERS

Vehicle No.

Miles / Hours:

Serial / VIN:

Description of Property 5 X26 TASER HOLSTERS (RIGHT HANDED)

☐ *See attached form with multiple items listed. All items must include above information.*

*****MUST CHECK ACTION BELOW (One Action Per Form)*****

☐ **CANNIBALIZED:** The equipment is in non-repairable condition but components parts of the equipment may be used to repair or replace parts on other pieces of equipment.

☐ **LOST / STOLEN:** Accidental loss or damage - disposition is unknown (Police report must be attached to this form).

☐ **TRADE-IN:** Returned to vendor. Submit any other information as to the asset(s) description, trade-in value, etc.

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☐ **SCRAP:** Any metallic material that can be dissolved to produce new metals.

☐ **ABANDONED:** Property which has been left behind by owner or unclaimed and recovered by the Police Department (abandoned property does not require City Council approval).

☐ **OTHER:**

Director Signature:

Date: 7-18-19

*******This form must be sent to the Purchasing Department to dispose of property*******

Date Approved by City Council:

Agenda Item:

Method of Disposal:

Date Disposed:

Purchasing Director:

Date:

Munis Asset Number:

Revised 4/12/2017

CLERMONT
Choice of Champions

PROPERTY DISPOSAL FORM

Dept. / Division: POLICE

Property Tag #:

Contact Person: Debbie Arroyo

Phone: 352-536-8424

Year / Make / Model: SAFARILAND GUN HOLSTERS

Vehicle No.

Miles / Hours:

Serial / VIN:

Description of Property 7 LEFT HANDED GUN HOLSTER AND 7 RIGHT HANDED GUN HOLSTER

☐ *See attached form with multiple items listed. All items must include above information.*

*****MUST CHECK ACTION BELOW (One Action Per Form)*****

☐ **CANNIBALIZED:** The equipment is in non-repairable condition but components parts of the equipment may be used to repair or replace parts on other pieces of equipment.

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☐ **TRADE-IN:** Returned to vendor. Submit any other information as to the asset(s) description, trade-in value, etc.

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☐ **SCRAP:** Any metallic material that can be dissolved to produce new metals.

☐ **ABANDONED:** Property which has been left behind by owner or unclaimed and recovered by the Police Department (abandoned property does not require City Council approval).

☒ **OTHER:** POSSIBLY CAN BE SOLD OR DISPOSED OF. OF NO USE TO THE OFFICERS.

Director Signature:

Date: 7-18-19

*******This form must be sent to the Purchasing Department to dispose of property*******

Date Approved by City Council:

Agenda Item:

Method of Disposal:

Date Disposed:

Purchasing Director:

Date:

Munis Asset Number:

Revised 4/12/2017

PROPERTY DISPOSAL FORM

Dept. / Division: POLICE

Property Tag #:

Contact Person: DEBBIE ARROYO

Phone: 352-536-8424

Year / Make / Model:

Vehicle No.

Miles / Hours:

Serial / VIN: 20121114245- WEB CAM

Description of Property PRONTO ID MAKER AND CREDENTIAL CAM WEBCAM AND ID CARDS

☐ *See attached form with multiple items listed. All items must include above information.*

*****MUST CHECK ACTION BELOW (One Action Per Form)*****

☐ **CANNIBALIZED:** The equipment is in non-repairable condition but components parts of the equipment may be used to repair or replace parts on other pieces of equipment.

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☐ **TRADE-IN:** Returned to vendor. Submit any other information as to the asset(s) description, trade-in value, etc.

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☐ **ABANDONED:** Property which has been left behind by owner or unclaimed and recovered by the Police Department (abandoned property does not require City Council approval).

☒ **OTHER:** CAN BE SOLD -

Director Signature:

Date: 7-18-19

*******This form must be sent to the Purchasing Department to dispose of property*******

Date Approved by City Council:

Agenda Item:

Method of Disposal:

Date Disposed:

Purchasing Director:

Date:

Munis Asset Number:

Revised 4/12/2017

PROPERTY DISPOSAL FORM

Dept. / Division: POLICE

Property Tag #:

Contact Person: Debbie Arroyo

Phone: 352-536-8424

Year / Make / Model: ENERGIZER POWER INVERTERS

Vehicle No.

Miles / Hours:

Serial / VIN:

Description of Property 4 ENERGIZER POWER INVERTERS

☐ *See attached form with multiple items listed. All items must include above information.*

*****MUST CHECK ACTION BELOW (One Action Per Form)*****

☐ **CANNIBALIZED:** The equipment is in non-repairable condition but components parts of the equipment may be used to repair or replace parts on other pieces of equipment.

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☐ **TRADE-IN:** Returned to vendor. Submit any other information as to the asset(s) description, trade-in value, etc.

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☐ **OTHER:**

Director Signature:

Date: 7-18-19

*******This form must be sent to the Purchasing Department to dispose of property*******

Date Approved by City Council:

Agenda Item:

Method of Disposal:

Date Disposed:

Purchasing Director:

Date:

Munis Asset Number:

Revised 4/12/2017

CLERMONT
Choice of Champions

PROPERTY DISPOSAL FORM

Dept. / Division: POLICE Property Tag #: _____

Contact Person: DEBBIE ARROYO Phone: 352-536-8424

Year / Make / Model: _____ Vehicle No. _____

Miles / Hours: _____ Serial / VIN: _____

Description of Property 39 STOP STICKS (WHICH MAKE A TOTAL OF 13 COMPLETE SETS)

☐ *See attached form with multiple items listed. All items must include above information.*

*****MUST CHECK ACTION BELOW (One Action Per Form)*****

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☐ **ABANDONED:** Property which has been left behind by owner or unclaimed and recovered by the Police Department (abandoned property does not require City Council approval).

☒ **OTHER:** CAN BE SOLD OR GIVEN TO ANOTHER *** LAW ENFORCEMENT AGENCY*** ONLY*****

Director Signature: _____ Date: 7-25-19

*******This form must be sent to the Purchasing Department to dispose of property*******

Date Approved by City Council: _____ Agenda Item: _____

Method of Disposal: _____ Date Disposed: _____

Purchasing Director: _____ Date: _____

Munis Asset Number: _____

Revised 4/12/2017

CLERMONT
Choice of Champions

PROPERTY DISPOSAL FORM

Dept. / Division: POLICE Property Tag #:

Contact Person: DEBBIE ARROYO Phone: 352-536-8424

Year / Make / Model: Vehicle No.

Miles / Hours: Serial / VIN:

Description of Property 17 WOOD NIGHTSTICKS

☐ *See attached form with multiple items listed. All items must include above information.*

*****MUST CHECK ACTION BELOW (One Action Per Form)*****

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☐ **LOST / STOLEN:** Accidental loss or damage - disposition is unknown (Police report must be attached to this form).

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☐ **SCRAP:** Any metallic material that can be dissolved to produce new metals.

☐ **ABANDONED:** Property which has been left behind by owner or unclaimed and recovered by the Police Department (abandoned property does not require City Council approval).

☒ **OTHER:** **** ONLY FOR LAW ENFORCEMENT **** CAN BE SOLD OR GIVEN TO ANOTHER LAW ENFORCEMENT AGENCY ****

Director Signature: [signature] Date: 7-25-19

*******This form must be sent to the Purchasing Department to dispose of property*******

Date Approved by City Council: Agenda Item:

Method of Disposal: Date Disposed:

Purchasing Director: Date:

Munis Asset Number:

Revised 4/12/2017

PROPERTY DISPOSAL FORM

Dept. / Division: POLICE

Property Tag #:

Contact Person: DEBBIE ARROYO

Phone: 352-536-8424

Year / Make / Model: 1503ZD27NC143

Vehicle No.

Miles / Hours:

Serial / VIN: 1504S4D511/RXSOG10169

Description of Property PROVISION IN CAR VIDEO CAMERA

☐ *See attached form with multiple items listed. All items must include above information.*

*****MUST CHECK ACTION BELOW (One Action Per Form)*****

☐ **CANNIBALIZED:** The equipment is in non-repairable condition but components parts of the equipment may be used to repair or replace parts on other pieces of equipment.

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☐ **ABANDONED:** Property which has been left behind by owner or unclaimed and recovered by the Police Department (abandoned property does not require City Council approval).

☒ **OTHER:** ** LAW ENFORCEMENT ONLY** CAN BE SOLD OR DONATED TO ANOTHER AGENCY

Director Signature:

Date: 7-30-19

*******This form must be sent to the Purchasing Department to dispose of property*******

Date Approved by City Council:

Agenda Item:

Method of Disposal:

Date Disposed:

Purchasing Director:

Date:

Munis Asset Number:

Revised 4/12/2017

PROPERTY DISPOSAL FORM

Dept. / Division: POLICE

Property Tag #:

Contact Person: DEBBIE ARROYO

Phone: 352-536-8424

Year / Make / Model: 15032D27NC144

Vehicle No.

Miles / Hours:

Serial / VIN: 1504SD518/RXSOG10162

Description of Property PROVISION IN CAR VIDEO CAMERA

☐ *See attached form with multiple items listed. All items must include above information.*

*****MUST CHECK ACTION BELOW (One Action Per Form)*****

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☒ **OTHER:** ** LAW ENFORCEMENT ONLY** CAN BE SOLD OR DONATED TO ANOTHER AGENCY

Director Signature:

Date: 7-30-19

*******This form must be sent to the Purchasing Department to dispose of property*******

Date Approved by City Council:

Agenda Item:

Method of Disposal:

Date Disposed:

Purchasing Director:

Date:

Munis Asset Number:

Revised 4/12/2017

PROPERTY DISPOSAL FORM

Dept. / Division: POLICE

Property Tag #:

Contact Person: DEBBIE ARROYO

Phone: 352-536-8424

Year / Make / Model: 15C3ZD27NC150

Vehicle No.

Miles / Hours:

Serial / VIN: 1504S4D512/RXSOG10163

Description of Property PROVISION IN CAR VIDEO CAMERA

☐ *See attached form with multiple items listed. All items must include above information.*

*****MUST CHECK ACTION BELOW (One Action Per Form)*****

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☒ **OTHER:** ** LAW ENFORCEMENT ONLY** CAN BE SOLD OR DONATED TO ANOTHER AGENCY

Director Signature: [signature]

Date: 7-30-19

*******This form must be sent to the Purchasing Department to dispose of property*******

Date Approved by City Council:

Agenda Item:

Method of Disposal:

Date Disposed:

Purchasing Director:

Date:

Munis Asset Number:

Revised 4/12/2017

CITY OF CLERMONT

AGENDA ITEM

Meeting Date
Tuesday, August 13, 2019

Agenda Item Name
Bid Award

Requested Action
Recommend to approve contract between the City of Clermont and Traverse Group, Inc. to provide streetscape phase 1 improvements to Osceola Street and West Avenue.

Staff Report

The Purchasing Department and the Public Works Department recommend approval of the above action.

The Purchasing Department issued a Request for Bid (RFB) number 19-051 to acquire qualified contractors to construct streetscape phase 1 improvements to Osceola Street and West Avenue. The RFB was fully competed, advertised, and complies with the City of Clermont Purchasing Policy. There were four (4) responses to the RFB.

The work involves demolition of roadway, curbing, sidewalk and storm drainage system. Construction of new drainage collection system, new asphalt roadway and parking, decorative brick street and parking, multipurpose trail, ADA sidewalks, curbing, LID stormwater systems, minor adjustments to water services, landscaping, irrigation, lighting and event power.

Award is being recommended to the low responsive and responsible bidder Traverse Group, Inc. at the lump sum price of $3,997,913.13 who complied with all terms, conditions, and specifications stated in the RFB.

Additional Analysis

Fiscal Impact Summary

The fiscal impact of $3,997,913.13 is budgeted as part of the Master Plan Loan in the current year.

Account Code: 32559-66300-95113

Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)

1.	RFB 19-051 Response Tabulation	RFB 19-051 Response Tabulation.pdf
2.	RFB 19-051 Award Recommendation	RFB 19-051 Award Recommendation.pdf

RESPONSE TABULATION

RFB 19-051, STREETSCAPE PHASE 1: WEST AVENUE AND WEST OSCEOLA STREET
DUE DATE/TIME: JULY 11, 2019 AT 2:00 P.M. (EST)

COMPANY NAME	BID BOND	ADDN. 1	ADDN. 2	ADDN. 3	ADDN. 4	LUMP SUM PRICE
Traverse Group, Inc. – Clermont, FL	Y	Y	Y	Y	Y	$3,997,913.13
Cathcart Construction Company – Florida, LLC. – Oviedo, FL	Y	Y	Y	Y	Y	$4,110,927.38
Boykin Construction, Inc. – Minneola, FL	Y	Y	Y	Y	Y	$4,125,971.00
Prime Construction Group, Inc. –Orlando, FL	Y	Y	Y	Y	Y	$4,512,831.00

FREDDY SUAREZ
Purchasing Director
Purchasing Department

352-241-7350
fsuarez@clermontfl.org

AWARD RECOMMENDATION
JULY 25, 2019
RFB 19-051 – STREETSCAPE PHASE 1: WEST AVENUE AND WEST OSCEOLA STREET

Based on the results of the bid submittals, the Purchasing Department is recommending award to the low responsive and responsible bidder, Traverse Group, Inc., in the total lump sum price of $3,997,913.13.

CITY OF CLERMONT

AGENDA ITEM

Meeting Date
Tuesday, August 13, 2019
Agenda Item Name
Bid Award
Requested Action
Recommend contract between the City of Clermont and Providence Construction & Development Company to provide all labor, material and equipment necessary for the expansion of East side water reclamation facility ribs rerate.
Staff Report

The Purchasing Department and the Environmental Services Department recommend approval of the above action.

The Purchasing Department issued a Request for Bid (RFB) number 19-050 to acquire a qualified contractor for the rapid infiltration basins and construction of seepage barrier at the Environmental Services Department. The RFB was fully competed, advertised, and complies with the City of Clermont Purchasing Policy. There were four (4) responses to the RFB.

The work consists of furnishing all labor, equipment, and materials for the construction of the facilities consisting of:

1. Expand the capacity of the rapid infiltration basins (RIBs) by modifying the existing 15-cell RIB system to create four (4) larger RIBs.
2. Construct seepage barrier.
3. Demolish and replace feed piping to the RIBs.
4. Demolition and modifications of the yard piping, magnetic flowmeter, control valve and other appurtenances as required to replace and relocate the flow metering station.
5. Electrical demolition and modifications to replace and relocate the existing flow meter.
6. Coordination with the construction of two (2) monitoring wells.

Award is being recommended to the responsive and responsible bidder Providence Construction & Development Company in the lump sum amount of $1,289,000 who complied with all terms, conditions, and specifications stated in the RFB.

Valencia Construction Group, Inc. provided the lowest bid and after review of their work references, it was determined that the company did not meet minimum qualifications required in the bid. Based on the references provided, Valencia Construction Group, Inc. did not appear to have perform work of similar magnitude to the project scope to consider them qualified for this project.

Providence Construction & Development Company provided the second lowest bid and upon review of their references, it was determined that they have conducted similar projects in scope and magnitude, as well as have appropriate experience to be considered qualified for this project.

Additional Analysis

Fiscal Impact Summary		
The fiscal impact of $1,289,000 is included in the current year approved budget. Department Account Code: 44535-66201-35114		
Fiscal Impact	**Fund Number and Description**	**Available Budget Amount**
Exhibits Attached (copies of original agreements)		
1. RFB 19-050 Response Tabulation	RFB 19-050 Response Tabulation.pdf	
2. RFB 19-050 Award Recommendation	RFB 19-050 Award Recommendation.pdf	
3. Engineer Award Recommendation Letter	Engineer Award Recommendation Letter.pdf	

RESPONSE TABULATION

RFB 19-050, EXPANSION OF EAST SIDE WATER RECLAMATION FACILITY RIBS RERATE
DUE DATE/TIME: JUNE 20, 2019 AT 2:00 P.M. (EST)

COMPANY NAME	BID BOND	ADDENDA 1	ADDENDA 2	LUMP SUM PRICE
Valencia Construction Group, Inc. – Winter Garden, FL	Y	Y	Y	$1,106,060.35
Providence Construction & Development Company – Apopka, FL	Y	Y	Y	$1,289,000.00
Intercounty Engineering Inc. – Pompano Beach, FL	Y	Y	Y	$1,334,000.00
Prime Construction Group, Inc. – Orlando, FL	Y	Y	Y	$1,377,000.00
Carr & Collier Inc. – Leesburg, FL	Y	N	N	Nonresponsive

*Addendum 1 was not a mandatory submittal with bid response
*Addendum 2 was a mandatory submittal with bid response

RAMSEY GROSS
Senior Purchasing Agent
Purchasing Department

352-241-7350
rgross@clermontfl.org

AWARD RECOMMENDATION
AUGUST 2, 2019
RFB 19-050 – EXPANSION OF EAST SIDE WATER RECLAMATION FACILITY RIBS RERATE

Based on the results of the bid submittals, the Purchasing Department is recommending award to responsive, responsible bidder, Providence Construction & Development Company, in the lump sum price of $1,289,000.

Award Recommendation Summary:

Valencia Construction Group, Inc. provided the lowest bid and after review of their work references, it was determined that the company did not meet minimum qualifications required in the bid. Based on the references provided, Valencia Construction Group, Inc. did not appear to have perform work of similar magnitude to the project scope to consider them qualified for this project.

Providence Construction & Development Company provided the second lowest bid and upon review of their references, it was determined that they have conducted similar projects in scope and magnitude, as well as have appropriate experience to be considered qualified for this project.

TETRA TECH

August 2, 2019

Mr. Freddy Suarez,
City of Clermont – Purchasing Director
685 W. Montrose Street
Clermont, FL 34711

Subject: City of Clermont – East Side Water Reclamation Facility RIBs Rerate Recommendation of Award RFB 19-050

Dear Mr. Suarez,

This letter provides our recommendation of award for the City of Clermont's East Side Water Reclamation Facility RIBs Rerate Project. On June 20, 2019, five (5) contractors submitted bids for this project. Tetra Tech has completed our evaluation of these bids.

Attached to this letter is the bid tabulation provided by the City. The total bid prices are summarized below:

Contractor	Total Bid
Valencia Construction Group, Inc.	$1,106,060.35
Providence Construction & Development Company	$1,289,000.00
Intercounty Engineering, Inc.	$1,334,000.00
Prime Construction Group, Inc.	$1,377,000.00
Carr & Collier, Inc.	Nonresponsive

Valencia Construction Group, Inc submitted the apparent low bid in the amount of $1,106,060.35. Valencia Construction Group, Inc. acknowledged receipt of the two (2) Addenda issued and provided all documentation required within the City's Required Submittals Packet.

Valencia Construction Group, Inc submitted four (4) work references for consideration. Initially, the contact information for two (2) references, Orange County Board of County Commissioners and Lake County Water Authority, were invalid. The City requested additional contact information for the references listed and the Contractor provided new phones numbers. Of the four (4) work references provided, only two (2) were able to be reached. The other two (2) references were contacted several times and were not responsive. Based upon review and discussions with the two (2) references from the respective projects, Valencia Construction Group, Inc has completed all projects successfully and to the satisfaction of the owners. However, the references contacted on the project list provided by Valencia Construction Group, Inc. did not include similar projects or magnitude of work. Reference questionnaires are attached for reference.

Reference No. 1 indicated Valencia Construction Group, Inc. was a sub-contractor on the project and were scoped with roadway improvements. The earthwork component of the project was not included in their scope. Reference No. 2 indicated Valencia Construction Group, Inc. was the prime contractor on the project, however the project consisted of basic overlay and pond reshaping with a project value of only 10% of their bid amount for this project.

Tetra Tech
201 East Pine Street, Suite 1000, Orlando, FL 32801
Tel 407.839.3955 Fax 407.839.3790 tetratech.com

Based on the reference projects submitted, Valencia Construction Group, Inc. does not appear to have performed work of similar magnitude to the project scope to consider them qualified for the subject project. This factor leads us to conclude that their experience is not adequate, and Tetra Tech does not recommend award of this project to Valencia Construction Group, Inc.

Providence Construction & Development Company submitted the apparent second lowest bid in the amount of $1,289,000.00. Providence Construction & Development Company. acknowledged receipt of the two (2) Addenda and provided all documentation required with the City's Required Submittals Packet.

We were able to contact three (3) references from their reference list of projects. Based upon review and discussions with the references from the respective projects, Providence Construction & Development Company has completed all projects successfully and to the satisfaction of the owner. The references provided by Providence Construction & Development Company included similar projects in scope and magnitude. Based on the projects submitted, Providence Construction & Development Company has the appropriate experience to be considered qualified for the subject project. Reference questionnaires are attached for reference.

In view of the above, it is recommended that the City award the East Side Water Reclamation Facility RIBs Rerate Project to Providence Construction & Development Company subject to concurrence of the City's Attorney and Legal Departments.

Should you require further information or have questions, please do not hesitate to contact us at your earliest convenience.

Sincerely,

Tetra Tech

Brenda Keenan, PE
Project Manager

RESPONSE TABULATION

RFB 19-050, EXPANSION OF EAST SIDE WATER RECLAMATION FACILITY RIBS RERATE
DUE DATE/TIME: JUNE 20, 2019 AT 2:00 P.M. (EST)

COMPANY NAME	BID BOND	ADDENDA 1	ADDENDA 2	LUMP SUM PRICE
Valencia Construction Group, Inc. – Winter Garden, FL	Y	Y	Y	$1,106,060.35
Providence Construction & Development Company – Apopka, FL	Y	Y	Y	$1,289,000.00
Intercounty Engineering Inc. – Pompano Beach, FL	Y	Y	Y	$1,334,000.00
Prime Construction Group, Inc. – Orlando, FL	Y	Y	Y	$1,377,000.00
Carr & Collier Inc. – Leesburg, FL	Y	N	N	Nonresponsive

*Addendum 1 was not a mandatory submittal with bid response
*Addendum 2 was a mandatory submittal with bid response

CONTRACTOR REFERENCE QUESTIONNAIRE

Project Name:	City of Clermont East Side Water Reclamation Facility Ribs Rerate
Project:	200-08310-18006
Date:	07/01/2019
Name of party spoken to:	Mike Heim, PM, Bergeon Land Development, 954-295-2045
Reference Verification for:	Valencia Construction Group

Reference: Bergeon Land Development

Provide a description of the project; in particular, the site and civil components.

Answer: Road widening – No ditches/drains.

Were Valencia Construction Group the prime or sub-contractor on the project?

Answer: Sub-Contractor

Were there pipe modifications included in the project?

Answer: Yes, multiple areas needing reconstruction.

Was earth work a substantial portion of the project?

Answer: Yes, but not within Valencia Construction Group's scope.

Were the contract schedules maintained and were there any construction delays?

Answer: Some delays – Not by Valencia Construction Group.

Were there any contractor driven change orders or request for contract time extensions? If so, please describe?

Answer: No, changes driven by Owner.

Do you think the change orders were reasonable, cost, time, and scope?

Answer: Yes.

Were the punch list items completed in a timely manner?

Answer: Not there yet.

Was the project constructed as specified?

Answer: Yes.

Did they demobilize and leave site in a timely manner? If so, please describe?

Answer: Still on site.

Was the site in equal or better condition than when they left?

Answer: Still on site but is equal/better.

Were the pay requests/applications and documentation complete for payment correct and all outstanding liens finalized?

Answer: Yes.

Would you recommend them to work on one of your projects again?

Answer: Yes.

Notes:

CONTRACTOR REFERENCE QUESTIONNAIRE

Project Name:	City of Clermont East Side Water Reclamation Facility Ribs Rerate
Project:	200-08310-18006
Date:	07/08/2019
Name of party spoken to:	Jason Dawler, PM, 352-459-2310
Reference Verification for:	Valencia Construction Group

Reference: Lake County Water Authority

Provide a description of the project; in particular, the site and civil components.

Answer: Basic overlay.

Were Valencia Construction Group the prime or sub-contractor on the project?

Answer: Prime

Were there pipe modifications included in the project?

Answer: No.

Was earth work a substantial portion of the project?

Answer: Yes. Scrapped down 6-inches around pond.

Were the contract schedules maintained and were there any construction delays?

Answer: Timely fashion.

Were there any contractor driven change orders or request for contract time extensions? If so, please describe?

Answer: No.

Do you think the change orders were reasonable, cost, time, and scope?

Answer: No change orders.

Were the punch list items completed in a timely manner?

Answer: Yes.

Was the project constructed as specified?

Answer: Yes.

Did they demobilize and leave site in a timely manner? If so, please describe?

Answer: Yes.

Was the site in equal or better condition than when they left?

Answer: Yes.

Were the pay requests/applications and documentation complete for payment correct and all outstanding liens finalized?

Answer: Yes.

Would you recommend them to work on one of your projects again?

Answer: Yes, certainly. Very happy.

Notes:

CONTRACTOR REFERENCE QUESTIONNAIRE

Project Name:	City of Clermont East Side Water Reclamation Facility Ribs Rerate
Project:	200-08310-18006
Date:	07/02/2019
Name of party spoken to:	David Gonzalez, Superintendent - Maitland Utilities 407-875-1143
Reference Verification for:	Providence Construction and Development Company

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Reference: City of Maitland

Provide a description of the project; in particular, the site and civil components.

Answer: 9,000 linear feet 12" force main including air release valves. An in-depth project.

Were Providence Construction and Development Company the prime or sub-contractor on the project?

Answer: Prime

Were there pipe modifications included in the project?

Answer: Yes

Was earth work a substantial portion of the project?

Answer: Light portion of project.

Were the contract schedules maintained and were there any construction delays?

Answer: Yes/No There were some delays. (Unforeseen Conditions)

Were there any contractor driven change orders or request for contract time extensions? If so, please describe?

Answer: Yes
-Permitting delay. Had to get permit.
-Unforeseen Conditions.
-Hit existing sewer line. Had to repair damages.

Do you think the change orders were reasonable, cost, time, and scope?

Answer: Yes, but a mutual agreement was made to split the cost.

Were the punch list items completed in a timely manner?

Answer: Job is still ongoing; so far they have been on time.

Was the project constructed as specified?

Answer: Yes

Did they demobilize and leave site in a timely manner? If so, please describe?

Answer: So far yes. Job is ongoing.

Was the site in equal or better condition than when they left?

Answer: Yes

Were the pay requests/applications and documentation complete for payment correct and all outstanding liens finalized?

Answer: Yes

Would you recommend them to work on one of your projects again?

Answer: Yes

Notes:

CONTRACTOR REFERENCE QUESTIONNAIRE

Project Name:	City of Clermont East Side Water Reclamation Facility Ribs Rerate
Project:	200-08310-18006
Date:	08/01/2019
Name of party spoken to:	Tom Manning - Project Manager 407.877.5903
Reference Verification for:	Providence Construction and Development Company

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Reference: Garney Construction Inc.

Provide a description of the project; in particular, the site and civil components.

Answer: Wastewater Treatment Plant, Storm Piping/Civil Site Work, Lined Reject Pond.

Were Providence Construction and Development Company the prime or sub-contractor on the project?

Answer: Sub-Contractor

Were there pipe modifications included in the project?

Answer: Yes

Was earth work a substantial portion of the project?

Answer: Yes

Were the contract schedules maintained and were there any construction delays?

Answer: No Delays

Were there any contractor driven change orders or request for contract time extensions? If so, please describe?

Answer: No

Do you think the change orders were reasonable, cost, time, and scope?

Answer: NA

Were the punch list items completed in a timely manner?

Answer: Yes

Was the project constructed as specified?

Answer: Yes

Did they demobilize and leave site in a timely manner? If so, please describe?

Answer: Yes

Was the site in equal or better condition than when they left?

Answer: Yes

Were the pay requests/applications and documentation complete for payment correct and all outstanding liens finalized?

Answer: Yes

Would you recommend them to work on one of your projects again?

Answer: Yes

Rough estimate of size of reject overflow pond?

Answer: 5 Acres

Cubic yardage of earthwork moved?

Answer: Did not know.

Is Providence capable of constructing 8 large ribs (approximately 1.3 acres each) with clay core bottom liners?

Answer: Yes

Notes:

CONTRACTOR REFERENCE QUESTIONNAIRE

Project Name:	City of Clermont East Side Water Reclamation Facility Ribs Rerate
Project:	200-08310-18006
Date:	07/01/2019
Name of party spoken to:	Mark Abram, PM, Garney Construction, 407-414-7543
Reference Verification for:	Providence Construction and Development Company

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Reference: Garney Construction Inc.

Provide a description of the project; in particular, the site and civil components.

Answer: Site grating, gravity sewer, asphalt paving, and large pond (reject overflow).

Were Providence Construction and Development Company the prime or sub-contractor on the project?

Answer: Sub-Contractor

Were there pipe modifications included in the project?

Answer: Yes.

Was earth work a substantial portion of the project?

Answer: Yes.

Were the contract schedules maintained and were there any construction delays?

Answer: No delays.

Were there any contractor driven change orders or request for contract time extensions? If so, please describe?

Answer: Yes. Owner Driven.

Do you think the change orders were reasonable, cost, time, and scope?

Answer: Yes.

Were the punch list items completed in a timely manner?

Answer: Yes.

Was the project constructed as specified?

Answer: Yes.

Did they demobilize and leave site in a timely manner? If so, please describe?

Answer: Yes. One phase has been completed and the 2nd phase is currently being worked on.

Was the site in equal or better condition than when they left?

Answer: Yes.

Were the pay requests/applications and documentation complete for payment correct and all outstanding liens finalized?

Answer: Yes.

Would you recommend them to work on one of your projects again?

Answer: Yes.

Notes:

CITY OF CLERMONT

AGENDA ITEM

Meeting Date
Tuesday, August 13, 2019

Agenda Item Name
Contract Award

Requested Action
Recommend to approve contract between the City of Clermont and Powell Studio Architecture, LLC.; CPH, Inc.; The Lunz Group, Inc. to provide on-call architectural services.

Staff Report

The evaluation committee recommends approval of the above action.

The Purchasing Department issued a Request for Qualification (RFQ) number 19-048 on April 26, 2019 to receive responses from qualified firms to provide on-call professional architectural services to the City of Clermont. The RFQ was fully competed, advertised and complies with the City of Clermont Purchasing Policy. There were seven (7) responses to the RFQ.

An evaluation committee composed of four (4) city staff members (three voting members and one non-voting member) reviewed, scored and ranked the qualifications. The evaluation committee decided to rank the firms based on their total average score and selected the three firms with the highest scores (Powell Studio Architecture, LLC.; CPH, Inc.; The Lunz Group, Inc.) to recommend award for on-call services agreement.

The Purchasing Director obtained the hourly rates and reimbursables from the three architecture firms. The city will make request of the architect(s) to provide professional services or other related consulting services on a task authorization basis.

It is recommended to approve a three (3) year term, continuing services agreement, with additional three (3) one-year renewals, at the option of the city.

Additional Analysis

Fiscal Impact Summary

All work will be performed on a task authorization basis as budgeted.

Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)

1.	RFQ 19-048 Response Tabulation	RFQ 19-048 Response Tabulation.pdf
2.	RFQ 19-048 Evaluation Summary	RFQ 19-048 Evaluation Summary.xlsx
3.	RFQ 19-048 Award Recommendation	RFQ 19-048 Award Recommendation.pdf

RESPONSE TABULATION

RFQ 19-048, ON-CALL PROFESSIONAL ARCHITECTURAL SERVICES
DUE DATE/TIME: JUNE 6, 2019 AT 2:00 P.M. (EST)

COMPANY NAME
Architecture Studio, Inc. – Ocala, FL
Sol-ARCH, Inc. – Miami, FL
Powell Studio Architecture – Clermont, FL
GatorSktch Corporation – Clermont, FL
The Lunz Group, Inc. – Lakeland, FL
CPH, Inc. – Sanford, FL
Straughn Trout Architects, LLC – Lakeland, FL

RFQ 19-048 Evaluation - On-Call Professional Architectural Services
Evaluation Closing Date: July 8, 2019 at 5:00 P.M.

Powell Studio Architecture, LLC.		**Total Average**			**Evaluator 1**			**Evaluator 2**			**Evaluator 3**		
Criteria	Weight	Score	Percent	Points	Score	Percent	Points	Score	Percent	Points	Score	Percent	Points
TAB A - Introduction Letter	10%	8.67 of 10	8.67%	8.67 of 10 pts	9 of 10	9%	9 of 10 pts	8 of 10	8%	8 of 10 pts	9 of 10	9%	9 of 10 pts
TAB B - License and Insurance	5%	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts
TAB C - Company Backgroung	15%	10 of 10	15%	15 of 15 pts	10 of 10	15%	15 of 15 pts	10 of 10	15%	15 of 15 pts	10 of 10	15%	15 of 15 pts
TAB D - Company Project Experience	15%	10 of 10	15%	15 of 15 pts	10 of 10	15%	15 of 15 pts	10 of 10	15%	15 of 15 pts	10 of 10	15%	15 of 15 pts
TAB E - Project Manager Experience	20%	10 of 10	20%	20 of 20 pts	10 of 10	20%	20 of 20 pts	10 of 10	20%	20 of 20 pts	10 of 10	20%	20 of 20 pts
TAB F - Team Experience	10%	8.33 of 10	8.33%	8.33 of 10 pts	8 of 10	8%	8 of 10 pts	7 of 10	7%	7 of 10 pts	10 of 10	10%	10 of 10 pts
TAB G - Sub-Consultants and References	10%	8.33 of 10	8.33%	8.33 of 10 pts	10 of 10	10%	10 of 10 pts	7 of 10	7%	7 of 10 pts	8 of 10	8%	8 of 10 pts
TAB H - Business Location	5%	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts
TAB I - Quality of Submittal	10%	8.67 of 10	8.67%	8.67 of 10 pts	10 of 10	10%	10 of 10 pts	8 of 10	8%	8 of 10 pts	8 of 10	8%	8 of 10 pts
		74 of 80	94%	94 of 100 pts	77 of 80	97%	97 of 100 pts	70 of 80	90%	90 of 100 pts	75 of 80	95%	95 of 100 pts

CPH, Inc.		**Total Average**			**Evaluator 1**			**Evaluator 2**			**Evaluator 3**		
Criteria	Weight	Score	Percent	Points	Score	Percent	Points	Score	Percent	Points	Score	Percent	Points
TAB A - Introduction Letter	10%	8 of 10	8%	8 of 10 pts	7 of 10	7%	7 of 10 pts	8 of 10	8%	8 of 10 pts	9 of 10	9%	9 of 10 pts
TAB B - License and Insurance	5%	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts
TAB C - Company Backgroung	15%	10 of 10	15%	15 of 15 pts	10 of 10	15%	15 of 15 pts	10 of 10	15%	15 of 15 pts	10 of 10	15%	15 of 15 pts
TAB D - Company Project Experience	15%	10 of 10	15%	15 of 15 pts	10 of 10	15%	15 of 15 pts	10 of 10	15%	15 of 15 pts	10 of 10	15%	15 of 15 pts
TAB E - Project Manager Experience	20%	10 of 10	20%	20 of 20 pts	10 of 10	20%	20 of 20 pts	10 of 10	20%	20 of 20 pts	10 of 10	20%	20 of 20 pts
TAB F - Team Experience	10%	9.33 of 10	9.33%	9.33 of 10 pts	10 of 10	10%	10 of 10 pts	8 of 10	8%	8 of 10 pts	10 of 10	10%	10 of 10 pts
TAB G - Sub-Consultants and References	10%	10 of 10	10%	10 of 10 pts	10 of 10	10%	10 of 10 pts	10 of 10	10%	10 of 10 pts	10 of 10	10%	10 of 10 pts
TAB H - Business Location	5%	2 of 5	2%	2 of 5 pts	2 of 5	2%	2 of 5 pts	2 of 5	2%	2 of 5 pts	2 of 5	2%	2 of 5 pts
TAB I - Quality of Submittal	10%	8 of 10	8%	8 of 10 pts	8 of 10	8%	8 of 10 pts	9 of 10	9%	9 of 10 pts	7 of 10	7%	7 of 10 pts
		72.33 of 80	92%	92.33 of 100 pts	72 of 80	92%	92 of 100 pts	72 of 80	92%	92 of 100 pts	73 of 80	93%	93 of 100 pts

The Lunz Group, Inc.		**Total Average**			**Evaluator 1**			**Evaluator 2**			**Evaluator 3**		
Criteria	Weight	Score	Percent	Points	Score	Percent	Points	Score	Percent	Points	Score	Percent	Points
TAB A - Introduction Letter	10%	8 of 10	8%	8 of 10 pts	7 of 10	7%	7 of 10 pts	8 of 10	8%	8 of 10 pts	9 of 10	9%	9 of 10 pts
TAB B - License and Insurance	5%	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts
TAB C - Company Backgroung	15%	10 of 10	15%	15 of 15 pts	10 of 10	15%	15 of 15 pts	10 of 10	15%	15 of 15 pts	10 of 10	15%	15 of 15 pts
TAB D - Company Project Experience	15%	10 of 10	15%	15 of 15 pts	10 of 10	15%	15 of 15 pts	10 of 10	15%	15 of 15 pts	10 of 10	15%	15 of 15 pts
TAB E - Project Manager Experience	20%	10 of 10	20%	20 of 20 pts	10 of 10	20%	20 of 20 pts	10 of 10	20%	20 of 20 pts	10 of 10	20%	20 of 20 pts
TAB F - Team Experience	10%	8 of 10	8%	8 of 10 pts	8 of 10	8%	8 of 10 pts	8 of 10	8%	8 of 10 pts	8 of 10	8%	8 of 10 pts
TAB G - Sub-Consultants and References	10%	8.67 of 10	8.67%	8.67 of 10 pts	8 of 10	8%	8 of 10 pts	10 of 10	10%	10 of 10 pts	8 of 10	8%	8 of 10 pts
TAB H - Business Location	5%	2 of 5	2%	2 of 5 pts	2 of 5	2%	2 of 5 pts	2 of 5	2%	2 of 5 pts	2 of 5	2%	2 of 5 pts
TAB I - Quality of Submittal	10%	8.33 of 10	8.33%	8.33 of 10 pts	8 of 10	8%	8 of 10 pts	9 of 10	9%	9 of 10 pts	8 of 10	8%	8 of 10 pts
		70 of 80	90%	90 of 100 pts	68 of 80	88%	88 of 100 pts	72 of 80	92%	92 of 100 pts	70 of 80	90%	90 of 100 pts

Straughn Trout Architects, LLC.		**Total Average**			**Evaluator 1**			**Evaluator 2**			**Evaluator 3**		
Criteria	Weight	Score	Percent	Points	Score	Percent	Points	Score	Percent	Points	Score	Percent	Points
TAB A - Introduction Letter	10%	8 of 10	8%	8 of 10 pts	7 of 10	7%	7 of 10 pts	8 of 10	8%	8 of 10 pts	9 of 10	9%	9 of 10 pts
TAB B - License and Insurance	5%	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts

TAB C - Company Backgroung	15%	10 of 10	15%	15 of 15 pts	10 of 10	15%	15 of 15 pts	10 of 10	15%	15 of 15 pts	10 of 10	15%	15 of 15 pts
TAB D - Company Project Experience	15%	9.33 of 10	14%	14 of 15 pts	10 of 10	15%	15 of 15 pts	8 of 10	12%	12 of 15 pts	10 of 10	15%	15 of 15 pts
TAB E - Project Manager Experience	20%	10 of 10	20%	20 of 20 pts	10 of 10	20%	20 of 20 pts	10 of 10	20%	20 of 20 pts	10 of 10	20%	20 of 20 pts
TAB F - Team Experience	10%	8.33 of 10	8.33%	8.33 of 10 pts	8 of 10	8%	8 of 10 pts	7 of 10	7%	7 of 10 pts	10 of 10	10%	10 of 10 pts
TAB G - Sub-Consultants and References	10%	8.33 of 10	8.33%	8.33 of 10 pts	8 of 10	8%	8 of 10 pts	7 of 10	7%	7 of 10 pts	10 of 10	10%	10 of 10 pts
TAB H - Business Location	5%	2 of 5	2%	2 of 5 pts	2 of 5	2%	2 of 5 pts	2 of 5	2%	2 of 5 pts	2 of 5	2%	2 of 5 pts
TAB I - Quality of Submittal	10%	8.67 of 10	8.67%	8.67 of 10 pts	8 of 10	8%	8 of 10 pts	9 of 10	9%	9 of 10 pts	9 of 10	9%	9 of 10 pts
		69.67 of 80	89%	89.33 of 100 pts	68 of 80	88%	88 of 100 pts	66 of 80	85%	85 of 100 pts	75 of 80	95%	95 of 100 pts

Architecture Studio, Inc.		**Total Average**			**Evaluator 1**			**Evaluator 2**			**Evaluator 3**		
Criteria	Weight	Score	Percent	Points	Score	Percent	Points	Score	Percent	Points	Score	Percent	Points
TAB A - Introduction Letter	10%	8.33 of 10	8.33%	8.33 of 10 pts	8 of 10	8%	8 of 10 pts	8 of 10	8%	8 of 10 pts	9 of 10	9%	9 of 10 pts
TAB B - License and Insurance	5%	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts
TAB C - Company Backgroung	15%	10 of 10	15%	15 of 15 pts	10 of 10	15%	15 of 15 pts	10 of 10	15%	15 of 15 pts	10 of 10	15%	15 of 15 pts
TAB D - Company Project Experience	15%	10 of 10	15%	15 of 15 pts	10 of 10	15%	15 of 15 pts	10 of 10	15%	15 of 15 pts	10 of 10	15%	15 of 15 pts
TAB E - Project Manager Experience	20%	10 of 10	20%	20 of 20 pts	10 of 10	20%	20 of 20 pts	10 of 10	20%	20 of 20 pts	10 of 10	20%	20 of 20 pts
TAB F - Team Experience	10%	6.67 of 10	6.67%	6.67 of 10 pts	8 of 10	8%	8 of 10 pts	5 of 10	5%	5 of 10 pts	7 of 10	7%	7 of 10 pts
TAB G - Sub-Consultants and References	10%	8 of 10	8%	8 of 10 pts	10 of 10	10%	10 of 10 pts	7 of 10	7%	7 of 10 pts	7 of 10	7%	7 of 10 pts
TAB H - Business Location	5%	2 of 5	2%	2 of 5 pts	2 of 5	2%	2 of 5 pts	2 of 5	2%	2 of 5 pts	2 of 5	2%	2 of 5 pts
TAB I - Quality of Submittal	10%	8.67 of 10	8.67%	8.67 of 10 pts	10 of 10	10%	10 of 10 pts	9 of 10	9%	9 of 10 pts	7 of 10	7%	7 of 10 pts
		68.67 of 80	89%	88.67 of 100 pts	73 of 80	93%	93 of 100 pts	66 of 80	86%	86 of 100 pts	67 of 80	87%	87 of 100 pts

GatorSktch Corporation		**Total Average**			**Evaluator 1**			**Evaluator 2**			**Evaluator 3**		
Criteria	Weight	Score	Percent	Points	Score	Percent	Points	Score	Percent	Points	Score	Percent	Points
TAB A - Introduction Letter	10%	7 of 10	7%	7 of 10 pts	6 of 10	6%	6 of 10 pts	8 of 10	8%	8 of 10 pts	7 of 10	7%	7 of 10 pts
TAB B - License and Insurance	5%	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts
TAB C - Company Backgroung	15%	9 of 10	13.5%	13.5 of 15 pts	9 of 10	13.5%	13.5 of 15 pts	10 of 10	15%	15 of 15 pts	8 of 10	12%	12 of 15 pts
TAB D - Company Project Experience	15%	8.67 of 10	13%	13 of 15 pts	9 of 10	13.5%	13.5 of 15 pts	10 of 10	15%	15 of 15 pts	7 of 10	10.5%	10.5 of 15 pts
TAB E - Project Manager Experience	20%	10 of 10	20%	20 of 20 pts	10 of 10	20%	20 of 20 pts	10 of 10	20%	20 of 20 pts	10 of 10	20%	20 of 20 pts
TAB F - Team Experience	10%	8.33 of 10	8.33%	8.33 of 10 pts	8 of 10	8%	8 of 10 pts	7 of 10	7%	7 of 10 pts	10 of 10	10%	10 of 10 pts
TAB G - Sub-Consultants and References	10%	9 of 10	9%	9 of 10 pts	10 of 10	10%	10 of 10 pts	7 of 10	7%	7 of 10 pts	10 of 10	10%	10 of 10 pts
TAB H - Business Location	5%	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts
TAB I - Quality of Submittal	10%	7 of 10	7%	7 of 10 pts	8 of 10	8%	8 of 10 pts	8 of 10	8%	8 of 10 pts	5 of 10	5%	5 of 10 pts
		69 of 80	88%	87.83 of 100 pts	70 of 80	89%	89 of 100 pts	70 of 80	90%	90 of 100 pts	67 of 80	85%	84.5 of 100 pts

Sol-ARCH, Inc.		**Total Average**			**Evaluator 1**			**Evaluator 2**			**Evaluator 3**		
Criteria	Weight	Score	Percent	Points	Score	Percent	Points	Score	Percent	Points	Score	Percent	Points
TAB A - Introduction Letter	10%	7.33 of 10	7.33%	7.33 of 10 pts	7 of 10	7%	7 of 10 pts	8 of 10	8%	8 of 10 pts	7 of 10	7%	7 of 10 pts
TAB B - License and Insurance	5%	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts
TAB C - Company Backgroung	15%	10 of 10	15%	15 of 15 pts	10 of 10	15%	15 of 15 pts	10 of 10	15%	15 of 15 pts	10 of 10	15%	15 of 15 pts
TAB D - Company Project Experience	15%	9.67 of 10	14.5%	14.5 of 15 pts	9 of 10	13.5%	13.5 of 15 pts	10 of 10	15%	15 of 15 pts	10 of 10	15%	15 of 15 pts
TAB E - Project Manager Experience	20%	10 of 10	20%	20 of 20 pts	10 of 10	20%	20 of 20 pts	10 of 10	20%	20 of 20 pts	10 of 10	20%	20 of 20 pts
TAB F - Team Experience	10%	7 of 10	7%	7 of 10 pts	8 of 10	8%	8 of 10 pts	5 of 10	5%	5 of 10 pts	8 of 10	8%	8 of 10 pts
TAB G - Sub-Consultants and References	10%	7.33 of 10	7.33%	7.33 of 10 pts	6 of 10	6%	6 of 10 pts	6 of 10	6%	6 of 10 pts	10 of 10	10%	10 of 10 pts
TAB H - Business Location	5%	1.67 of 5	1.67%	1.67 of 5 pts	2 of 5	2%	2 of 5 pts	1 of 5	1%	1 of 5 pts	2 of 5	2%	2 of 5 pts
TAB I - Quality of Submittal	10%	7.67 of 10	7.67%	7.67 of 10 pts	7 of 10	7%	7 of 10 pts	9 of 10	9%	9 of 10 pts	7 of 10	7%	7 of 10 pts
		65.67 of 80	86%	85.5 of 100 pts	64 of 80	84%	83.5 of 100 pts	64 of 80	84%	84 of 100 pts	69 of 80	89%	89 of 100 pts

Evaluation Committee Members:

Kevin Burgess, Assistant Director of Environmental Services
David VaDever, Assistant Public Works Director
James Maiworm, Assistant Director of Environmental Services
Freddy Suarez, Purchasing Director (non-voting member)

Meeting Summary:

The meeting started at 2:00 PM sharply and there were no members from the public in attendance. David VanDever could not attend the meeting due to illness and was excused from the meeting. Each evaluator scored their proposal individually and electronically through BidSync's RFP Eval software. The Purchasing Director presented the evaluators with the scores above to the committee and began to discuss the qualifications received. All qualifications were received electronically in pdf format, there were no paper responses. The two committee members agreed to proceed in ranking the firms based on their total average scores and selected the three firms with the highest scores (Powell Studio Architecture, LLC.; CPH, Inc.; The Lunz Group, Inc.) to recommend award for on-call architectural services agreement.

FREDDY L. SUAREZ
Purchasing Director
Purchasing Department

352-241-7350
fsuarez@clermontfl.org

AWARD RECOMMENDATION
JULY 17, 2019
RFQ 19-048 – ON-CALL PROFESSIONAL PROFFESSIONAL ARCHITECTURAL SERVICES

The Purchasing Director and the Evaluation Committee are recommending award to Powell Studio Architecture, LLC; CPH, Inc.; and The Lunz Group, Inc.

CITY OF CLERMONT

AGENDA ITEM

Meeting Date
Tuesday, August 13, 2019
Agenda Item Name
Field of Interest Fund Agreement
Requested Action
Request approval of a Field of Interest Fund Agreement with the Community Foundation of South Lake to collect funds related to the sale of plaques and bricks for the Artwalk Project.

Staff Report

In 2015 the Clermont City Council approved a master plan that will serve as the blueprint for the city—especially the downtown-waterfront district—for the next 5, 10 and 20 years. A key element of the master plan is the connectivity of the waterfront to downtown. One way to achieve this is through the Artwalk Project.

In June 2018, the City solicited a Request for Letters of Interest for the activation of city owned property located generally between Minneola Avenue and Montrose St. Mr. Jayson Stringfellow responded to the solicitation with the Art Walk District concept in a public workshop on October 18, 2018. The Art Walk District was characterized by a mix-use concept of commercial units with residential units. The Art District project proposed the integration of the Art Walk into the overall project. In November of 2018, City Council approved the sale of .34 acres to the Art District, LLC to activate the city parcel and foster redevelopment. In February of 2019, City Council approved a cost share agreement with the Art District LLC for design and development of the Art Walk.

In order to offset project cost and foster community involvement, the Art District, LLC and staff envisioned the sale of plaques and bricks along the Artwalk corridor. Funds for plaques would be collected through the Community Foundation of South Lake to allow for a tax deductible donation. Funds would be held by the Foundation until reimbursement was requested by the City for the project cost. Funds for bricks will be collected by the City of Clermont and will not allow for a tax deductible donation.

Staff recommends approval of a Field of Interest Fund Agreement with the Community Foundation of South Lake to collect funds related to the sale of plaques and bricks for the Artwalk Project.

Additional Analysis

Fiscal Impact Summary

Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)

1.	Field of Interest Fund Information	Field of Interest Fund Information.pdf
2.	FIELD OF INTEREST FUND AGREEMENT	FIELD OF INTEREST FUND AGREEMENT.pdf
3.	2018 Fee Structure for All Component Funds_latest	2018 Fee Structure for All Component Funds_latest.pdf
4.	2019 Fee for Service (pass-through donations)	2019 Fee for Service (pass-through donations).pdf
5.	ARTWALK	ARTWALK.docx

COMMUNITY FOUNDATION
of South Lake

Field of Interest Fund

A Field of Interest Fund is designed for donors who would like their contributions to benefit a particular area of interest, type of organization, community issue or geographic area.

A Field of Interest Fund provides the donor with a vehicle to support a long-term interest and allow the Community Foundation of South Lake to adapt the specific use of funds to the most appropriate organization or need at that time. The Fund may have an advisory committee which can make suggestions on annual distributions from the fund or work with other community groups to utilize the funds to meet the donor's intentions. Examples of areas in which Field of Interest Funds may work include the following: beautification of public parks and lands; assistance for handicapped children; support of musical performances; assistance with health care needs of individuals and support for organizations and activities in specific communities. These examples are meant to provide ideas for donors since the Field of Interest Fund can be tailored to align the donor's charitable giving goals with the community's needs.

For a family seeking to teach children about the importance of community involvement and charitable giving, a Field of Interest Fund can be used to teach successive generations about making an impact on a particular community need or charitable area of interest. The following policies have been adopted by the Community Foundation of South Lake regarding the establishment and operation of Field of Interest Funds:

1. The Field of Interest Funds is an unrestricted gift to the Community Foundation of South Lake (CFSLC), which create or add to a fund named by the donors. The minimum to begin an active Field of Interest Fund is $10,000. Funds may be started with less than $10,000 but no distributions will be made until the minimum gift total has been accumulated. The Community Foundation of South Lake and the donors will execute a fund agreement related to the fund's operation and the donor's intentions. In accordance with IRS guidelines, all CFSLC funds are subject to the variance power, which allows the Board of Directors of the Community Foundation to modify the donor's instructions if these instructions are no longer practical or possible. The donor's intention will always be followed as closely as possible.

2. The donor to the fund may change the provisions of the fund related to the distribution instructions whether the donor is active or inactive. These changes should be made in writing to the Executive Director of CFSLC. They will be attached to the fund agreement as an amendment.

3. CFSLC will provide regular financial and investment reports to the donor or his or her designee. Each year, CFSLC will contact the donor regarding the spendable amount available for grants from the fund. Program staff is available to help the donor with information about community needs or to investigate specific organizations.

4. Distributions from Field of Interest Funds at CFSLC may be used in any of the following ways:

    a. To make a grant to any organization or charitable purpose that has a fund at CFSLC.
    b. To make a grant to another 501(c) (3) public charity serving the education and charitable needs of the South Lake community, the State of Florida, or the United States which meets the I.R.S. criteria for a tax-deductible gift.
    c. To participate with other donors and CFSLC to fund specific grant requests that have been approved by the Trustees of the Community Foundation.

5. The grant from a Field of Interest Fund should not be used to fulfill any legally binding pledge or obligation of the donor or advisor, to purchase tickets or memberships with personal benefit to the donor or advisor, or to support fund-raising events where the deductible amount is less than the grant from the fund.

6. The Internal Revenue Service requires that the CFSLC Board of Directors or its Grants Committee approve the grants from any Field of Interest Fund. The staff of CFSLC will review the recommendations, if necessary, to insure that the grants are being used to meet appropriate charitable needs. This process protects CFSLC and the donor and insures the full tax-deductibility of the donor's gift.

7. CFSLC will inform recipient organizations of grants from Field of Interest Funds and will provide the organizations with the name and address of the donor unless the donor requests that the contribution be anonymous. The names of Field of Interest Funds at CFSLC will only be available to organizations if requested by the donor and/or necessary to meet the field of interest mission and needs as set forth in the fund agreement.

8. All Field of Interest Funds are invested in the CFSLC Investment Pool. CFSLC charges an administrative fee based on the market value of the fund, currently 1.0 percent or 100 basis points. An additional fee of 0.5 percent or 50 basis points is paid to the Investment Consultant hired by CFSLC to oversee all investments. The total fee, therefore, is 1.5 percent.

COMMUNITY FOUNDATION
of South Lake

Field of Interest Fund Agreement

AGREEMENT TO ESTABLISH

THE _____FUND

(a field of interest fund at Community Foundation of South Lake County, Inc.)

THIS AGREEMENT ("Agreement"), made this _____ day of _____ (month, year) between the _____(the "Donor") and Community Foundation of South Lake County, Inc., a Florida not for profit corporation and Community Foundation (the "Foundation), having its principal office in the City of Clermont and State of Florida.

WITNESSETH:

WHEREAS, the Donor desires to create a Field of Interest Fund for philanthropic purposes; and

WHEREAS, the Donor may transfer additional property for such purposes;

NOW, THEREFORE, in consideration of the premises and the mutual covenants herein contained, the Donor hereby irrevocably assigns, conveys, transfers, and delivers to the Foundation the assets listed on Exhibit A TO HAVE AND TO HOLD the same and all income from the foregoing property, NEVERTHELESS as a Field of Interest Fund of the Foundation, for the following uses and purposes and subject to the terms and conditions herein set forth. It is agreed and understood that the Fund will in all events be used and dedicated to a purpose permitted by Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code").

FIRST: The fund hereby created shall be known as the _____ Fund (the "Fund").

SECOND: The Foundation shall hold, manage, invest and reinvest the Fund exclusively or general charitable uses and purposes in accordance with the rules from time to time adopted by the Foundation regarding the investment of and distribution from field of interest funds.

THIRD: The Donor desires distributions of the Fund to support the following (Field(s) Of Interest):_____

_____

FOURTH: Grants from the Fund will be made only to organizations which are qualified under Section 501 (c)(3) or to a not for profit qualified organizations like public schools.

FIFTH: Recommendations by the Donor or Advisors will in each case be evaluated independently by the Foundation's staff to determine if the recommendations are consistent with the purposes of the Foundation and meet the needs of the community as identified by the Board. Procedures for recommending grants are listed as Exhibit B.

SIXTH: It is the practice of the Foundation to identify for grant recipients the specific fund or funds from which a grant is paid. In the case of grants from field of interest funds, grant recipients will be informed of distributions from such funds unless the Donor has specified to the contrary in writing.

SEVENTH: The Foundation shall receive a fee, which may be taken from the Fund, for reasonable and proper compensation for services and expenses rendered to and incurred by the Fund in accordance with Foundation rules governing field of interest funds.

EIGHTH: The Fund is subject to the condition that the Foundation, as of the date of transfer, is classified in good standing by the Internal Revenue Service as an organization (i) described in section 501(c)(3) of the Code and (ii) which is not a private foundation as defined in section 509(a)of the Code.

NINTH: The Fund created by this Agreement shall be administered in and under the laws of the State of Florida, and this Agreement and the validity thereof shall be governed by and construed in accordance with the laws of the State of Florida.

TENTH: The board shall have the power to modify any restriction or condition on the distribution of funds for any specified charitable purpose or to specified organizations if in the sole judgment of the board (without the approval of any trustee, custodian or agent), such restriction or condition becomes, in effect, unnecessary, incapable of fulfillment or inconsistent with the charitable needs of the community or area served.

PERMISSION TO PUBLISH
CFSLS has my permission to publish a listing of my fund on their website and/or other publications.

YES _____ NO _____ Initials _____

IN WITNESS WHEREOF, the Donor and the Foundation have executed this Agreement as of the date first above written.

DONOR:

By: _____

COMMUNITY FOUNDATION of SOUTH LAKE COUNTY, INC.

By:_____

EXHIBIT A

THE _____ FUND

$_____ in cash or property has been contributed to the Fund.

DONOR

By:_____

COMMUNITY FOUNDATION of SOUTH LAKE COUNTY, INC.

By:_____

EXHIBIT B

Procedures for fund disbursements:

Fee Structure for All Component Funds

COMMUNITY FOUNDATION
of South Lake

Value of placing funds at Community Foundation of South Lake:

1. Flexibility: Donors may create funds in any name & for any charitable purpose.
2. Immediate Tax Deductions: As a 501(c) (3), the Foundation helps save on income and estate taxes and helps reduce/eliminate capital gains tax.
3. Connectivity: Donors stay connected to their gift, their family and their favorite charities.
4. Personalized Service: Knowledgeable, professional staff provide prompt attention to donor needs.
5. Community Information: The Foundation is a resource for donors about local nonprofit organizations and community needs.
6. Investment Expertise: Experienced board and committee members, and financial advisors oversee investments and relieve donors of that burden.
7. Low Cost: Combining individual funds, keeps administrative and investment costs low.
8. Reliability: The Foundation has a record of reliability and dependability.
9. Simplicity: A fund is established with one governing document that takes less than one hour to prepare.
10. Recognition: Donors can honor or memorialize a loved one in perpetuity.
11. Privacy: Donors can give anonymously through the Foundation.
12. Legacy: Donors can build lasting testaments to their names, their families and causes they care about.
13. Impact Assessment: combined donor grant-making with CFSLC community investment

Previous CFSLC Administrative Fee for all funds: 1.5% on all funds and amounts

Fee Structure effective 10/1/2018 for all funds EXCEPT Scholarships:

1. $350 fee for $10,000 - $20,000
2. 1.75% fee for $20,001 - $50,000 1.25 CFSLC
3. 1.5% fee for $50,001- $1 million 1.0 CFSLC
4. 1% fee for $1 million + .5 CFSLC
5. The annual fees are charged monthly (One-twelfth of total fee, per month)
6. All fund-holders must maintain a minimum balance of $10,000
7. Fund-holders below $20,000 will be limited to 4 disbursements per year.

Scholarship fee structure:

1. Annual support fees are in tiers:
   - $0 additional fees for basic support benefits
   - $250 to include basic support benefits as well as collecting, categorizing and providing of student applications.
   - $500 to include the above support benefits, utilization of software, and additional support time
2. Administrative fee percentages (1.5%)
3. Minimum $10,000 to establish new scholarship funds (must maintain $10,000 balance after disbursements)
4. Spend down within 2 years for those scholarship funds that are dormant or cannot maintain the $10,000 minimum requirement
5. New fee policy for existing fund holders beginning fiscal year 10/1/18

Fee Structure for All Component Funds

COMMUNITY FOUNDATION
of South Lake

By signing below, I am signifying that I understand and agree to the above changes to the Fee Structure at the Community Foundation of South Lake.

_____

Name of Fund

_____ _____

Fundholder Representative **Date**

_____ _____

CFSLC Representative **Date**

COMMUNITY FOUNDATION
of South Lake

Fee for Service: Pass-through Donations

Fees will apply to Nonprofit organizations who are "**non-fundholders"** for a specified campaign. The donations will be made on behalf of the NPO, through the Community Foundation of South Lake.

Value provided by Community Foundation of South Lake (CFSLC):

1. All banking/wire transfer fees covered by CFSLC.
2. CFSLC can accept appreciated assets providing possible tax benefits to the donor.
3. CFSLC holds money until donation disbursement is approved by the donor or until the NPO receiving the donation has fulfilled all agreed-upon obligations.
4. CFSLC can and will return funds to original donor if agreed-upon terms are not met by NPO (while CFSLC is in possession of these funds).
5. CFSLC will administer proper tax receipts to the original donor.
6. Staff will provide prompt attention to donor needs and all forms of communications to make sure the donated funds are properly managed and disbursed.

Fee Structure effective 03/01/2019:

Cost to NPO = 2% of total donations will be designated to the CFSLC Endowment + Credit Card Fees (3%)

By signing below, I understand and agree to the above Fee for Service at the Community Foundation of South Lake.

Donor	**Date**
Organization Name	
NPO Representative	**Date**
CFSLC Representative	**Date**

CITY OF CLERMONT

AGENDA ITEM

Meeting Date
Tuesday, August 13, 2019
Agenda Item Name
Interlocal Agreement
Requested Action
Request approval of an Interlocal agreement with the City of Minneola providing wholesale wastewater treatment for up to 30,000 gallons per day.
Staff Report
The City of Clermont currently has wholesale wastewater treatment agreements with the Towns of Oakland and Montverde. These agreements allow for regional service and economies of scale to all parties of the agreement. The City of Minneola is requesting a wholesale wastewater treatment agreement to serve a commercial subdivision directly adjacent to Clermont's service area up to 30,000 gallons per day. The initial term of this agreement is 2 years and requires no capital outlay from the City of Clermont. Revenues will be generated to offset cost of operations. Staff recommends approval of an Interlocal agreement with the City of Minneola providing wholesale wastewater treatment for up to 30,000 gallons per day.
Additional Analysis
Fiscal Impact Summary

Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)	
1. INTERLOCAL AGREEMENT BETWEEN Clermont and Minneola 8.2.2019	ILA between Clermont and Minneola 8.6.19 (003).docx

INTERLOCAL AGREEMENT BETWEEN THE CITY OF CLERMONT AND THE CITY OF MINNEOLA FOR PROVISION OF WASTEWATER SERVICES

THIS AGREEMENT is entered into between the CITY OF CLERMONT, Florida (hereafter referred to as "CLERMONT"), and THE CITY OF MINNEOLA, Florida (hereafter referred to as "MINNEOLA"), pursuant to the "Florida Interlocal Cooperation Act of 1969", section 163.01 Florida Statutes.

WHEREAS, MINNEOLA operates a water and wastewater utility that serves approximately 12,000 customers; and

WHEREAS, MINNEOLA would like to provide wastewater services and thereby provide means to eliminate the use of septic tanks for waste removal for a new development within MINNEOLA'S 180 Utility District located on property described on Exhibit A, attached hereto and incorporated herein by reference (the “Property”); and

WHEREAS, CLERMONT operates a water and wastewater utility that serves approximately 38,000 customers; and

WHEREAS, CLERMONT owns and operates a wastewater treatment plant (the "Plant") which has excess capacity sufficient to treat a certain quantity of wastewater by the Property; and

WHEREAS, CLERMONT recognizes that greater utilization of the Plant's excess capacity is more cost efficient; and

WHEREAS, the acceptance and treatment by CLERMONT of wastewater generated by the Property will be financially beneficial to both CLERMONT and MINNEOLA and will be beneficial to the citizens of MINNEOLA and CLERMONT and the public at large by providing a more environmentally acceptable method of wastewater disposal than that provided by septic tanks.

NOW THEREFORE, the parties do hereby agree as set forth below:

1. The recitals above are true and correct and are incorporated into this Agreement as an integral part.

2. Subject to the terms, conditions and limitations of this Agreement and available capacity at the Plant, CLERMONT shall accept up to 30,000 gallons per day of wastewater from the Property for treatment and disposal at the Plant (the "allotment"). Notwithstanding the forgoing, nothing herein shall act as a reservation of capacity or commitment by CLERMONT to make available the allotment (or portions thereof). CLERMONT'S acceptance of wastewater from MINNEOLA is subject to the wastewater being in compliance with the quality and other criteria for wastewater set forth in the Clermont City Code Chapter 66, and any and all amendments or successor provisions thereto, and as mandated by any and all applicable law and permits related to CLERMONT'S wastewater treatment system.

3. MINNEOLA shall pay to CLERMONT, in the manner specified in paragraph 8 of this Agreement, the sum of $5.13 per thousand gallons of wastewater accepted by CLERMONT from MINNEOLA for treatment and disposal. This is an "Intergovernmental Wholesale Rate" which is exclusive to MINNEOLA, based on conditions that are unique and specific to MINNEOLA. The Intergovernmental Wholesale Rate shall increase on October 1 of each year during the term of this Agreement commencing October 1, 2019 by such annual automatic adjustment rate as established by CLERMONT City Council and applicable to all CLERMONT sewer utility customers. Currently the rate is 1.95% and may be adjusted by future ordinance of CLERMONT. The assent by CLERMONT to accept wastewater from MINNEOLA shall not be construed to obligate CLERMONT to accept, or consider accepting, wastewater from other sources or to provide any operational or maintenance services of any kind related to any wastewater system constructed by MINNEOLA. In addition to the above-referenced Intergovernmental Wholesale Rate, MINNEOLA shall pay to CLERMONT a High Strength Surcharge and a Hydraulic Peaking Factor Surcharge, if and as may be applicable and as calculated in accordance with the formulas set forth in Exhibit "B," attached hereto and incorporated herein.

4. MINNEOLA will collect meter readings from the MINNEOLA water meter system as the means of measuring the amount of wastewater transmitted from the Property to the plant. MINNEOLA shall report that usage to Clermont within 30 days of the normal meter reading cycle. MINNEOLA may elect to charge a processing fee in addition to any charges agreed on by CLERMONT and MINNEOLA.

5. The owner(s) of the Property shall construct or cause to be constructed (by developers or other third parties) at its sole expense or that of the developer, the sanitary sewer force main and pumping facility, as approved by CLERMONT, which may be required to transmit wastewater from the Property to CLERMONT'S existing sewer system at a location approved by both MINNEOLA and CLERMONT. CLERMONT acknowledges and agrees that once sanitary sewer service becomes available to the Property as determined by MINNEOLA, the owner(s) of the Property shall disconnect from the CLERMONT system and connect to MINNEOLA'S sanitary sewer system within thirty (30) days of the date of written notice that such service is available.

6. MINNEOLA shall be responsible, financially and otherwise, for operation and maintenance of the wastewater system on MINNEOLA'S side, up to the point of connection to the manhole at the entry point to CLERMONT'S sewer system. CLERMONT shall be responsible, financially and otherwise, for operation and maintenance of the wastewater system on CLERMONT' S side, including the manhole and beyond. Provided however, that to the extent that MINNEOLA'S failure to properly operate and maintain the wastewater system on MINNEOLA'S side of the FS Ch. 180 District boundary so as to require maintenance or to cause damage to CLERMONT'S side of the FS Ch. 180 District boundary, MINNEOLA shall be fully responsible for the costs associated with the maintenance and damage repairs.

7. MINNEOLA agrees to maintain and regulate the use of its wastewater collection system, to minimize infiltration and prevent harmful wastes from being deposited into its facilities, such as would overload or cause damage to the Plant or interfere with the wastewater treatment process. MINNEOLA further agrees to the same extent as CLERMONT to require adequate pre-treatment of strong or harmful commercial wastes, at the source of generation, prior to permitting such wastes to be discharged into its system for treatment and disposal at the Plant. It is expressly understood and agreed that CLERMONT shall not be required or obligated to accept any wastewater generated by an industrial use or containing industrial waste. Furthermore, CLERMONT shall have the right to reject any connection to the system or acceptance of wastewater hereunder for any use that CLERMONT reasonably determines is not in the best operational interests of CLERMONT'S wastewater system.

8. CLERMONT will invoice MINNEOLA on a monthly basis for the amount due for treatment and disposal of MINNEOLA'S wastewater. The amount to be billed shall be based upon MINNEOLA'S monthly reading of the quantity of water sold and metered by MINNEOLA to the Property as referenced in paragraph 4, plus any surcharges as described in Exhibit "B" hereto. Payment will be due to CLERMONT no later than twenty days after the invoice is rendered. The temporary capacity allotment granted herein to MINNEOLA may not be sold, sublet, transferred or assigned by MINNEOLA to any entity.

9. MINNEOLA agrees to the extent permitted by law and without waiving its sovereign immunity, to hold harmless and defend CLERMONT, its officials, employees, contractors or agents for and from any and all damages including attorney's fees that may arise out of, or related to, any claim or cause of action, or threat thereof, of a third party, related in any manner to a customer connection to the MINNEOLA wastewater system.

10. The Initial Term of this Agreement shall be 2 years from the effective date of this Agreement except as provided otherwise in Section 5 above. This Agreement shall be effective upon final adoption of an ordinance or resolution (as each may require) by both CLERMONT and MINNEOLA. The Effective Date shall be the date of final adoption by the last party.

11. This Agreement may not be terminated by either party prior to its expiration, unless an amendment to the Agreement is approved by both CLERMONT and MINNEOLA, in writing, or if one party is in breach of any of the terms and conditions of this agreement and fails to correct it within thirty (30) days after written notice unless it requires more than thirty (30) days to make such corrections, and in such case the breach shall be cured within a reasonable time.

12. In the event of any dispute related to this Agreement, the parties agree to resolve the dispute consistent with the conflict resolution procedures established in Chapter 164, Florida Statutes. If there is a failure to resolve the conflict, no later than 30 days following the conclusion of the procedures established in "The Florida Governmental Conflict Resolution Act" Chapter 164, a party may file an action in circuit court. Venue for any cause of action to be filed hereunder shall be exclusively in Lake County Circuit Court.

13. All notices, consents, approvals, waivers, and elections that either party requests or gives under this Agreement must be in writing and shall be given only by hand delivery, or by certified mail, prepaid with confirmation of delivery requested. Notices shall be delivered or mailed to the addresses and parties set forth below or as any party may otherwise designate in writing.

City of Clermont, City Manager
685 West Montrose Street -3rd Floor
Clermont, FL 34711

City of Minneola, City Manager
800 North US Highway 27
Minneola, FL 34715

14. This Agreement is solely for the benefit of the parties hereto, and no right or cause of action shall accrue upon or by reason hereof, to or for the benefit of any third party. Nothing in this Agreement, either expressed or implied, is intended or shall be construed to confer upon or give any person, corporation or governmental entity other than the parties any right, remedy or claim under or by reason of this Agreement or any provisions or conditions hereof, and all the provisions, representations, covenants, and conditions herein contained shall insure to the sole benefit of and shall be binding upon the parties, and their respective representatives, successors and assigns. In particular, and without limiting the generality of the foregoing, individual customers of MINNEOLA are not intended as third party beneficiaries of this Agreement, and shall have no standing to enforce this Agreement or to assert any claim against CLERMONT which arises out of or is related any way to this Agreement or the services provided by CLERMONT under this Agreement.

15. Each represents and warrants for the benefit and reliance of the other its respective authority to enter into this Agreement, and acknowledges the validity and enforceability of this Agreement. The parties hereby represent, warrant and covenant this Agreement constitutes a legal, valid and binding contract enforceable by the parties in accordance with its terms and conditions, and that the enforceability is not subject to any impairment by the applicability of any public policy or police powers.

16. This Agreement sets forth the entire understanding of the parties with regard to its subject matter. It supersedes and takes precedence over any and all prior negotiations, representations and agreements, oral or written, all of which are deemed to have merged into this Agreement and to have been extinguished except to the extent specifically set forth herein. This Agreement may not be amended orally, by implication, by course of conduct, or in any other manner whatsoever than by way of a written instrument signed by both parties hereto or their lawful successors. This Agreement shall be construed in accordance with the laws of Florida and venue for any action or proceeding arising out of this Agreement shall be in Lake County, Florida. This Agreement shall be binding on the parties hereto, as well as on their lawful successors and assigns. Each party represents for the benefit of the other that it has not entered into this Agreement in reliance on, or on the basis of, any promise, negotiation, representation, undertaking or agreement of the other party, oral or written, which is not specifically set forth within this Agreement.

17. If any portion of this Agreement is declared invalid or unenforceable, then to the extent it is possible to do so without destroying the overall intent and effect of this Agreement, the portion deemed invalid or unenforceable shall be severed here from and the remainder of this Agreement shall continue in full force and effect as if it were enacted without including the portion found to be invalid or unenforceable.

18. This Agreement shall be recorded in the Public Records of Lake County, Florida as required by applicable Florida Statutes.

IN WITNESS WHEREOF, each of the parties has caused its duly authorized representatives to set their hands to this Agreement on the dates indicated below.

THE CITY OF CLERMONT, FLORIDA

_____
Gail L. Ash, Mayor

ATTEST:

_____
Tracy Ackroyd-Howe, City Clerk

APPROVED AS TO FORM AND CONTENT:

_____
Daniel F Mantzaris, CITY ATTORNEY

Witnesses:

_____
Print Name: _____

_____
Print Name: _____

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me this _____day of _____, 2019, by Gail L. Ash, as Mayor of the City of Clermont, Florida, who executed the foregoing instrument and acknowledged before me that he executed the same for the uses and purposes therein expressed, and who is personally known to me.

SEAL

_____

Notary Public
My Commission Expires:
Typed or Printed Name

THE CITY OF MINNEOLA, FLORIDA

_____
Pat Kelley, Mayor

ATTEST:

_____
April Sheppard, Acting City Clerk

APPROVED AS TO FORM AND CONTENT:

_____
Scott Gerken, CITY ATTORNEY

Witnesses:

_____
Print Name: _____

_____
Print Name: _____

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me this _____day of _____, 2019, by Pat Kelley, as Mayor of the City of Minneola, Florida, who executed the foregoing instrument and acknowledged before me that he executed the same for the uses and purposes therein expressed, and who is personally known to me.

SEAL

_____

Notary Public
My Commission Expires:
Typed or Printed Name

Exhibit “A”
Legal Description of the Property

Exhibit "B"

High Strength Waste Surcharge and Hydraulic Peaking Factor Surcharge

MINNEOLA shall pay to CLERMONT in addition to the Intergovernmental Wholesale Rate the following surcharges as may become due based on the criteria and formula set forth below:

I. High Strength Waste Surcharge Criteria.

A. *Surcharge/or abnormal strength wastes.*

1. A surcharge shall be imposed where the wastewater from MINNEOLA contains an abnormally high BOD or suspended solids concentration. The surcharge in dollars shall be computed by multiplying the average milligrams per liter (mg/L) of each constituent that exceeds three hundred (300) mg/L minus 300 mg/L, times the metered sewage flow of MINNEOLA during the 9 billing period in millions of gallons times a treatment surcharge factor.

2. The treatment surcharge factor shall be derived annually from the following formula (the factor of 600 being the maximum normal BOD plus suspended solids content expressed in milligrams per liter):

$$\text{Treatment Surcharge Factor} = \frac{\text{Intergovernmental Wholesale Rate per million gallons}}{600}$$

3. CLERMONT at any time, may take samples of MINNEOLA 's wastewater. Should a sample show abnormal strength, CLERMONT will take two (2) additional samples within the next succeeding ten (l0) days. The average of these three (3) tests will be used to determine whether a surcharge is due for that month, and, if so, the amount thereof. MINNEOLA may request additional samples, and CLERMONT will take such additional samples and include the results thereof in calculating the average strength in the month in which taken, provided that the cost of such additional samples shall be paid for by MINNEOLA.

B. *Definition of Terms.*

1. Surcharge - Amount of money added to MINNEOLA 's monthly bill to defray the additional expense that might be created due to high strength wastewater discharge to CLERMONT's system in the billing period.

2. BOD - five-day biochemical oxygen demand as determined in accordance with the testing procedure as defined in Standard Methods for the Examination of Water and Wastewater ("Standard Methods"), latest edition.

3. Suspended Solids - Non-dissolved solids contained in the sewage that can be removed by filtration as determined by the testing procedure as set forth in Standard Methods, latest edition.

4. Each Constituent - Defined as either BOD or Suspended Solids as far as waste strength is concerned.

II. Hydraulic Peaking Factor Surcharge.

A. Surcharge

For each day that MINNEOLA transmits wastewater to CLERMONT's system for a consecutive four-hour period at a flow rate in excess of 200% of the Average Daily Peak Flow ("ADPF"), up to 250% of the ADPF, MINNEOLA will pay a 1 % surcharge on its monthly charge not including the High Strength Surcharge above. For each 5% or fraction thereof in excess of 250% for a consecutive four-hour period that the flow exceeds the Average Daily Peak Flow, MINNEOLA will be billed an extra 1 % on its monthly service charge.

B. Definitions.

Average Daily Peak Flow (ADPF) - MINNEOLA 's total flow during the four (4) consecutive months of greatest flow during the twelve (12) month period ending on the last preceding September 30th, divided by the total number of days in such four (4) month period. Average Daily Peak Flow in such four (4) month period will be based on the flow meter readings used for billing MINNEOLA.

CITY OF CLERMONT

AGENDA ITEM

Meeting Date
Tuesday, August 13, 2019

Agenda Item Name
Joint Parking Use Agreement and Sidewalk Easement

Requested Action
Request approval of a Joint Parking Use Agreement and Sidewalk Easement adjacent to the Proposed Artwalk Project.

Staff Report

In 2015 the Clermont City Council approved a master plan that will serve as the blueprint for the city—especially the downtown-waterfront district—for the next 5, 10 and 20 years. A key element of the master plan is the connectivity of the waterfront to downtown. One way to achieve this is through the Artwalk Project.

In June 2018, the City solicited a Request for Letters of Interest for the activation of city owned property located generally between Minneola Avenue and Montrose Street. Mr. Jayson Stringfellow responded to the solicitation with the Art Walk District concept in a public workshop on October 18, 2018. The Art Walk District was characterized by a mix-use concept of commercial units with residential units. The Art District project proposed the integration of the Art Walk into the overall project. In November of 2018, City Council approved the sale of .34 acres to the Art District, LLC to activate the city parcel and foster redevelopment. In February of 2019, City Council approved a cost share agreement with the Art District, LLC for design and development of the Art Walk.

As part of the Art Walk project the parking lot adjacent to the 8th Street Trail Head will be refurbished, providing new access from Minneola Avenue as well as additional parking spots and access provided by the Joint Parking Use agreement with Krohn Holdings, LLC (Four Corners Health and Rehabilitation). In addition, a sidewalk easement will be provided to the City of Clermont by Krohn Holdings, LLC (Four Corners Health and Rehabilitation), to allow for construction and maintenance of a 10-foot sidewalk from 8th Street to the proposed Art Walk project.

Staff recommends approval of a Joint Parking Use Agreement and Sidewalk Easement adjacent to the Proposed Artwalk Project.

Additional Analysis

Fiscal Impact Summary

Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)

1. Attachment A. Attachment A..pdf

2.	Joint Parking Use License and Easement	Joint Parking Use License and Easement.doc
3.	Sidewalk_Easement	Sidewalk_Easement.doc
4.	ARTWALK.PARKING	ARTWALK.PARKING.docx

"Attachment "A

JOINT PARKING LICENSE AND EASEMENT

THIS TEMPORARY JOINT PARKING LICENSE AND EASEMENT AGREEMENT made and entered into this _____ day of _____ 2019, by and between _____ (hereinafter referred to as "GRANTOR"), and the City of Clermont, 685 W. Montrose Street, Clermont, Florida 34711 (hereinafter referred to as "GRANTEE").

NOW, THEREFORE, for and in consideration of the mutual advantages inuring each party to the other, and other valuable considerations, the receipt of which are hereby acknowledged, the parties do hereby grant each other an exclusive joint motor vehicle parking license and easement, including the right of ingress and egress over and across the real property as indicated in Attachment 'A', hereinafter referred to as "the Property";

1. GRANTEE hereby warrants that it is the fee simple owner of, or has the right, to grant any and all rights set forth herein to use that certain portion of the Property, as more particularly described as the GRANTEE lot in Attachment "A".

2. GRANTOR hereby warrants that it is the fee simple owner of, or has the right, to grant any and all rights set forth herein to use that certain portion of the Property, as more particularly described as the GRANTOR lot in Attachment "A".

3. The parties hereto, do hereby grant to each other the exclusive right to use for the purpose of parking cars at any time and without restriction, on the other party's lot as described in Attachments "A". It is expressly understood that the rights granted herein shall be for use by GRANTEE for the parking of motor vehicles by the general public for the parking of vehicles by its customers, employees and invitees.

4. The parties hereby covenant and agree that they shall at all times operate and use the parking license in accordance with applicable law and so as to cause minimum damage or impact on the property, reasonable wear and tear excepted. In the event either party or its invitees alters, disturbs, or damages any of the other party's real property in the course of its utilization of the temporary parking license and easement, the party that caused the alteration, disturbance or damage will restore the Property to its prior existing condition reasonable wear and tear excepted.

5. This Parking License and Easement shall take effect _____ and shall remain in effect until _____, unless terminated as provided herein. Either party may terminate this Parking License and Easement with cause immediately and without opportunity to cure, or without cause upon One hundred and eighty (180) DAYS written notice to the non-terminating party, whereupon the License and Easement rights and all obligations and rights of both parties shall terminate as of the effective date of the termination notice.

6. During the Term hereof, each party shall maintain Commercial General Liability Insurance in amounts of One Million and no/100 Dollars ($1,000,000.00) per occurrence and Two Million and no/100 Dollars ($2,000,000.00) aggregate. Each party may satisfy this requirement by obtaining the appropriate endorsement to any master insurance policy such party may maintain.

7. GRANTOR and GRANTEE hereby mutually release each other (and their successors or assigns) from liability and waive all right of recovery against the other for any loss or damage covered by their respective first party property insurance policies for all perils insured thereunder. In the event of an insured loss, neither party's insurance company shall have a subrogated claim against the other party.

8. Subject to the property insurance waivers set forth in the preceding section, GRANTOR and GRANTEE each agree to indemnify and hold harmless the other party from and against any and all administrative and judicial actions and rulings, claims, causes of action, demands and liabilities, including reasonable attorneys' fees, to the extent caused by or arising out of: (i) any negligent acts or omissions or willful misconduct in the operations or activities on the Property by the indemnifying party or the employees, agents, contractors, licensees, tenants or subtenants of the indemnifying party, (ii) any spill or other release of any Hazardous Substances (as defined below) on the Property by the indemnifying party or the employees, agents, contractors, licensees, tenants or subtenants of the indemnifying party, or (iii) any breach of any obligation of the indemnifying party under this License. The indemnifying party's obligations under this subsection are contingent upon its receiving prompt written notice of any event giving rise to an obligation to indemnify the other party and the indemnified party's granting it the right to control the defense and settlement of the same. Nothing herein shall be construed to constitute a waiver of the GRANTEE'S sovereign immunity as set forth in Florida Statutes, Chapter 768.

9. The rights granted herein shall inure to the benefit of GRANTEE, its assign, heirs, successors and invitees. This License and Easement shall specifically not confer any rights or remedies upon any person other than the GRANTEE, its assigns, heirs, successors and invitees.

10. In addition to the obligations contained herein, the parties agree to the following improvements to the Property:

    a) GRANTEE at its expense Resurface and restripe the pavement as delineated in Attachment "A". GRANTEE shall maintain these improvements for the term of the agreement.
    b) GRANTEE at its expense shall construct the sidewalk and associated improvements in the easement area as delineated in Attachment "A". GRANTEE shall maintain these improvements for the term of the agreement.

TO HAVE AND TO HOLD said parking license and easement and right of entry unto GRANTEE, and its successors, heirs, assigns and invitees, for the time period as set forth above and beginning or as terminated above.

GRANTOR:

Signed, sealed and delivered in the presence of:

_____ By: _____

(Print Name) _____ _____

_____ Printed Name & Title

(Print Name) _____

The foregoing instrument was sworn to and acknowledged before me this ____ day of _____, 2019, by _____, personally known to me or who has provided _____ as identification, and who did take an oath.

_____

Notary Public Signature

_____

Notary Public Printed Name

My Commission Expires:

Accepted and Agreed to by action of the City Council of the City of Clermont at its meeting of _____, 2019

By_____

Mayor Gail Ash

ATTACHMENT ‘A’

PARKING LICENSE AND EASEMENT

PUBLIC ACCESS EASEMENT

FOR RECORDING USE ONLY

THIS EASEMENT made

_____, 20_____, between

_____

whose interest is fee simple or if other than fee simple is:
None
(if none other, write none)

of Lake County, Florida, herein referred to as GRANTOR; and the CITY OF CLERMONT, a Florida Municipal Corporation, _____, Clermont, Florida, herein referred to as GRANTEE;

GRANTOR in consideration of TEN DOLLARS ($10.00) and other valuable consideration to dedicator paid by dedicatee, receipt of which is acknowledged does hereby grant an EASEMENT IN GROSS to GRANTEE forever, to have and to hold for all public uses traditionally made of a PUBLIC ACCESS EASEMENT, including but not limited to: use as a public access sidewalk and use by the traveling public to traverse the same; over, under, above and through the following described lands in Lake County, Florida, to-wit:

(Legal descrip)

Containing ____._____ acres, more or less; Parcel ID No. _____

Reserving to the GRANTOR all rights not inconsistent with said easement, including reversion upon release.

IN WITNESS WHEREOF, GRANTOR has hereunto set GRANTOR'S hands and seal the day and year first above written.

signed, sealed and delivered in the presence of:

_____ By: _____

(print name)_____ (print name) _____

_____ Address:_____

(print name) _____

_____

STATE OF FLORIDA
COUNTY OF LAKE

On _____, 19_____, the foregoing instrument was acknowledged before me by _____, who IS personally known to me or who have produced _____ _____ and _____as identification and who (did) (did not) take an oath.

_____
Notary Public (Signature)

_____
Notary Public (Typed, Printed, or Stamped)

ACCEPTED BY the City of Clermont by action of the City Council at its meeting of: _____
_____

_____
Mayor

ATTEST:

_____
City Clerk

Pursuant to Section 695.26 (3) (f), this instrument exempt from Chapter 695, F.S.: Prepared by and return to a Public Official: City Manager, City of St. Cloud, 1300 Ninth Street; St. Cloud, Florida 34769

CITY OF CLERMONT

AGENDA ITEM

Meeting Date	
Tuesday, August 13, 2019	
Agenda Item Name	
Easement	
Requested Action	
Recommend to approve the sale of this easement to allow service from Duke Energy to the boat ramp, restrooms and lighting at the location of 5 2nd Street.	
Staff Report	
City of Clermont staff is requesting the sale of an easement located at 5 2nd Street to Duke Energy for the boat ramp, restrooms and lighting.	
Additional Analysis	
Fiscal Impact Summary	
Sale of easement to Duke Energy for $1.00.	

Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)	
1. 3270094CityofClermontEASEMENT	3270094CityofClermontEASEMENT.docx

Lake County, FL
Work Request #: 32700294
Address: 5 2nd St, Clermont, FL, 34711
STR: 24-22S-25E

EASEMENT

THIS EASEMENT ("**Easement**") from **CITY OF CLERMONT, a Florida municipal corporation,** whose address is PO Box 120219, Clermont, FL 34712-0219 ("**GRANTOR**," whether one or more) to **DUKE ENERGY FLORIDA, LLC, a Florida limited liability company, d/b/a DUKE ENERGY,** Post Office Box 14042, St. Petersburg, Florida 33733, and its successors, lessees, licensees, transferees, permittees, apportionees, and assigns ("**GRANTEE**");

WITNESSETH:

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

See legal description on the accompanying Exhibit "A" attached hereto and incorporated herein by this reference.

Tax Parcel Number: 24-22-25-0400-014-00000

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

GRANTOR shall have the right to use the Easement Area in any manner that is consistent with the rights granted to **GRANTEE** herein; provided however, without the prior written consent of

GRANTEE, **GRANTOR** shall not (a) place, or permit the placement of, any obstructions within the Easement Area including but not limited to, any building, house, or other above-ground or underground structure, or portion thereof. If obstructions are installed adjacent to the Easement Area, they shall be placed so as to allow ready access to **GRANTEE's** facilities and provide a working space of not less than ten (10) feet on the opening side, six (6) feet on the back for working space and three (3) feet on all other sides of any pad mounted equipment; (b) excavate or place, or permit the excavation or placement of any dirt or other material upon or below the Easement Area; or (c) cause, by excavation or placement of material, either on or off the Easement Area, a pond, lake, or similar containment vehicle that would result in the retention of water in any manner within the Easement Area. **GRANTEE** shall have the right to remove any such obstruction(s) at **GRANTOR's** expense. Excluding removal of vegetation and obstructions as provided herein, any physical damage to the surface of the Easement Area and/or **GRANTOR's** adjoining property caused by **GRANTEE** or its contractors shall be repaired to a condition reasonably close to the previous condition. The rights and easement herein granted are exclusive as to entities engaged in the provision of electric energy service and **GRANTOR** reserves the right to grant rights to others affecting said Easement Area provided that such rights do not create an unsafe condition or conflict with the rights granted to **GRANTEE** herein.

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

Prepared By: Bruce C. Crawford, Esq.
Crawford & Owen, P.A.
10901 Danka Circle, Suite C
Saint Petersburg, Florida 33716

Return to: Duke Energy
Attn: Land Services
3300 Exchange Place, NP4A
Lake Mary, FL 32746

IN WITNESS WHEREOF, this Easement has been executed by Grantor on this ____ day of _____, 2019, and is effective as of the Effective Date herein.

GRANTOR:
CITY OF CLERMONT,
a Florida municipal corporation
Name of Municipality

ATTEST:

_____
City Clerk

_____
Print or Type Name

_____
Mayor

_____
Print or Type Name

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF:

_____
Signature of First Witness

_____
Print or Type Name of First Witness

_____
Signature of Second Witness

_____
Print or Type Name of Second Witness

Grantor(s) mailing address:

PO Box 120219
Clermont, FL 34712-0219

State of _____)
) ss
County of _____)

The foregoing Easement was acknowledged before me this _____ day of _____, 2019, by _____ and _____, its Mayor and its City Clerk, respectively of **CITY OF CLERMONT**, **a Florida municipal corporation,** who is/are personally known to me or who has/have produced _____ as identification.

NOTARY SEAL

_____
Name:
Notary Public
Serial Number:
My Commission Expires:

Prepared By: Bruce C. Crawford, Esq.
Crawford & Owen, P.A.
10901 Danka Circle, Suite C
Saint Petersburg, Florida 33716

Return to: Duke Energy
Attn: Land Services
3300 Exchange Place, NP4A
Lake Mary, FL 32746

Exhibit "A"

All of Blocks 14 and 15 of Willey's Addition to the Town of Clermont as shown and described in Plat Book 3, at Page 36, of the Public Records of Lake County, Florida, otherwise described as that land lying between Second Street on the West and East Avenue on the East (said East Avenue being considered as having a 100 foot right-of-way, as shown on the L. D. Simonson Survey No. 517, dated June 19, 1946, and not the curved street as now used); and between the North line of the right-of-way of the Seaboard Air Line Railroad on the South and the shores of Lake Minneola on the North, excepting the right-of-way of the existing road; and

A strip of land in the City of Clermont, Lake County, Florida, bounded on the North by Block 14 of Willey's Addition to the Town of Clermont, as shown and described in Plat Book 3, Page 36, of the Public Records of Lake County, Florida, on the South by Palm Street, on the West by Second Street, and on the East by East Avenue, specifically excepting the right-of-way of the Atlantic Coast Line Railroad and the Seaboard Air Line Railroad; and

Lots 1 to 6, inclusive, and the East 1/2 of Lot 7, in Block 5 of SUNSET HEIGHTS, a subdivision of the City of Clermont, Lake County, Florida, as shown and described on the official map of the said City of Clermont, recorded in the office of the Clerk of the Circuit Court of Lake County, Florida, in Plat Book 8, at Pages 17 to 23, both inclusive; and

All that portion of that certain strip of abandoned right-of-way, measuring 60 feet in width, being 30 feet on each side of the center line of the Tavares and Gulf Railroad Company former track from Watts Junction to Clermont, extending in a southwesterly direction from the West line of East Avenue to the East line of Second Street; SAVING AND EXCEPTING a 20-foot wide right-of-way granted Atlantic Coast Line Railroad Company by Tavares and Gulf Railroad Company by easement deed dated October 10, 1962, located in NE-1/4 of the NE-1/4 of Section 24, Township 22 South, Range 25 East, Lake County, Florida; said strip of land herein conveyed being shown hatched and said right-of-way being shown cross hatched on print of portion of the Tavares and Gulf Railroad Company's valuation map 2 of V.1 Fla., L-2, dated January 26, 1918, last revised December, 1958, recorded in Official Records Book 276, Page 698, Public Records of Lake County, Florida.

AND

That part of the abandoned right of way of the Atlantic Coast Line Railroad lying between the East right of way line of Second Street and the West right of way line of East Avenue, according to the plat of Willey's Addition to the City of Clermont, Florida, recorded in Plat Book 3, Page 36, Public Records of Lake County, Florida.

Together with;

A portion of Palm Street, Sunset Heights Subdivision, located in Section 24, Township 22 South, Range 25 East, City of Clermont, Lake County, Florida, according to the plat thereof as recorded in Plat Book 5, Page 42, Public Records of Lake County, Florida, is described as follows:

Commence at the Southeast corner of Lot 5, Block 5, Sunset Heights Subdivision, located in Section 24, Township 22 South, Range 25 East, City of Clermont, Lake County, Florida, according to the plat thereof as recorded in Plat Book 5, Page 42, Public Records of Lake County, Florida, as a point of reference; thence run North 00 degrees 07'00" West along the West right-of-way of East Avenue, a distance of 305.38 feet to the Southerly right-of-way line of Palm Street and the Point of Beginning. 1)Thence continue North 00 degrees 07' 00" West, along the said West right-of-way line of East Avenue a distance of 75.77 feet, to the Northerly right-of-way line of Palm Street; 2) Thence run South 52 degrees 14' 52" West along said Northerly right-of-way line a distance of 246.88 feet to a line 230.00 feet North of and parallel to the South line, the above said Lot 5, Block 5, Sunset Heights; 3) Thence run East parallel to the said South line of Lot 5, a distance of 98.00 feet to the Southerly right-of-way line of Palm Street; 4) Thence run North 52 degrees 14' 52" East, along the said Southerly right-of-way line of Palm Street, a distance of 123.13 feet to the Point of Beginning to close.

LESS AND EXCEPT:

A portion of Lots 1, 2, 3, 6, and 7, Block 5, Sunset Heights Subdivision, located in Section 24, Township 22 South, Range 25 East, City of Clermont, Lake County, Florida, according to the Plat thereof as recorded in Plat Book 5, Page 42, Public Records of Lake County, Florida, is described as follows:

Commence at the Southeast corner of Lot 5, Block 5, Sunset Heights Subdivision, located in Section 24, Township 22 South, Range 25 East, City of Clermont, Lake County, Florida, according to the Plat thereof as recorded in Plat Book 5, Page 42, Public Records of Lake County, Florida, as point of reference; thence run North 00° 07' 00" West, along the West right-of-way line of East Avenue a distance of 130.00 feet, to the Point of Beginning; 1) thence run West parallel to the South line of the above said Lot 5, Block 5, Sunset Heights Subdivision, a distance of 226.85 feet, to the Southerly right-of-way line of Palm Street; 2) thence run North 52° 14' 52" East, along the said Southerly right-of-way line a distance of 163.33 feet; 3) thence run East parallel to the said South line of Lot 5, a distance of 97.51 feet to the West right-of-way line of East Avenue; 4) thence run South 00° 07' 00" East, along said West right-of-way line, a distance of 100.00 feet, to the Point of Beginning to close.

Together with the following described real property:

Begin at the intersection of the Southerly right-of-way line of Atlantic Coastline Railroad (said right-of-way being 60.00 feet wide) and the East right-of-way line of Second Street (said right-of-way being 60.00 feet wide); 1) thence run North 00° 28' 17" East, along said East right-of-way line of Second Street a distance of 35.00 feet; 2) Thence departing said East right-of-way line run South 83° 10' 41" East a distance of 39.78 feet to the Southerly right-of-way line of Atlantic Coastline Railroad; 3) Thence run South 52° 44' 19" West along said Southerly right-of-way line a distance of 50.00 feet to the Point of Beginning to close. All lying in Section 24, Township 22 South, Range 25 East, City of Clermont, Lake County, Florida.

ALSO LESS AND EXCEPT:

The South 30 feet of Lot 3, all of Lots 4 and 5, and that portion of the Easterly 1/2 of Lot 7 and that portion of Lot 6, Block 5, SUNSET HEIGHTS, as recorded in Plat Book 5, Page 43, Public Records of Lake County, Florida, lying South of Parcel 2, described as follows:

PARCEL 2:

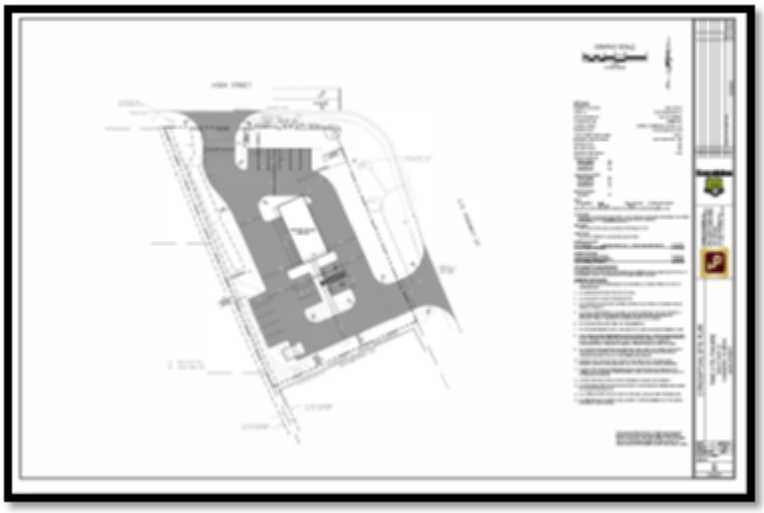
A portion of Lots 1, 2, 3, 6, and 7, Block 5, SUNSET HEIGHTS SUBDIVISION/ located in Section 24, Township 22 South, Range 25 East, City of Clermont, Florida, according to the Plat thereof as recorded in Plat Book 5, Page 42, Public Records of Lake County, Florida, is described as follows: Commence at the Southeast corner of Lot 5, Block 5, SUNSET HEIGHTS SUBDIVISION, located in Section 24, Township 22 South, Range 25 East, City of Clermont, Lake County, Florida, according to the Plat thereof as recorded in Plat Book 5, Page 42, Public Records of Lake County, Florida, as a point of reference; Thence run North 00° 07' 00" West along the West Right of Way Line of East Avenue a distance of 130.00 feet, to the Point of Beginning; 1) Thence run West parallel to the South line of the above said Lot 5, Block 5, SUNSET HEIGHTS SUBDIVISION, a distance of 226.85 feet to the Southerly Right of Way Line of Palm Street; 2) Thence run North 52° 14' 52" East, along the said Southerly Right of Way line a distance of 163.33 feet; 3) Thence run East parallel to the said South line of Lot 5, a distance of 97.51 feet to the West Right of Way line of East Avenue; 4) Thence run South 00° 07' 00" East, along said West Right of Way line, a distance of 100.00 feet to the Point of Beginning to close.

CITY OF CLERMONT

AGENDA ITEM

Meeting Date
Tuesday, August 13, 2019
Agenda Item Name
Resolution No. 2019-14R *Take 5 Quick Lube*
Requested Action
Recommend denial of Resolution No. 2019-14R.
Staff Report

The applicant, Tannath Design, Inc., is requesting a Conditional Use Permit for an automotive oil change services facility in the C-2 General Commercial zoning district. Section 122-224 of the Land Development Code permits this type of use with a Conditional Use Permit. The property is located at the southwest corner of Hooks Street and US Highway 27. The property is approximately .80+/- acre and was previously used as convenience store with gas pumps. The existing building will be demolished, and the site will be redeveloped to allow a 1,620 square foot automotive oil change service center with three service bays.



The proposed project site layout is planning ingress and egress from Hooks Street and Highway 27. The applicant will be required to coordinate the permit process with Lake County and FDOT. The hours of operation will be 7 AM to 7 PM, seven days a week. The applicant has not identified any variances required and will redevelop the site to meet the City's Architectural Design Standards and Land Development Code.

Staff has reviewed the application in accordance with the Land Development Code and finds the proposed automotive service use is not compatible with the existing adjacent residential use located to the rear (west) of subject property. The proposed auto service center will be located at a very busy high traffic intersection within the City and may generate additional traffic impacts to the busy intersection.

When evaluating a request for a conditional use permit, Section 86-144 of the Land Development Code requires that specific development standards and provisions are met. Staff has reviewed the proposed automotive oil change facility with the required standards and finds the proposed use does not meet the general criteria for granting the

conditional use permit. The areas of concern from the proposed automotive facility are: 1) the intensity and character of the development is not compatible with the surrounding development and the proposed use is usually associated with excessive noise and having high traffic generations 2) the view and aesthetics does not appear to blend in and complement the existing development pattern in the area. The proposed use may be considered undesirable at the particular location. Therefore, staff recommends denial of the request for a conditional use permit for an automotive oil change services facility in the C-2 General Commercial zoning district.

The Planning and Zoning Commission at their meeting held on June 4, 2019, voted 4-2 to recommend approval of Resolution No. 2019-14R. with the following two conditions:

1) The automotive oil change service center would be closed for business on Sundays.

2) To add a CUP Condition that the applicant must construct a 6 feet high solid wall to provide a buffer for the residential property located in the rear of subject parcel.

Additional Analysis	

Fiscal Impact Summary	

Fiscal Impact	**Fund Number and Description**	**Available Budget Amount**

Exhibits Attached (copies of original agreements)	

1.	FINAL CUP RES 2019-14R	2019-14R Take 5 Quick Lube CUP.docx
2.	Location Map	Location Map.pdf
3.	Zoning Map	Zoning Map.pdf
4.	New Site Plan	New Site Plan.pdf
5.	Building Elevation	Building Elevation.pdf
6.	application	application.pdf
7.	Legal AD	Legal AD.pdf

CITY OF CLERMONT
RESOLUTION NO. 2019-14R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR AN AUTOMOTIVE AND OIL CHANGE SERVICE CENTER WITH THREE SERVICE BAYS IN THE C-2 GENERAL COMMERCIAL ZONING DISTRICT.

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held on June 4, 2019 recommended denial of this Conditional Use Permit to allow for an automotive service center with three service bays, at the following location:

LOCATION:
1900 South US Highway 27
Alternate Key 1622956

WHEREAS, the granting of this Conditional Use Permit will not adversely affect the officially adopted Comprehensive Plan of the City; such use will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity; the proposed use will comply with the regulations and conditions specified in the codes for such use; and the proposed use may be considered desirable at the particular location;

WHEREAS, the applicant has applied for a Conditional Use Permit to allow an automotive and oil change service center with three service bays in the C-2 General Commercial Zoning District, The City Council deems it advisable in the interest of the general welfare of the City of Clermont, Lake County, Florida to grant this Conditional Use Permit.

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

This application for a Conditional Use Permit to allow for an automotive and oil change service center with three service bays in the C-2 General Commercial zoning district, be granted subject to the following conditions:

SECTION 1. General Conditions

1. This Resolution shall inure to the benefit of, and shall constitute a covenant running with the land and the terms, conditions, and provisions hereof, and shall be binding upon the present owner and any successor in title or interest, and shall be subject to each and every condition herein set out.

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

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

5. No business can occupy any portion of the building unless the proposed business has applied for and obtained a Local Business Tax Receipt from the Development Services Department.

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. The Applicant shall record in the Public Records of Lake County within 90 days of its date of approval by the City Council, a short-form version of this Conditional Use Permit as provided by the City or a form acceptable to the City, to provide notice to all interested parties, the assigns, successors and heirs of the developer/applicant and all future owners of the above-referenced property that the real property described above is subject to the terms and conditions of the Conditional Use Permit.

8. The structure shall be inspected by the Fire Marshal for life safety requirements. All requirements must be met prior to any Certificate of Occupancy being issued.

9. The structure shall be inspected by the City Building Inspector and all building code violations must be corrected prior to a Certificate of Occupancy being issued.

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

11. This permit shall become null and void if substantial work has not begun within two (2) years of the date of issuance of this Conditional Use Permit.

SECTION 2. Land Uses and Specific Conditions

1. This Conditional Use Permit is for a 1,620 square feet automotive and oil change service center with three (3) service bays located in the C-2 General Commercial zoning district.

2. The property shall be developed in substantial accordance with the Preliminary Conceptual Site Plan prepared by Tannath Designs, Inc. dated 5/1/2019 (Exhibit A). The conceptual plan submitted with the Conditional Use Permit application is not an approved site plan. 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 site will be developed to meet the City's Architectural Standards and Land Development Code.

3. The site may also be used for any permitted use in the C-2 General Commercial zoning district. All uses must adhere to the requirements of the Land Development Code.

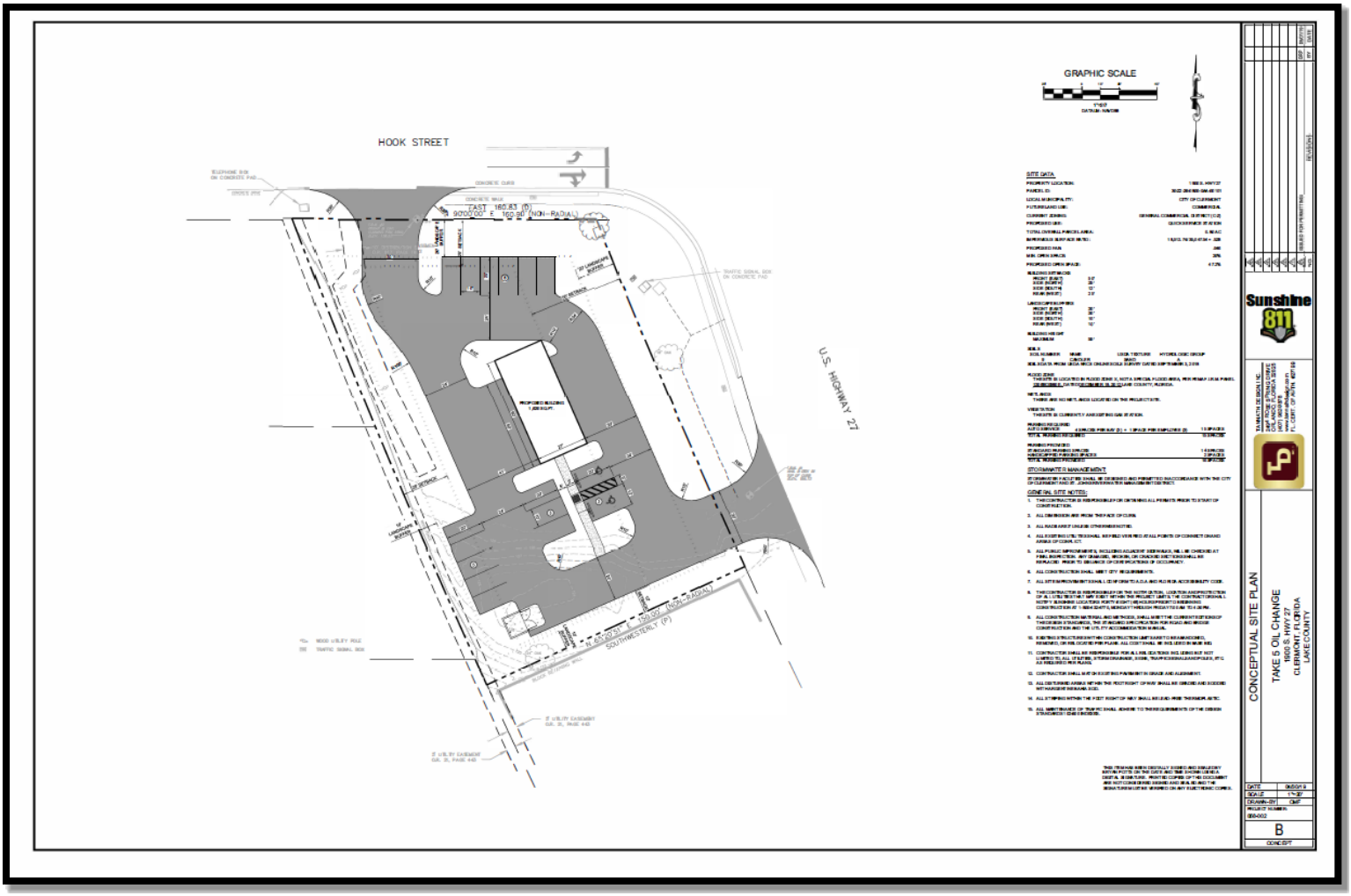
4. No outside storage will be allowed. Any outside storage shall be completely enclosed and screened from public view and any public streets. All enclosures shall be designed to be compatible and complement the architecture color and materials of the primary building.

5. All service bays shall be designed not to face US Highway 27. Automotive service areas shall be completely screened from public view and public streets with walls and landscaping. No outside auto service operations shall be permitted.

6. In the event the operation of the use as authorized herein results in three (3) documented violations of City Code Chapter 34, Article II, "Noise" as may be amended or revised, in any thirty (30) consecutive-day period as verified by staff, this Conditional Use Permit shall be presented to the City Council for consideration of further conditions or revocation of this Conditional Use Permit.

7. The use as authorized herein shall be limited to operation Monday through Saturday during the hours of 7:00am to 7:00pm and Sunday during the hours of 9:00am to 5:00pm.

Exhibit A – Preliminary Conceptual Site Plan



CITY OF CLERMONT
RESOLUTION NO. 2019-14R

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 13th day of Augsut, 2019.

CITY OF CLERMONT

_____
Gail L. Ash, Mayor

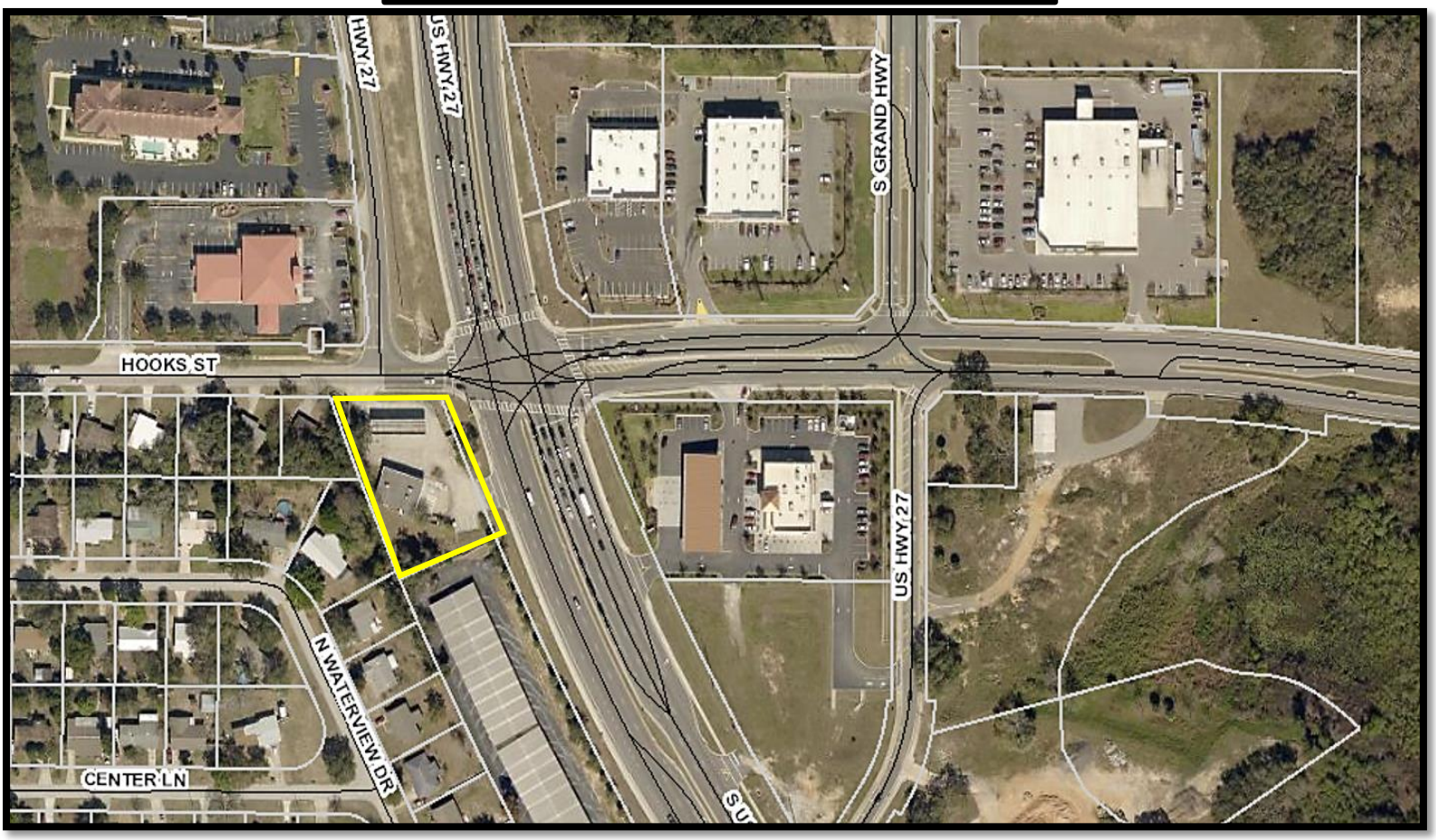
ATTEST:

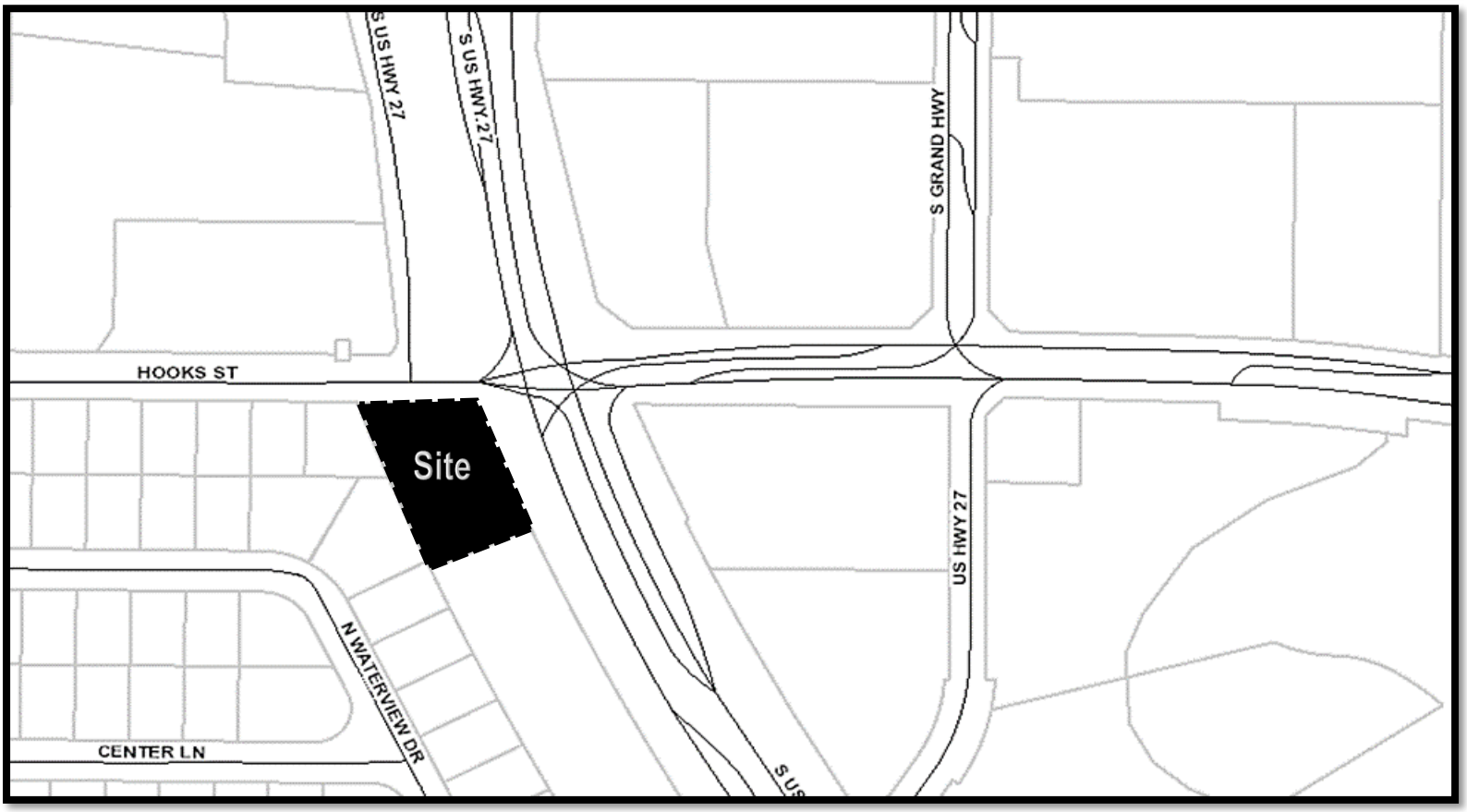
_____
Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

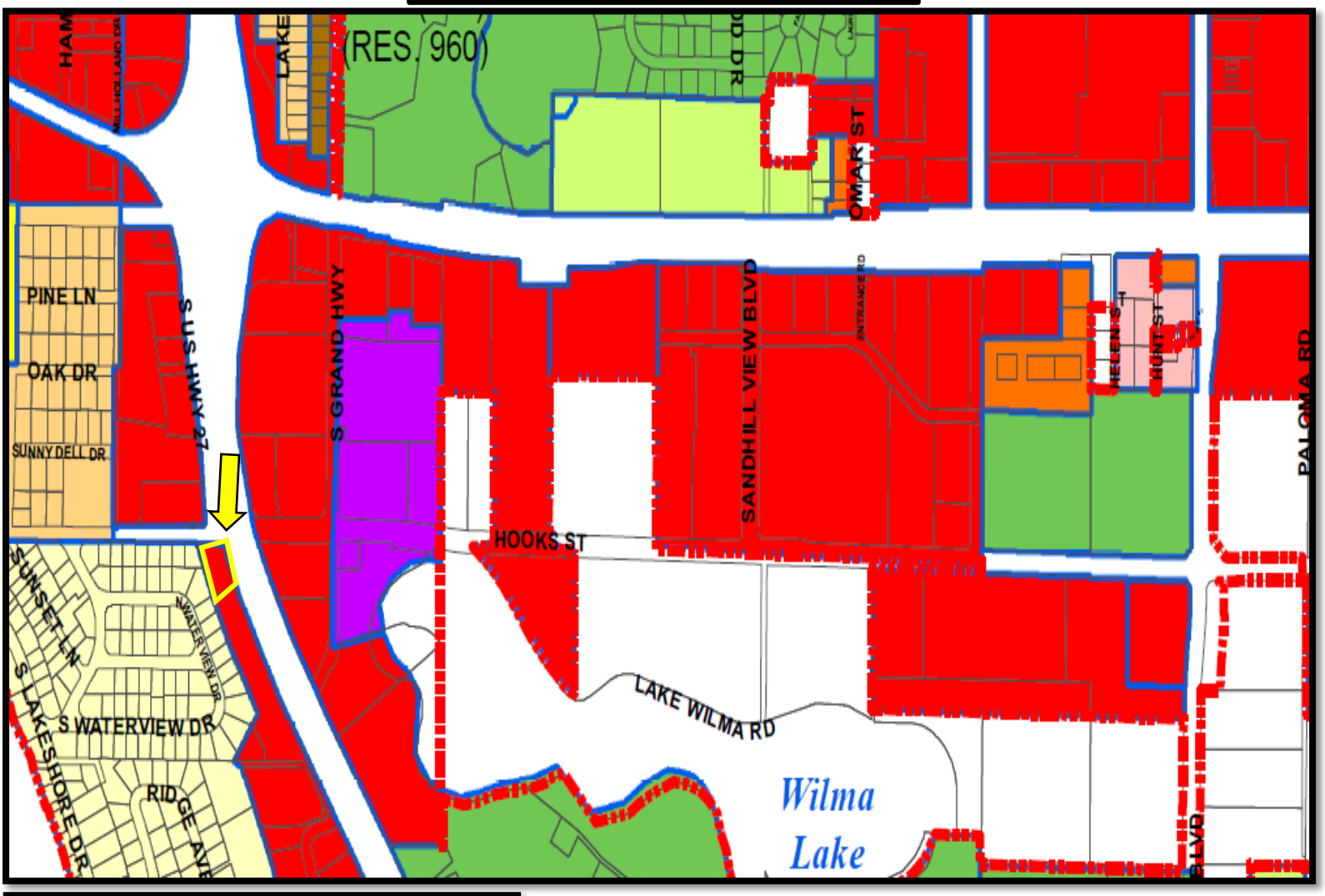
_____
Daniel F. Mantzaris, City Attorney

Location Map





Clermont Zoning Map

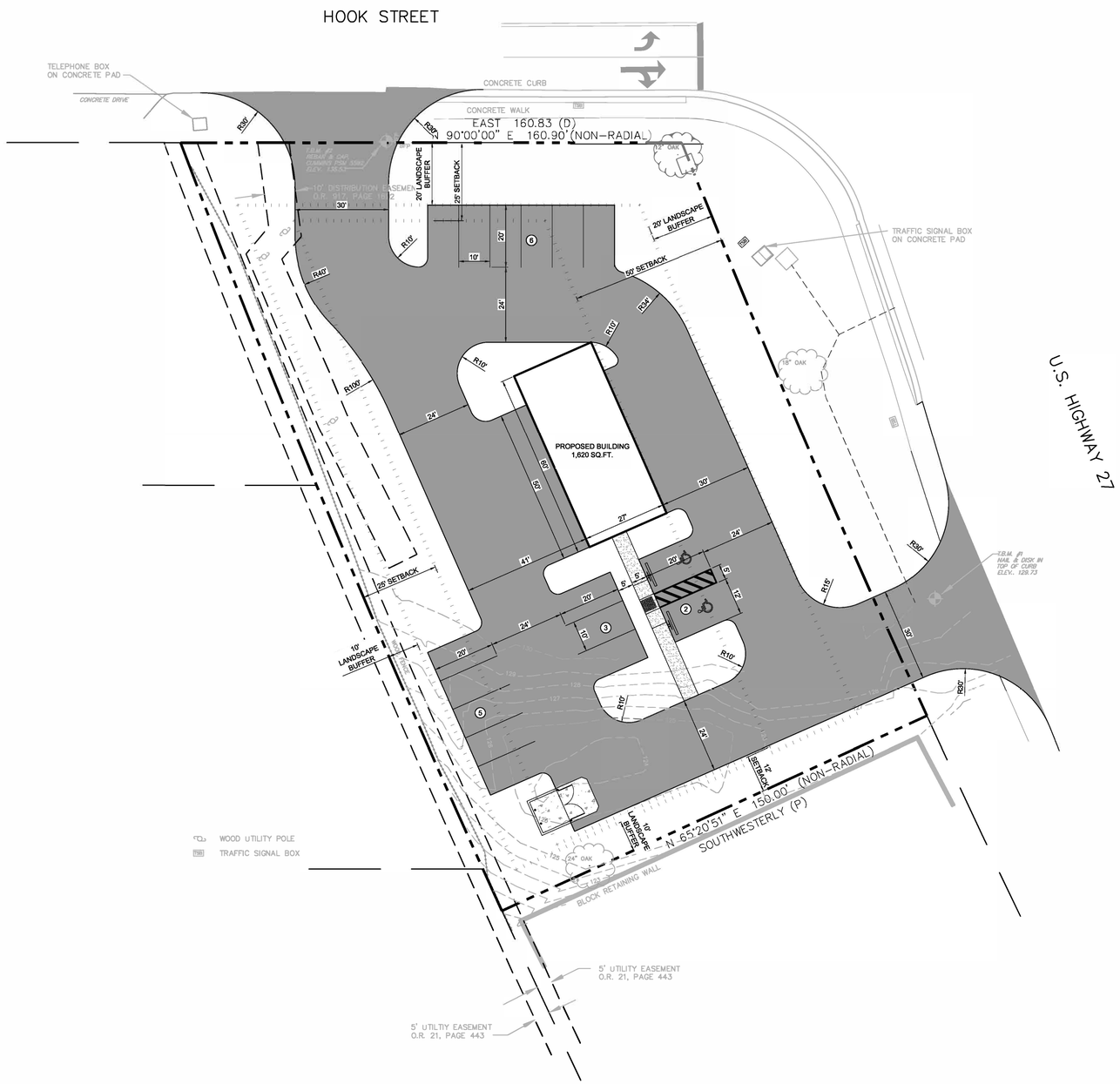


Legend

City Limits

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



GRAPHIC SCALE

20' 0 10' 20' 40'

1"=20'
DATAUM: NAVD88

SITE DATA

PROPERTY LOCATION:	1900 S. HWY 27
PARCEL ID:	30-22-26-0800-0AA-00101
LOCAL MUNICIPALITY:	CITY OF CLERMONT
FUTURE LAND USE:	COMMERCIAL
CURRENT ZONING:	GENERAL COMMERCIAL DISTRICT (C-2)
PROPOSED USE:	QUICK SERVICE STATION
TOTAL OVERALL PARCEL AREA:	0.80 AC
IMPERVIOUS SURFACE RATIO:	18,512.74/ 35,047.54 = .528
PROPOSED FAR:	.046
MIN. OPEN SPACE:	20%
PROPOSED OPEN SPACE:	47.2%

BUILDING SETBACKS
- FRONT (EAST) 50'
- SIDE (NORTH) 25'
- SIDE (SOUTH) 12'
- REAR (WEST) 25'

LANDSCAPE BUFFERS
- FRONT (EAST) 20'
- SIDE (NORTH) 20'
- SIDE (SOUTH) 10'
- REAR (WEST) 10'

BUILDING HEIGHT
- MAXIMUM 55'

SOILS

SOIL NUMBER	NAME	USDA TEXTURE	HYDROLOGIC GROUP
9	CANDLER	SAND	A

SOILS DATA FROM USDA NRCS ONLINE SOILS SURVEY DATED SEPTEMBER 3, 2018

FLOOD ZONE
THE SITE IS LOCATED IN FLOOD ZONE X, NOT A SPECIAL FLOOD AREA, PER FEMA F.I.R.M. PANEL 12069C0590 E, DATED DECEMBER 18, 2012 LAKE COUNTY, FLORIDA.

WETLANDS
THERE ARE NO WETLANDS LOCATED ON THE PROJECT SITE.

VEGETATION
THE SITE IS CURRENTLY AN EXISTING GAS STATION.

PARKING REQUIRED

AUTO SERVICE	4 SPACES PER BAY (3) + 1 SPACE PER EMPLOYEE (3)	15 SPACES
TOTAL PARKING REQUIRED		15 SPACES

PARKING PROVIDED

STANDARD PARKING SPACES	14 SPACES
HANDICAPPED PARKING SPACES	2 SPACES
TOTAL PARKING PROVIDED	16 SPACES

STORMWATER MANAGEMENT:

STORMWATER FACILITIES SHALL BE DESIGNED AND PERMITTED IN ACCORDANCE WITH THE CITY OF CLERMONT AND ST. JOHNS RIVER WATER MANAGEMENT DISTRICT.

GENERAL SITE NOTES:

1. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL PERMITS PRIOR TO START OF CONSTRUCTION.
2. ALL DIMENSION ARE FROM THE FACE OF CURB.
3. ALL RADII ARE 3' UNLESS OTHERWISE NOTED.
4. ALL EXISTING UTILITIES SHALL BE FIELD VERIFIED AT ALL POINTS OF CONNECTION AND AREAS OF CONFLICT.
5. ALL PUBLIC IMPROVEMENTS, INCLUDING ADJACENT SIDEWALKS, WILL BE CHECKED AT FINAL INSPECTION. ANY DAMAGED, BROKEN, OR CRACKED SECTIONS SHALL BE REPLACED PRIOR TO ISSUANCE OF CERTIFICATIONS OF OCCUPANCY.
6. ALL CONSTRUCTION SHALL MEET CITY REQUIREMENTS.
7. ALL SITE IMPROVEMENTS SHALL CONFORM TO A.D.A AND FLORIDA ACCESSIBILITY CODE.
8. THE CONTRACTOR IS RESPONSIBLE FOR THE NOTIFICATION, LOCATION AND PROTECTION OF ALL UTILITIES THAT MAY EXIST WITHIN THE PROJECT LIMITS. THE CONTRACTOR SHALL NOTIFY SUNSHINE LOCATORS FORTY-EIGHT (48) HOURS PRIOR TO BEGINNING CONSTRUCTION AT 1-800-432-4770, MONDAY THROUGH FRIDAY 7:00 AM TO 4:30 PM.
9. ALL CONSTRUCTION MATERIAL AND METHODS, SHALL MEET THE CURRENT EDITIONS OF THE DESIGN STANDARDS, THE STANDARD SPECIFICATION FOR ROAD AND BRIDGE CONSTRUCTION AND THE UTILITY ACCOMMODATION MANUAL.
10. EXISTING STRUCTURES WITHIN CONSTRUCTION LIMITS ARE TO BE ABANDONED, REMOVED, OR RELOCATED PER PLANS. ALL COST SHALL BE INCLUDED IN BASE BID.
11. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL RELOCATIONS INCLUDING BUT NOT LIMITED TO, ALL UTILITIES, STORM DRAINAGE, SIGNS, TRAFFIC SIGNALS AND POLES, ETC. AS REQUIRED PER PLANS.
12. CONTRACTOR SHALL MATCH EXISTING PAVEMENT IN GRADE AND ALIGNMENT.
13. ALL DISTURBED AREAS WITHIN THE FDOT RIGHT OF WAY SHALL BE GRADED AND SODDED WITH ARGENTINE BAHIA SOD.
14. ALL STRIPING WITHIN THE FDOT RIGHT OF WAY SHALL BE LEAD-FREE THERMOPLASTIC.
15. ALL MAINTENANCE OF TRAFFIC SHALL ADHERE TO THE REQUIREMENTS OF THE DESIGN STANDARDS 102-600 INDEXES.

THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY BRYAN POTTS ON THE DATE AND TIME SHOWN USING A DIGITAL SIGNATURE. PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

NO.	REVISIONS	BY	DATE
1	ISSUED FOR PERMITTING	BRP	05/01/19
2			
3			
4			
5			
6			

Sunshine 811

TANNATH DESIGN, INC.
2494 ROSE SPRING DRIVE
ORLANDO, FLORIDA 32825
(407) 982-9878
www.tannathdesign.com
FL. CERT. OF AUTH. #27199

CONCEPTUAL SITE PLAN

TAKE 5 OIL CHANGE
1900 S. HWY 27
CLERMONT, FLORIDA
LAKE COUNTY

DATE	04/30/19
SCALE	1"=20'
DRAWN-BY	CMF
PROJECT NUMBER: 068-002	

B

CONCEPT

TAKE
5
FASTEST OIL CHANGE ON THE PLANET!

received 5-21-19 dk

- no legal desc.
+ no prop card
- no elevation page
" bldg

CLERMONT
Choice of Champions

CONDITIONAL USE PERMIT (CUP)
APPLICATION

DATE: 05/01/2019

FEE: $845
+ cost of advertisement

PROJECT NAME (if applicable): Take 5 Oil Change

APPLICANT: Bryan Potts, P.E.

CONTACT PERSON: Bryan Potts, P.E.

Address: 2494 Rose Spring Drive

City: Orlando State: Florida Zip: 32825

Phone: 407-982-9878 Fax:

E-Mail: bpotts@tannathdesign.com

OWNER: Alan Charron, Manager of Shoppes of Venice II LLC

Address: 2345 W. Sand Lake Road, STE 100

City: Orlando State: FL Zip: 32809

Phone: 407-383-1778 Fax:

Address of Subject Property: 1900 S. US Hwy 27, Clermont, FL 34711 #1622956

General Location: Southwest corner of Hook Road and US Hwy 27

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

Land Use (City verification required): Commercial

Zoning (City verification required): General Commercial District (C-2)

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

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

We are proposing to build a 1,620 SQ. FT. automotive service center with bays.

3 Bays

Bryan Potts, P.E.
Applicant Name (print)

X
Applicant Name (signature)

Alan Charron
Owner Name (print)

X
Owner Name (signature)

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

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

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

Daily Commercial

Advertising Receipt

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

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

Account Number: 7101866
Order Number: 10087878
Phone: (352) 241-7331
Date: 05/23/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
LEGAL NOTICE Notice is hereby given that the City of Clermont will consider a	05/28/2019	06/18/2019	**$158.92**

LEGAL NOTICE

Notice is hereby given that the City of Clermont will consider a request for a Conditional Use Permit to allow for an automotive service center with three service bays in the C-2 General Commercial Zoning District, at the following location:

LOCATION
1900 South US Highway 27
(Alternate Key - 1622950)

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, June 4, 2019 at 6:30pm.

A public meeting to consider the request will be held before the City Council on Tuesday, June 25, 2019 at 6:30pm. In the Clermont 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. 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: 10087878
May 28, 2019 &
June 18, 2019

Payment Info	
Ad Price	$158.92
Tax	$0.00
Sub Total	$158.92
Prepaid Amount	$0.00
Balance Due	$158.92

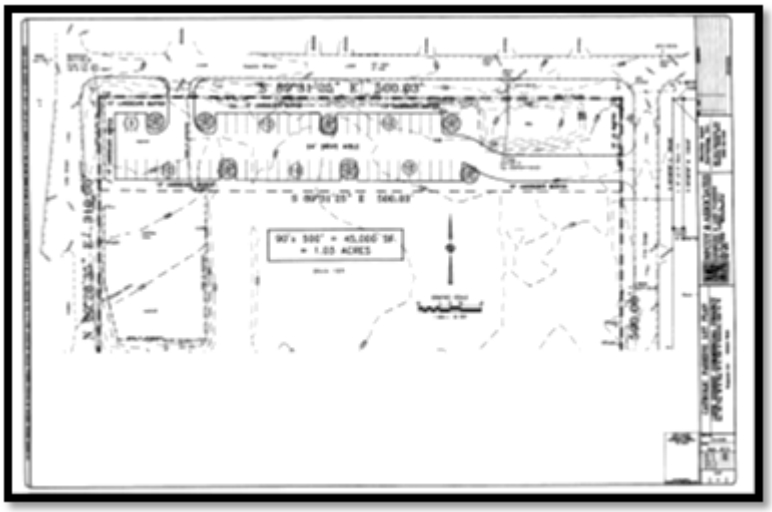
TRIAL MODE − a valid license will remove this message. See the keywords property of this PDF for more information.

CITY OF CLERMONT

AGENDA ITEM

Meeting Date
Tuesday, August 13, 2019
Agenda Item Name
Resolution No. 2019-17R Withdrawn *Blessed Sacrament Catholic Church*
Requested Action
Recommend approval of Resolution No. 2019-17R
Staff Report

The applicant, Orlando Diocese, is requesting a Conditional Use Permit to allow the Blessed Sacrament Catholic Church to construct an overflow parking lot at the vacant parcel located at 901 12th Street. The current zoning for the property is M-1 Industrial and the entire parcel is approximately 5.73+/- acres. The church parking lot will utilize 1.03 acres of the site. The remaining parcel will be redeveloped at a later date, by someone other than the applicant. The City Council approved on February 24, 2009 to amend the Conditional Use Permit (Resolution 1603) to allow the Blessed Sacrament Catholic Church office accessory buildings at 1170 Desoto Street.



The Blessed Sacrament Catholic Church has grown in membership and would like to construct an overflow parking lot to be utilized by the church to ensure sufficient parking is available for the members. The proposed parking lot will be constructed to meet Clermont Development Standards, and compliance of any other code requirements to ensure pedestrian safety and vehicle cross access points. The development will be required to provide sufficient landscape buffers for screening of parked vehicles from surrounding properties and public view. There are other similar properties and uses in the City that utilize offsite overflow parking to accommodate peak parking demands. The subject parcel will be required to provide a permit for a stormwater system that allows sufficient drainage and runoff for the proposed parking lot and any future development. The site will be developed in substantial accordance with the conceptual plan submitted by McCoy & Associates.

Staff has reviewed the application as submitted and finds the proposed use will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity and the proposed use will comply with the regulations and conditions specified. The proposed use will not adversely affect the intent and purpose of the

Comprehensive Plan goals, objectives and policies. Therefore, staff recommends approval of the Conditional Use Permit with the conditions contained in Resolution No. 2019-17R.

The Planning and Zoning Commission at their meeting held on July 2, 2019, voted unanimously to recommend approval of Resolution No. 2019-17R.

Additional Analysis	

Fiscal Impact Summary		
Fiscal Impact	**Fund Number and Description**	**Available Budget Amount**

Exhibits Attached (copies of original agreements)	
1. 2019-17R 901 12th Street CUP	2019-17R 901 12th Street CUP.doc
2. Location Map	Location Map.pdf
3. survey-site plan	survey-site plan.pdf
4. application	application.pdf
5. 901 12TH STREET CUP	901 12TH STREET CUP.pdf

CITY OF CLERMONT
RESOLUTION NO. 2019-17R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE PERMIT TO ALLOW AN OVERFLOW VEHICLE PARKING LOT IN THE M-1 INDUSTRIAL ZONING DISRICT

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held July 2, 2019 recommended approval of this Conditional Use Permit to allow an overflow vehicle parking lot in the M-1 Industrial zoning district, at the following location:

LOCATION:
901 12th Street, Clermont, FL
Alternate Key 1628580

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 an overflow vehicle parking lot in the M-1 Industrial zoning district, be granted subject to the following conditions:

CONDITIONAL USE PERMIT CONDITIONS:

SECTION 1. General Conditions

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

2. No expansion of the use or additions to the facility shall be permitted except as approved by another Conditional Use Permit.

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 structure shall be inspected by the Fire Inspector for life safety requirements and all requirements must be met prior to any Certificate of Occupancy being issued.

5. The structure shall be inspected by the Building Inspector and all building code violations must be corrected prior to a Certificate of Occupancy being issued.

6. The final Certificate of Occupancy shall not be issued until each of the stated conditions has been met and all impact fees have been paid per City standards.

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

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

9. The applicant shall record in the Public Records of Lake County within 90 days of its date of approval by the City Council, a short-form version of this Conditional Use Permit as provided by the City or a form acceptable to the City, to provide notice to all interested parties, the assigns, successors and heirs of the developer/applicant and all future owners of the above-referenced property that the real property described above is subject to the terms and conditions of the Conditional Use Permit.

10. No business can occupy any portion of the building(s) after construction and final Certificate of Occupancy, unless the proposed business has applied for and obtained a Local Business Tax Receipt from the Development Services Department.

11. The property shall be developed in substantial accordance with the Conceptual Site Plan (Exhibit A) prepared by McCoy and Associates. Any new development on the subject property must be submitted for site plan review and approved by the Site Review Committee prior to the issuance of a zoning clearance or other development permits. The conceptual site plans submitted with the Conditional Use Permit application are not the approved construction plans.

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

SECTION 2. Land Use

1. This Conditional Use permit is to allow an overflow vehicle parking lot be constructed in in the M-1 Industrial zoning district.

2. The site may also be used for any permitted use in the M-1 Industrial zoning district.

3. The site shall be developed according to the City of Clermont Land Development Codes and all buildings must meet the City of Clermont Architectural Standards.

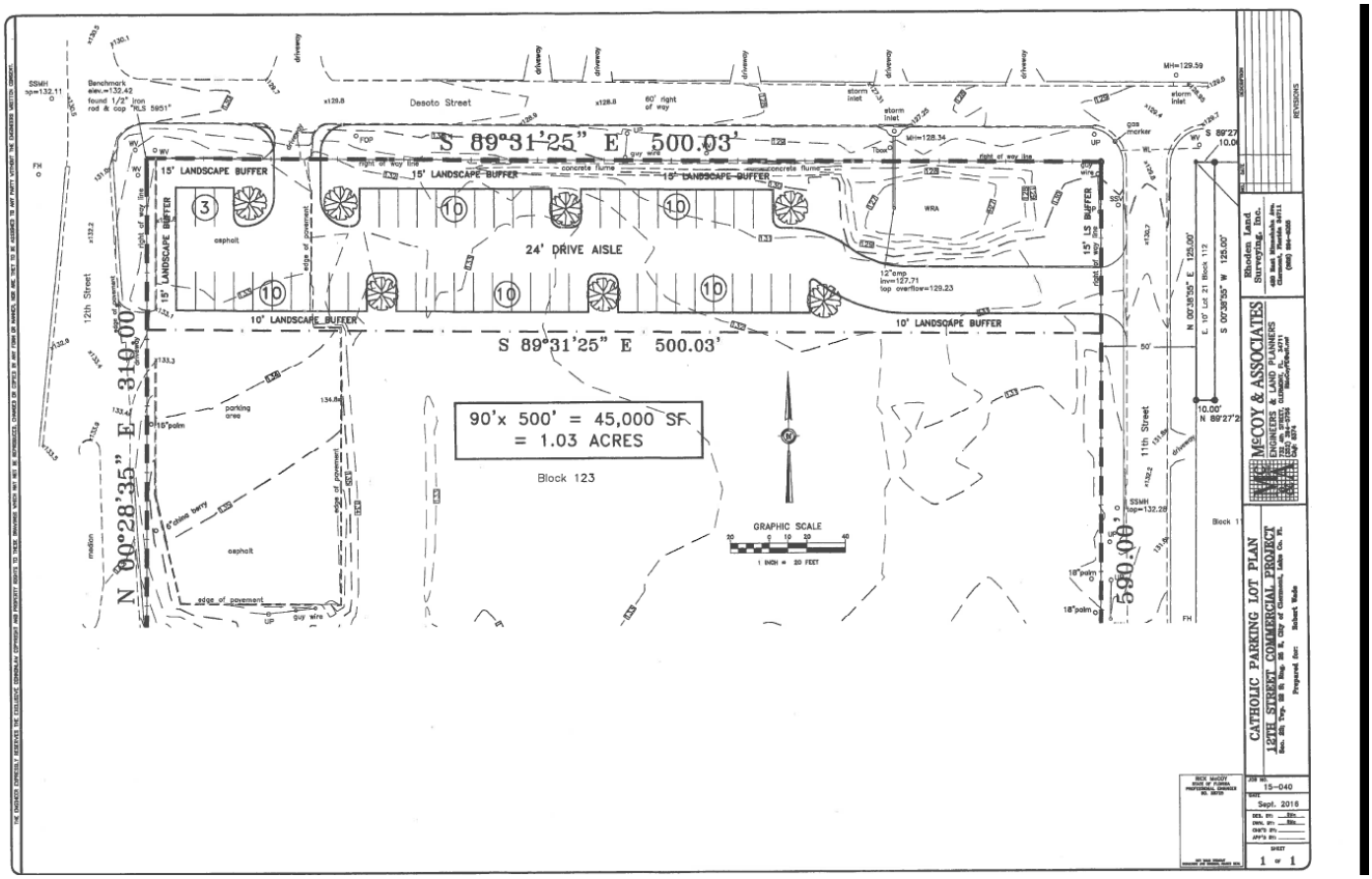
4. The parking lot shall be developed with an opaque landscape buffers at planting that provides screening from public view and adjacent property owners. A minimum 20 feet wide landscape buffers shall be required adjacent to any arterial or collector roads. Any fencing shall be decorative PVC/vinyl that provides an opaque screen for outside storage and parking of any vehicles.

5. Interior lighting on the site shall be directed downward into the site and shall not spill over onto adjacent properties.

6. All landscaping, drainage/water retention and site plan approved conditions must be maintained in perpetuity for the site.

7. Sidewalks that meet ADA requirements are required adjacent to any right-of-ways and public streets. Any pedestrian cross access requirements identified by the City Engineer for pedestrian safety and crossing must be installed by the applicant prior to Certificate of Completion/Occupancy.

Exhibit A – Conceptual Plan



CITY OF CLERMONT
RESOLUTION NO. 2019-17R

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 13th day of August, 2019.

CITY OF CLERMONT

_____
Gail L. Ash, Mayor

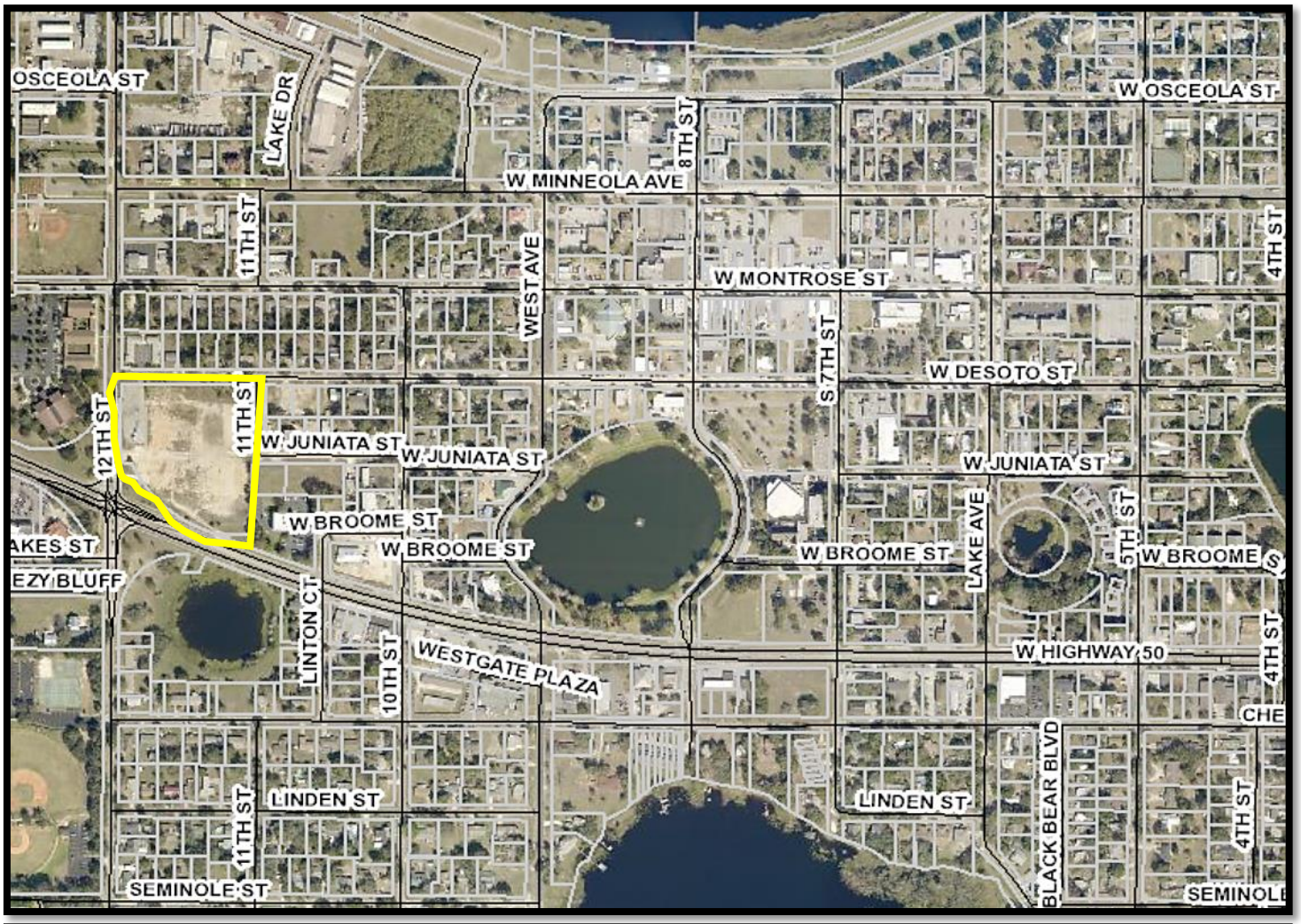
ATTEST:

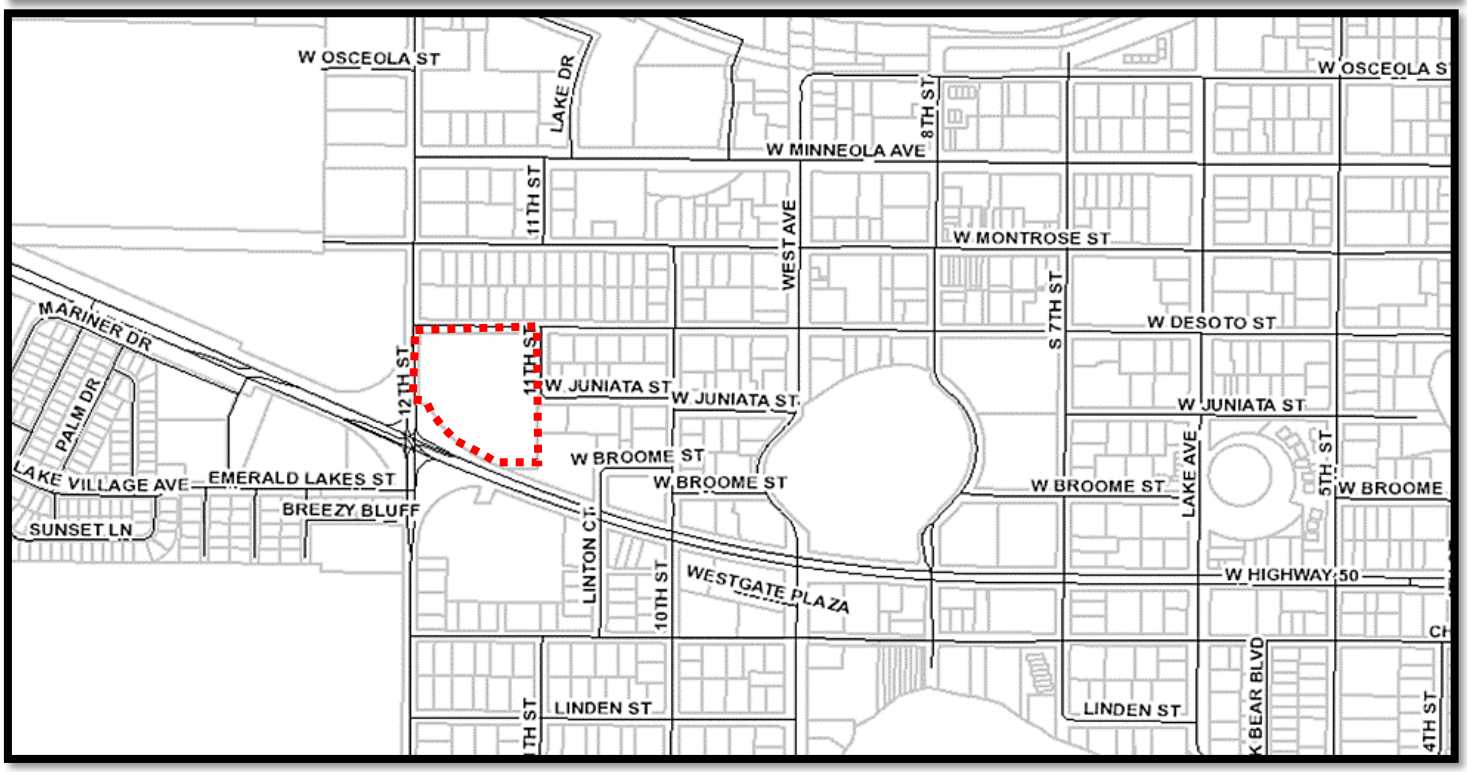
_____
Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

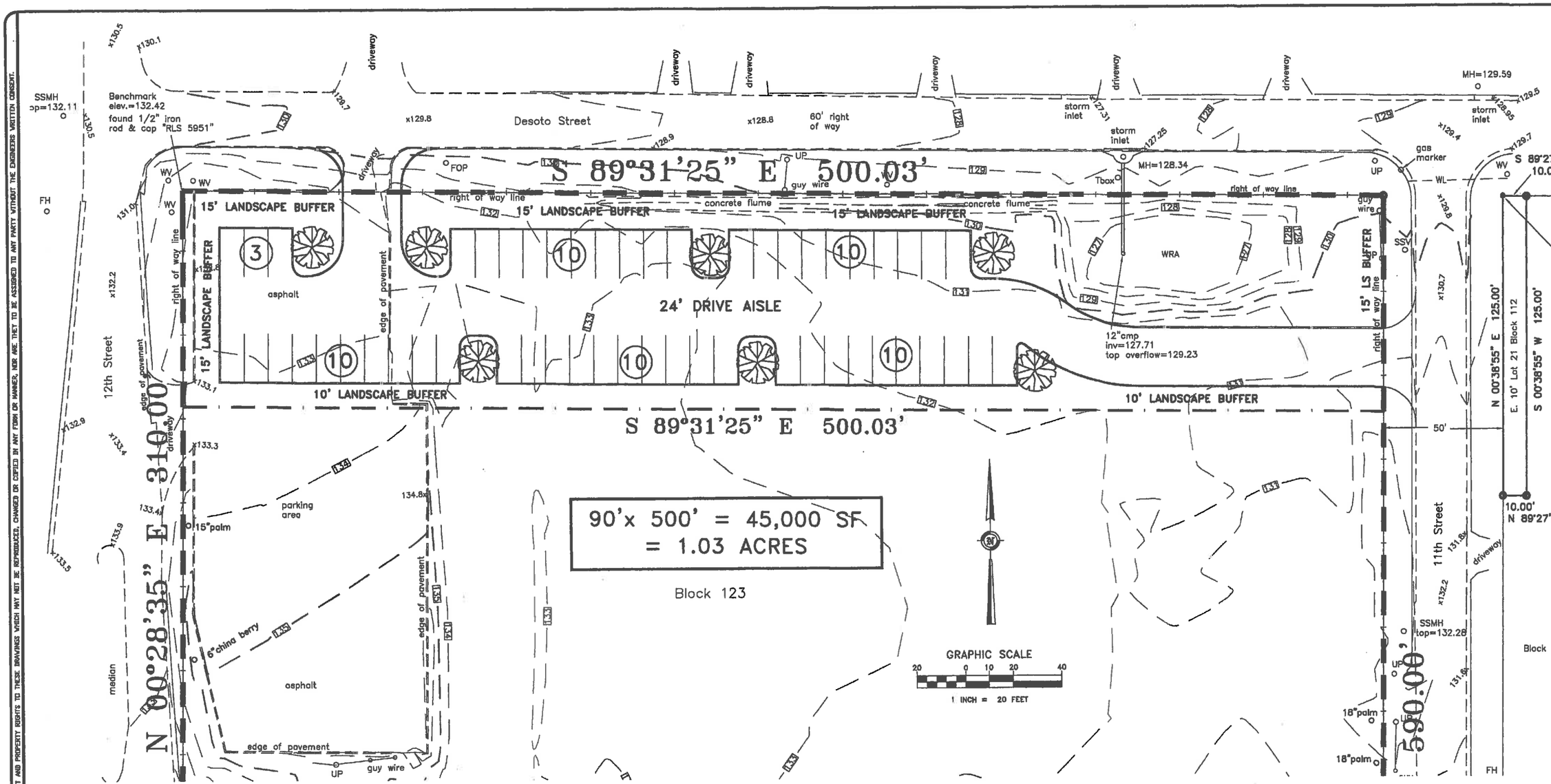
_____
Daniel F. Mantzaris, City Attorney

Location Map





THE ENGINEER EXPRESSLY RESERVES THE EXCLUSIVE COMMONLAW COPYRIGHT AND PROPERTY RIGHTS TO THESE DRAWINGS WHICH MAY NOT BE REPRODUCED, CHANGED OR COPIED IN ANY FORM OR MANNER, NOR ARE THEY TO BE ASSIGNED TO ANY PARTY WITHOUT THE ENGINEERS WRITTEN CONSENT.



NO.	DATE	DESCRIPTION
		REVISIONS

Rhoden Land Surveying, Inc.
430 East Minnehaha Ave.
Clermont, Florida 34711
(352) 394-5355

McCOY & ASSOCIATES
ENGINEERS & LAND PLANNERS
713 4th STREET, CLERMONT, FL. 34711
(352) 394-5756 RMcCoy@cfl.net
Cert. Auth. No. 8374

CATHOLIC PARKING LOT PLAN
12TH STREET COMMERCIAL PROJECT
Sec. 23; Twp. 22 S; Rng. 25 E, City of Clermont, Lake Co. FL
Prepared for: Robert Wade

RICK McCOY
STATE OF FLORIDA
PROFESSIONAL ENGINEER
NO. 38725

NOT VALID WITHOUT SIGNATURE AND ORIGINAL RAISED SEAL

JOB NO. 15-040
DATE Sept. 2016
DES. BY: RMc
DWN. BY: RMc
CHK'D BY:
APP'D BY:
SHEET 1 OF 1

CUP 1906-0002

received 5/31/19 fc

CLERMONT
Choice of Champions

CONDITIONAL USE PERMIT (CUP) APPLICATION

DATE: 5/29/19

FEE: $845
+ cost of advertisement

PROJECT NAME (if applicable): Blessed Sacrament Overflow Parking

APPLICANT: John G. Noonan, as bishop of the diocese of Orlando

CONTACT PERSON: Scott Fergerson

Address: 50 East Robinson Street

City: Orlando State: FL Zip: 32801

Phone: 407-620-3877 Fax: –

E-Mail: sfergerson@orlandodiocese.org

OWNER: Robert Wade

Address: 1363 W. Lakeshore Dr.

City: Clermont State: FL Zip: 34711

Phone: 352-394-3388 Fax: –

Address of Subject Property: 901 12th Street, Clermont, FL 34711

#1628587

General Location: 1.03 northernmost acres of property located at the NE intersection of Hwy 50 and 12th Street

Legal Description (include copy of survey):

The north 90.00 ft of BLK 123, City of Clermont, According to the map or plat thereof as recorded in plat book 8, Page 17, Public Records of Lake County, FL

Land Use (City verification required):

Zoning (City verification required): M-1 Industrial

CLERMONT
Choice of Champions

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

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

Obtain a CUP to allow the property to be utilized as overflow parking for Blessed Sacrament Catholic Church, located to the west across 12th Street

John G. Noonan, as bishop of the Diocese of Orlando
Applicant Name (print)

X
Applicant Name (*signature*)

Owner Name (print)

X
Owner Name (*signature*)

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

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

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

Daily Commercial

Advertising Receipt

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

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

Account Number: 7101866
Order Number: 10088510
Phone: (352) 241-7331
Date: 06/18/19
Ad Taker: liana.rickman

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
LEGAL NOTICE Notice is hereby given that the City of Clermont will consider a ı	06/25/2019	07/02/2019	**$164.76**

LEGAL NOTICE

Notice is hereby given that the City of Clermont will consider a request for a Conditional Use Permit to allow an overflow parking lot use in the M-1 Industrial Zoning District, at the following location:

LOCATION
901 12th Street, Clermont, FL
(AK 1628580)

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,
July 2, 2019 at 6:30pm.

A public meeting to consider the request will be held before the City Council on Tuesday, July 9, 2019 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. 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: 10088510

June 25, 2019 &
July 02, 2019

Payment Info	
Ad Price	$164.76
Tax	$0.00
Sub Total	$164.76
Prepaid Amount	$0.00
Balance Due	$164.76

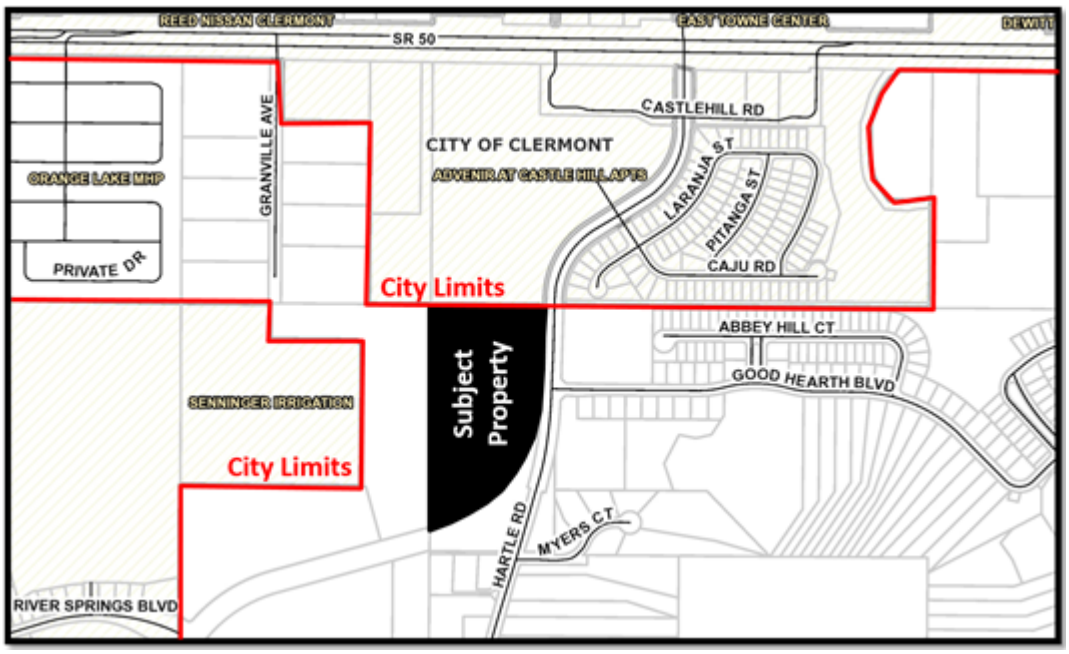
CITY OF CLERMONT

AGENDA ITEM

Meeting Date	
Tuesday, August 13, 2019	
Agenda Item Name	
Ordinance No. 2019-14 *Final* *Table to August 27, 2019* *Wise Annexation*	
Requested Action	
Recommend approval of Ordinance 2019-14.	
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 a Large-Scale Comprehensive Plan Amendment and a rezoning to a Planned Unit Development (PUD). The property has been historically used for agricultural uses, formerly citrus and now planted pine.

The applicant desires to develop the property for commercial, office, and multi-family use. The property is located within the Interlocal Service Boundary Agreement (ISBA) and the Joint Planning Area (JPA). The applicant is requesting City services for the 13 +/- acre project, in which the City can fully serve. The property is contiguous with the City limits along the northern property line.



The related request for a comprehensive plan amendment would change the future land use from Lake County's Urban Low Density designation to the City's Commercial. The annexation would assign the default zoning in the City to Urban Estate Low Density Residential. 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.

The request to annex is an orderly and efficient transition of uses, with densities and intensities, which currently exist within the City of Clermont. Since the subject property meets the requirements for voluntary annexation under Florida Statutes Chapter 171.044, the City is capable of serving the property, and is within the ISBA and the JPA; staff recommends approval of the annexation.

Additional Analysis

Fiscal Impact Summary

Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)

1.	2019-14 Wise ANN	2019-14 Wise ANN August.doc
2.	Wise Map	Wise Map.pdf
3.	171094 Daniel Wise -Bndy_10-24_17	171094 Daniel Wise -Bndy_10-24_17.pdf
4.	Signed Applications	Signed Applications.pdf
5.	Legal Ad	LF-D048519.pdf

CITY OF CLERMONT

ORDINANCE NO. 2019-14

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

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

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

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

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

SECTION 1.

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

LEGAL DESCRIPTION

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:

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 NO1°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 FOLLOWLNG FOUR (4) COURSES: SOUTH 01'48'40' WEST FOR 475.87 FEET TO THE POINT OF 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 FOLLOWJNG

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 0616'21" FOR 218.95 FEET; THENCE SOUTII 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 SOUTI-1 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 FOLLOWING SEVEN (7) COURSES: NORTH 17'16'39" EAST FOR 178.58 FEET; THENCE NORTI-1 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 NOR1H 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.

LOCATION

West of the County Road 455/Hartle Road and Good Health Boulevard Intersection
Alternate Key 1648157

SECTION 2.

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

SECTION 3.

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

SECTION 4.

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

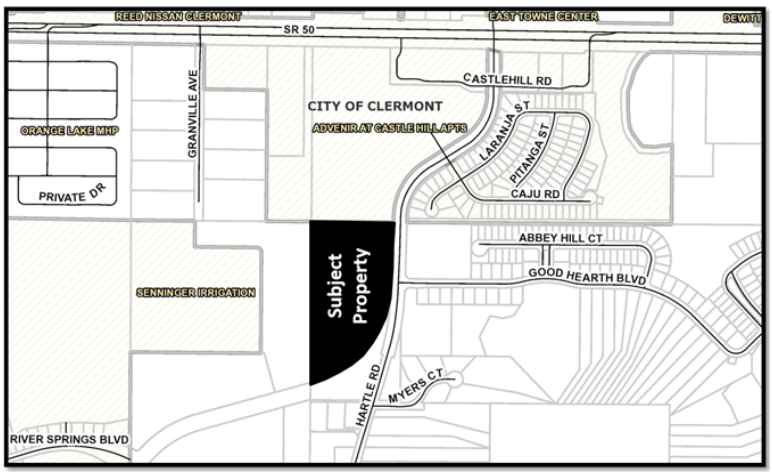
SECTION 5.

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

SECTION 6.

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

Location map:



CITY OF CLERMONT
ORDINANCE NO. 2019-14

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

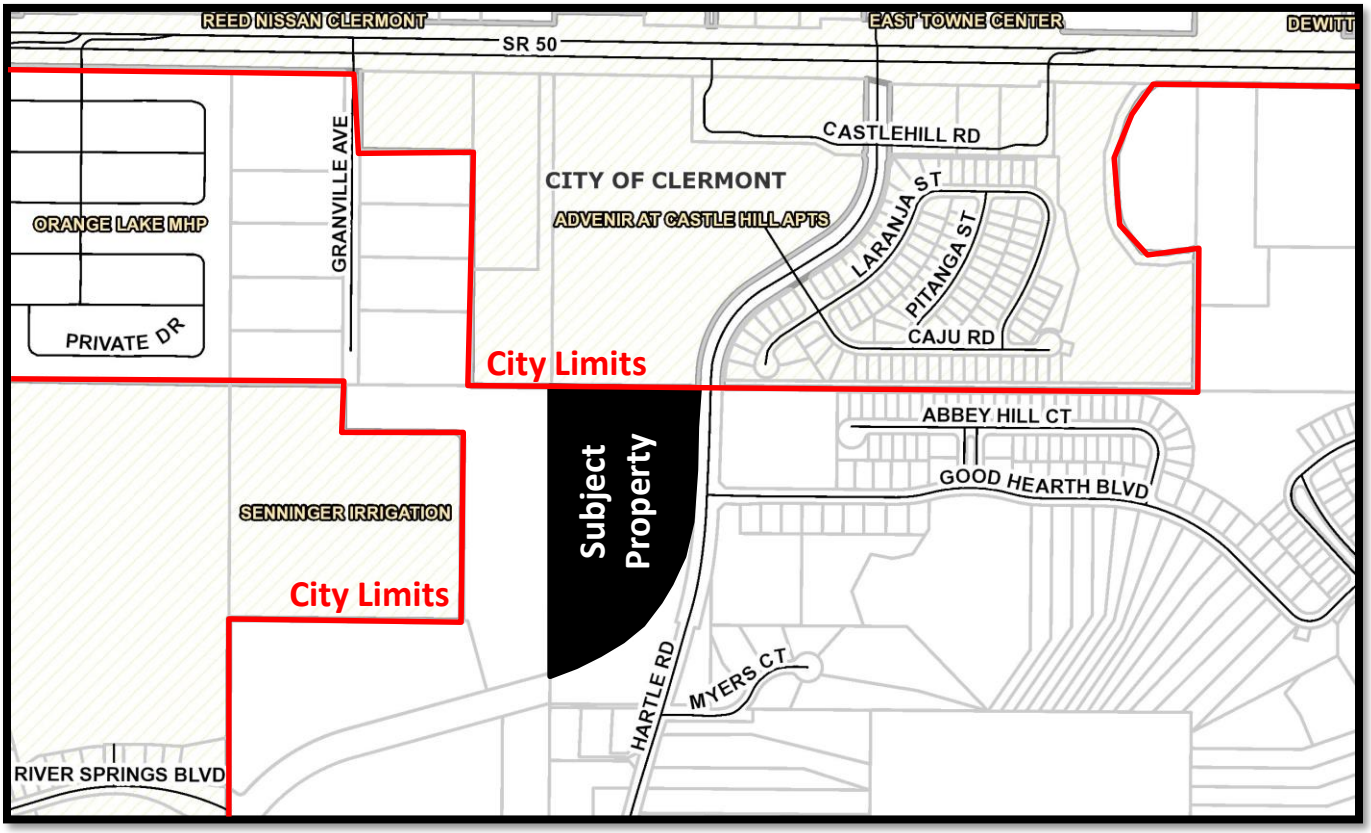
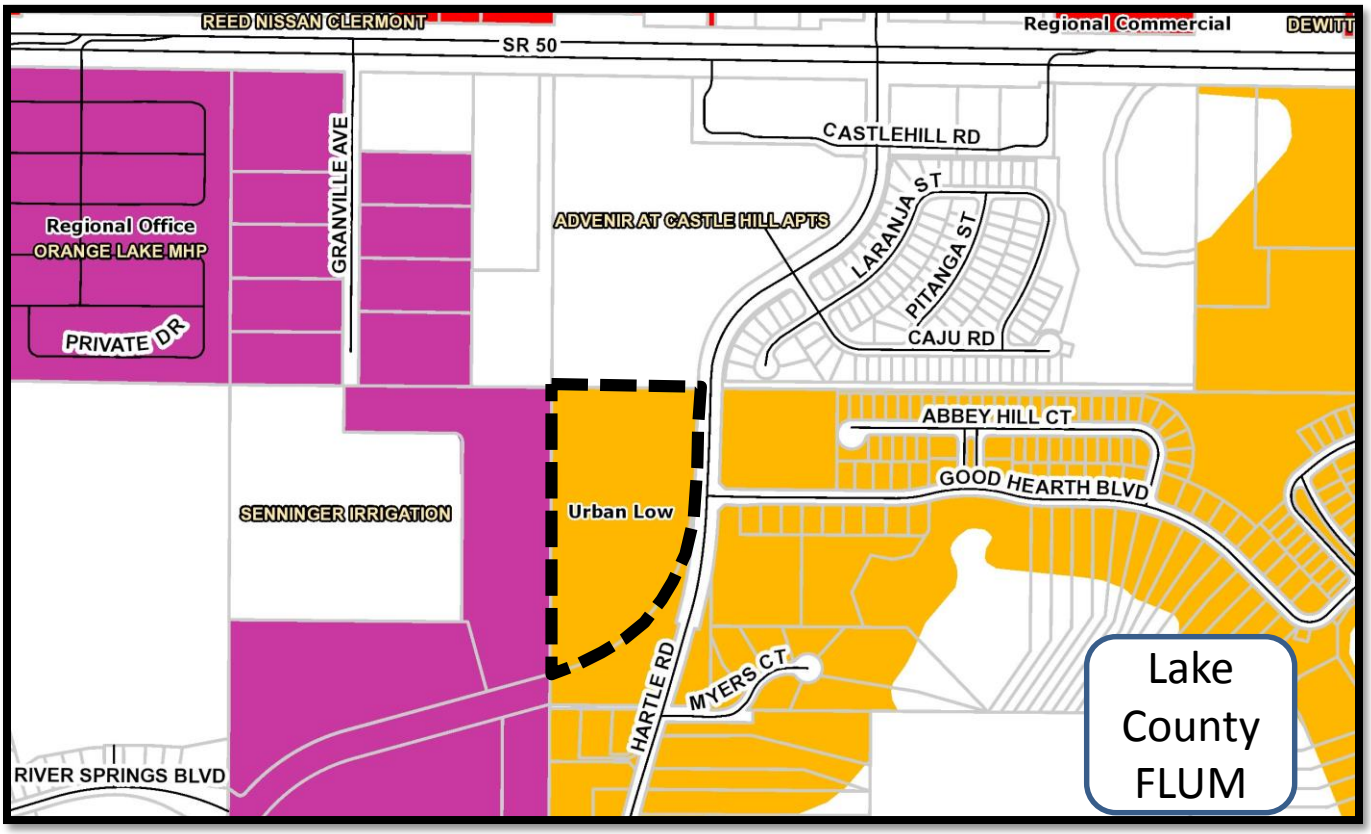


Exhibit – Future Land Use Map – Wise Property



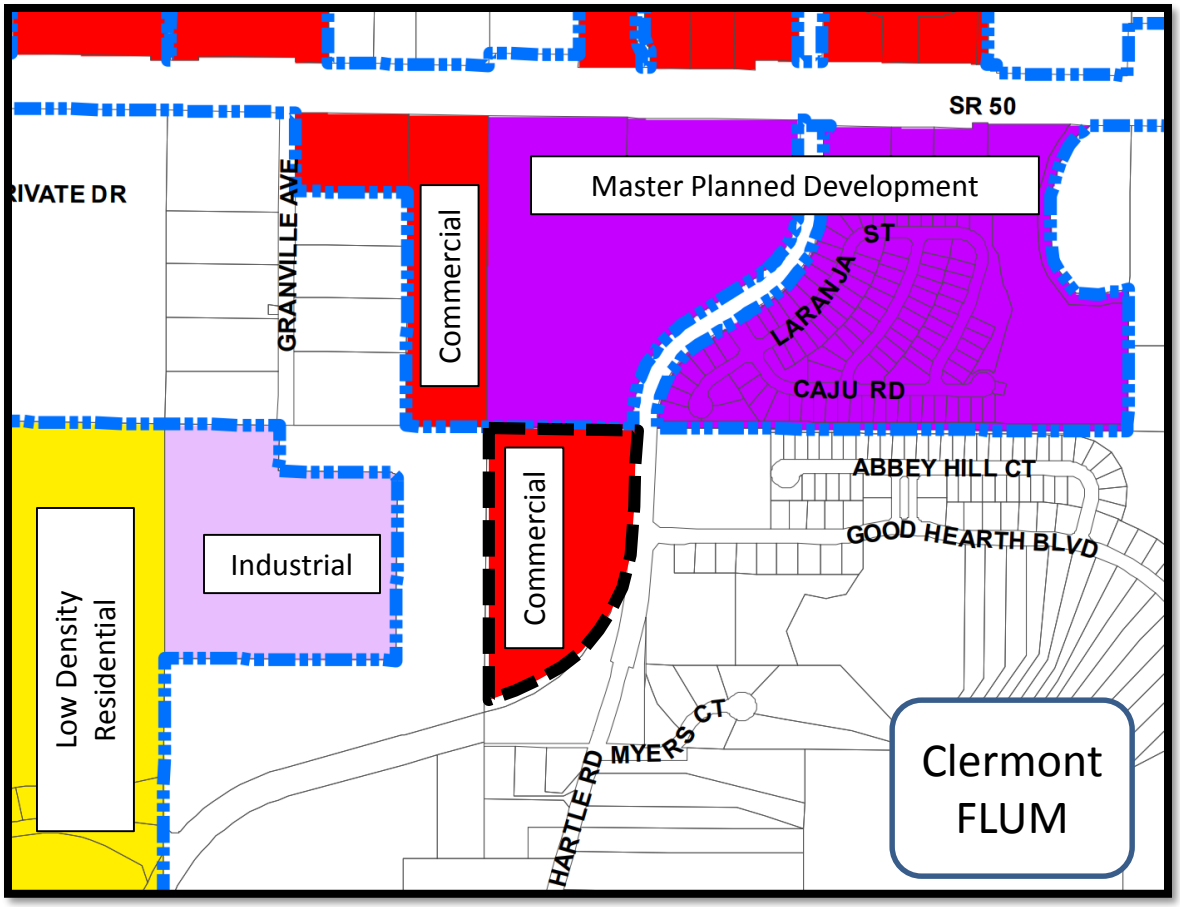
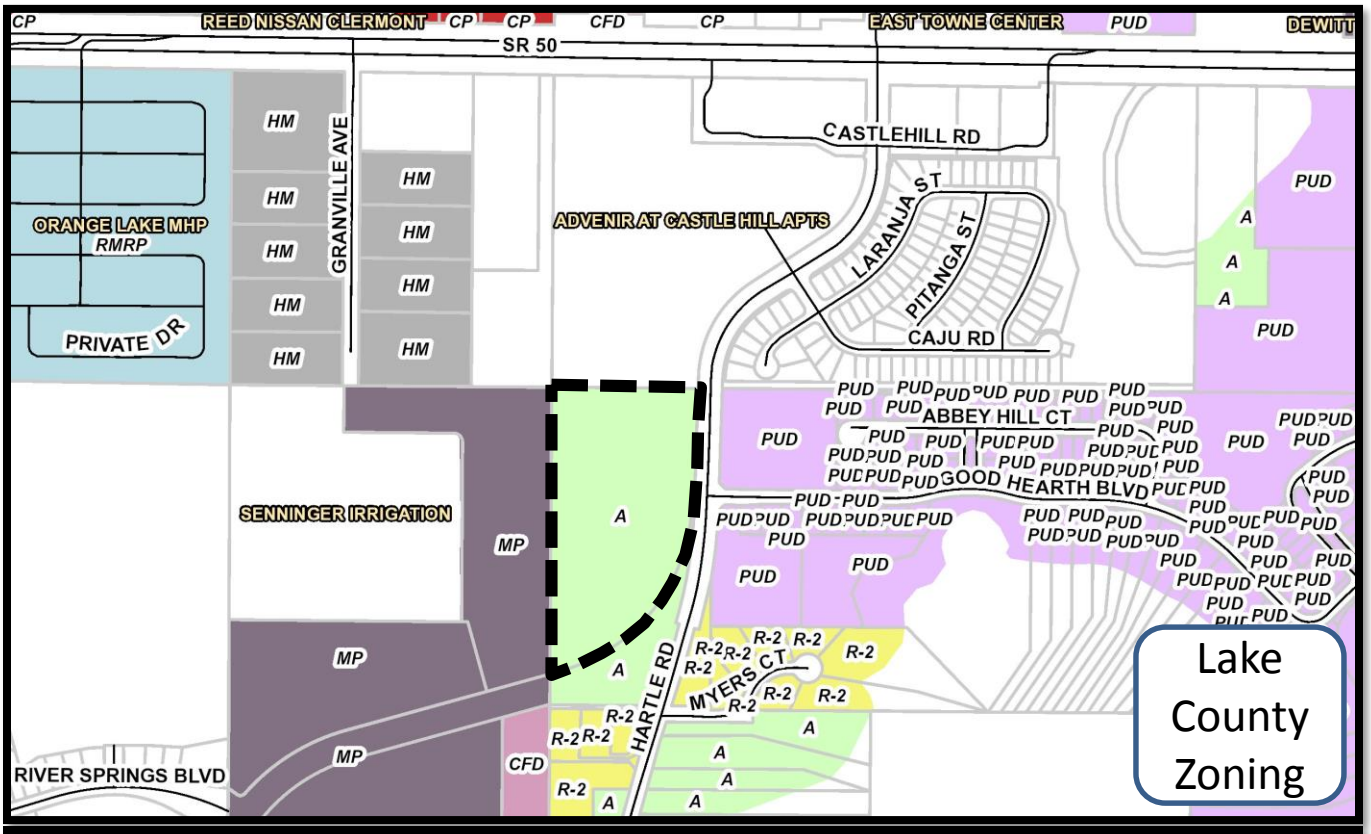
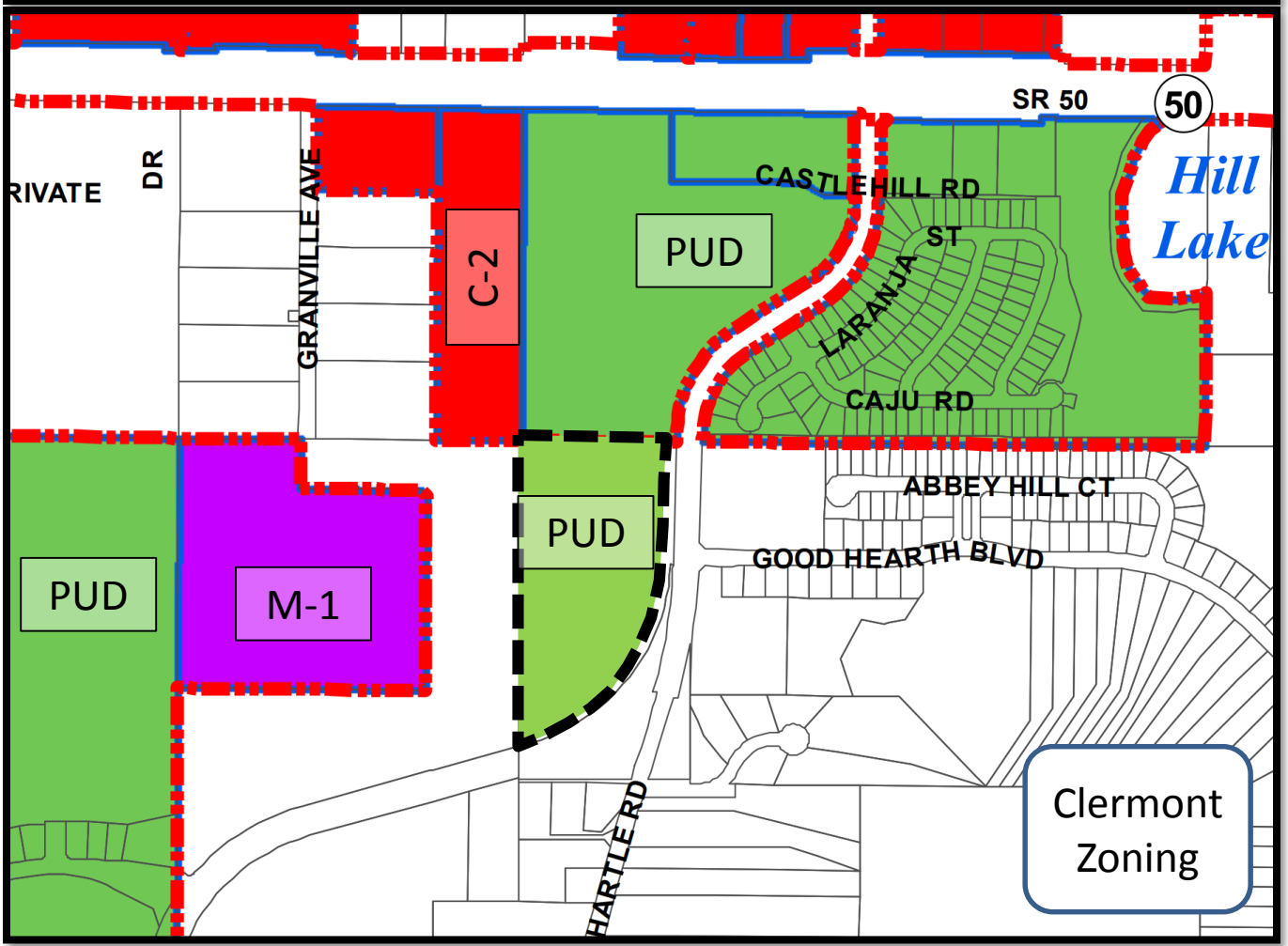


Exhibit – Zoning Map – Wise Property





BOUNDARY SURVEY

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:

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 BEGINNING; THENCE CONTINUE SOUB 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.

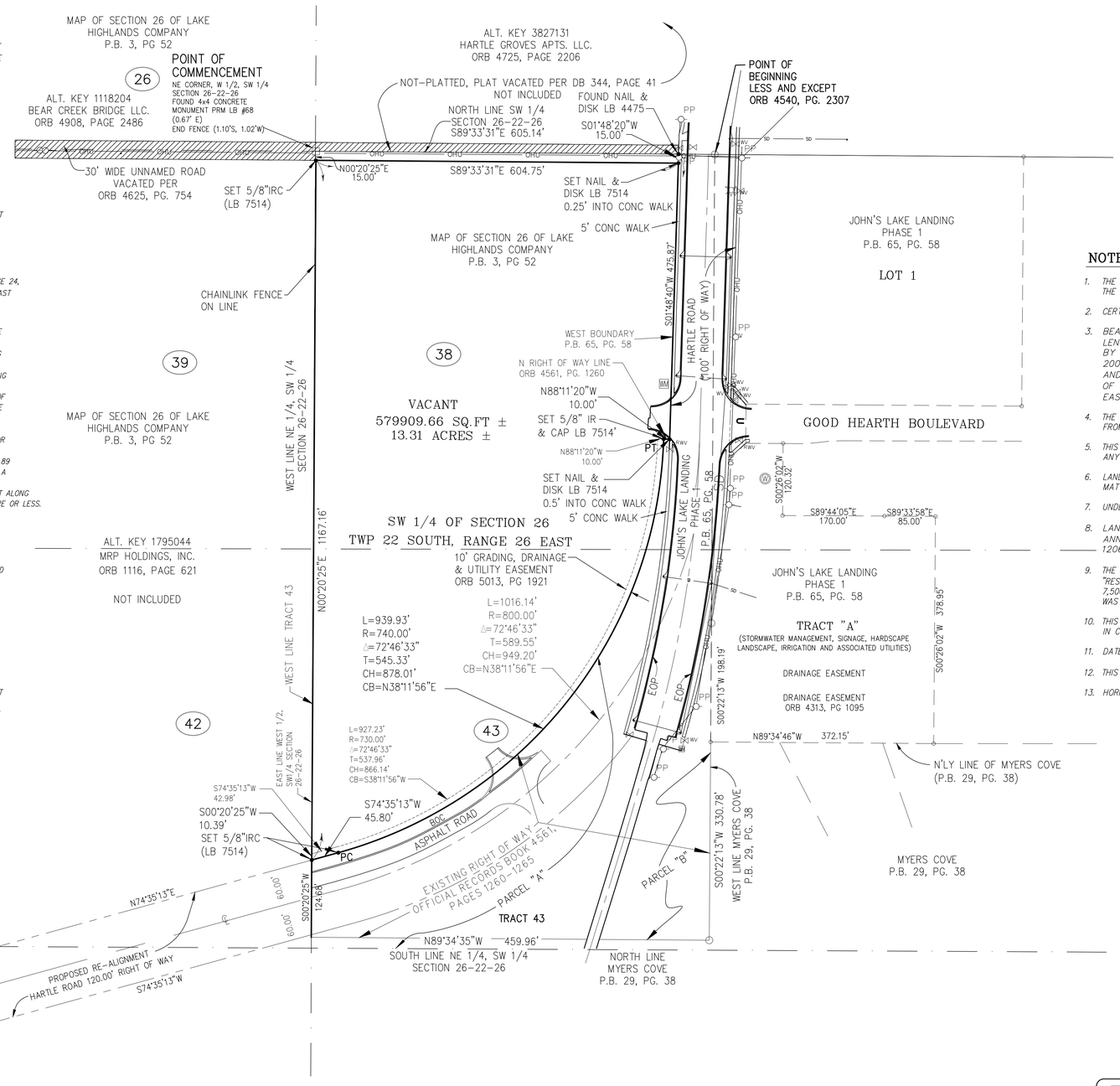
TOGETHER WITH

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 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 0616'21" 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-1 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 FOLLOWING SEVEN (7) COURSES: NORTH 17°16'39" EAST FOR 178.58 FEET; THENCE NORTH-1 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.

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



GRAPHIC SCALE

(IN FEET)
1 inch = 100 ft.

NOTES:

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.
2. CERTIFICATION IS LIMITED TO PARTIES NAMED HEREON.
3. 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 WANTMAN GROUP, INCORPORATED, AND IS BASED ON NORTH AMERICAN DATUM OF 1983, 2007 ADJUSTMENT (SPCS'83-2007) THIS SURVEY WAS CHECKED TO LAKE COUNTY GEODETIC 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.
4. THE LEGAL DESCRIPTION WAS SUPPLIED BY THE CLIENT AND COPIES OF THE ORIGINAL DEEDS WERE OBTAINED FROM THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.
5. 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.
6. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS, RIGHTS OF WAY, OWNERSHIP OR OTHER MATTERS OF RECORD BY THIS FIRM.
7. UNDERGROUND IMPROVEMENTS SUCH AS UTILITIES, FOUNDATIONS, ETC. WERE NOT LOCATED.
8. 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.
9. 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 IN 7,500 FEET. THE ACCURACY OBTAINED BY MEASUREMENT AND CALCULATION OF A CLOSED GEOMETRIC FIGURE WAS FOUND TO EXCEED THIS REQUIREMENT.
10. THIS SURVEY MEETS ALL APPLICABLE REQUIREMENTS OF THE FLORIDA STANDARDS OF PRACTICE AS CONTAINED IN CHAPTER 5J-17.052 OF THE FLORIDA ADMINISTRATIVE CODES.
11. DATE OF FIELD WORK IS REFLECTED IN TITLE BLOCK, NOT THE DATE OF SIGNATURE.
12. THIS MAP IS INTENDED TO BE DISPLAYED AT A SCALE OF 1/100 OR SMALLER.
13. HORIZONTAL DATUM SHOWN HEREON IS IN U.S. FEET.

LEGEND

WM	WATER METER
CO	CLEAN OUT
WV	WATER VALVE
GM	GAS METER
	POWER POLE
FP	FLAG POLE
	FIRE HYDRANT
	SIGN
	SET 5/8" IRON ROD AND CAP (LB 7514) OR AS NOTED
	SET NAIL AND DISC (LB 7514) OR AS NOTED
	FOUND CONCRETE MONUMENT (AS NOTED)
TJB	TELEPHONE JUNCTION BOX
	LIGHT POLE
	GUY WIRE
OHU	OVERHEAD UTILITY LINE
SAN	SANITARY SEWER LINE
X	FENCE LINE
(M)	MEASURED
(D)	DESCRIBED
(P)	PLAT
(M)	CALCULATED
℄	CENTERLINE
(FDOT)	FLORIDA DEPARTMENT OF TRANSPORTATION
CATV	CATEGORY 5 CABLE JUNCTION
EJB	ELECTRICAL JUNCTION BOX
	BOLLARD
D	STORM MANHOLE
S	SEWER MANHOLE
W	WELL
GV	GAS VALVE
SV	SEWER VALVE
FV	FIRE VALVE
	SPRINKLER
MW	MONITORING WELL

POC	POINT OF COMMENCEMENT
POB	POINT OF BEGINNING
ID	IDENTIFICATION
LB	LICENSED BUSINESS
RLS	REGISTERED LAND SURVEYOR
PSM	PROFESSIONAL SURVEYOR AND MAPPER
EOP	EDGE OF PAVEMENT
BOC	BACK OF CURB
IR	IRON ROD
CONC	CONCRETE
AC	AIR CONDITIONER PAD
BFP	BACKFLOW PREVENTER
IRC	IRON ROD & CAP
SAN	SANITARY LINE
CLF	CHAIN LINK FENCE
ICV	IRRIGATION CONTROL VALVE
FOC	FIBER OPTIC CABLE
EJB	ELECTRIC JUNCTION BOX
INV	INVERT
N&D	NAIL & DISK
FFE	FINISHED FLOOR ELEVATION
PC	POINT OF CURVATURE
PT	POINT OF TANGENCY
PRC	POINT OF REVERSE CURVE
ORB	OFFICIAL RECORDS BOOK
PG	PAGE
RR	RAILROAD
SEC	SECTION
DB	DEED BOOK
SQ.FT.	SQUARE FEET
SB2	SCHEDULE B 2 ITEM

UTILITIES

PVC POLYVINYL CHLORIDE
CMP CORRUGATED METAL PIPE
RCP REINFORCED CONCRETE PIPE

CERTIFIED TO:

DANIEL Z. WISE, TRUSTEE

DATE:

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

SHEET 1 OF 1

CLIENT	Daniel Z. Wise, Trustee
JOB NO.	JOB # 171094.0000-001
ACAD FILE	2017-ACAD-171094.0000 Boundary.dwg
DATE	10/17/2017 CHECKED BY: JMS
DRAWN BY:	Scott Dixon FLD. BOOK:MISC 6
REVISIONS	DATE

BOUNDARY SURVEY

26 — 22S — 26E

LAKE COUNTY, FLORIDA.

HARTLE ROAD BOUNDARY SURVEY
Daniel Z. Wise, Trustee

BESH
BOOTH ERN STRAUGHAN HOTT
902 North Sinclair Ave. Office: 352.343.8481
Tavares, Florida 32778 Fax: 352.343.8489
www.besandh.com
ENGINEERS SURVEYORS PLANNERS
LICENSED BUSINESS 7514

CLERMONT
Choice of Champions

CITY OF CLERMONT
COMPREHENSIVE PLAN AMENDMENT
Application

DATE: May 14, 2018 FEE: _____

Project Name (if applicable): _____

Applicant: LPG Urban & Regional Planners, Inc.

Contact Person: Greg Beliveau

Address: 1162 Camp Ave.

City: Mount Dora State: Florida Zip: 32757

Phone: 352-385-1940 Fax: 352-383-4824

E-Mail: Gregb@lpgurp.com

OWNER: Daniel Z. Wise, Trustee

Address: 1301 Raintree Place

City: Winter Park State: Florida Zip: 32789

Phone: 407-385-5380 Fax: _____

E-Mail: daniel@danielwisearchitect.com

General Location: Hartle Road

Legal Description (include copy of survey): See Attached

Property size (in acres or square feet): 13.31 acres, 579,909 SF

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

Existing (Actual) Land Use: Undeveloped

Existing Zoning: County Agriculture

Existing Future Land Use: County Urban Low

Proposed Future Land Use: Commercial

Type of development proposed: Mixed Use - Commercial and multi-family

Proposed density (dwelling units/acre) or intensity: .80 ISR

Proposed Zoning District: Planned Development

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

Property is being annexed and requires a land use designation within the City of Clermont. The site is located within an area of mixed uses ithat include, residential, commercial and industrial. The proposed land use would be a transistion between industrial and residential.

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

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

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

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

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

CLERMONT
Choice of Champions

APPLICANT'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE:

Before me, the undersigned authority personally appeared

Greg Beliveau, who being

by me first duly sworn on oath, deposes and says:

1. That he (she) affirms and certifies that he (she) understands and will comply with all ordinances, regulations and policies of Lake County, Florida, and that all statements and diagrams submitted herewith are true and accurate to the best of his (her) knowledge and belief, and further, that this application and attachments shall become part of the official records of the City of Clermont, Florida, and are not returnable.

2. That he (she) desires a Future Land Use Amendment from Urban Low to Commercial for the property legally described on the attachment of this application.

3. That the submittal requirements for the application have been completed and attached hereto as part of the application.

Greg Beliveau
Affiant - Applicant Name (print)

X
Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

or personally known by me this 26 day of November, 2018.

X
Notary Public, State of Florida at Large

Sherie D. Lindh
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG058426
Expires 1/23/2021

FLORIDA NOTARY ASSOCIATION SINCE 1976

My Commission Expires: 1/23/2021

CLERMONT
Choice of Champions

OWNER'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE:

Before me, the undersigned authority personally appeared

Daniel Z. Wise, who being

by me first duly sworn on oath, deposes and says:

1. That he (she) is the fee-simple owner of the property legally described on the attachment of this application.

2. That he (she) desires a Future Land Use Amendment from Urban Low to Commercial for the property legally described on the attachment of this application.

3. That the owner of said property has appointed Greg Beliveau to act as agent on his (her) behalf to accomplish the above. The owner is required to complete the APPLICANT'S AFFIDAVIT of this application if no agent is appointed to act in his (her) stead.

Daniel Z Wise
Affiant - Applicant Name (print)

X
Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

or personally known by me this 17 day of October, 2018.

X
Notary Public, State of Florida at Large

ALEX KIRKPATRICK
MY COMMISSION EXPIRES 01-24-2022
NOTARY PUBLIC
COMM. # GG 178368
STATE OF FLORIDA

My Commission Expires: 1/24/22

CLERMONT
Choice of Champions

CHECK LIST & FILING INSTRUCTIONS

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

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

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

PROCEDURES:

1. The proposed use of the property must be assessed to determine if there will be an increase in demand on the water or wastewater systems prior to submittal of the application. Any increase in demand on the water or wastewater systems will be subject to impact fees.

2. Any person requesting an Annexation shall file a complete application in the Development Services Department on or before the 1st day of the Month. Complete applications will then be scheduled for Public Hearing on the 4th Tuesday of the following month for the City Council meeting. All applications must be complete, to include applicable site plans and/or other pertinent descriptive materials in order to be processed. A pre-application meeting may be required prior to submission of an application. Dependent upon the scope and/or magnitude of a particular project, scheduling of one or more City Council Workshop(s) may also be necessary and additional time may be required prior to being scheduled for public hearing.

3. Upon receipt of a complete application, the Development Services Department shall proceed with the request for a public hearing in accordance with the following:

   A: The owners of all property lying within one hundred fifty (150) feet of the property requested to be annexed shall be notified by mail.

   B. A legal advertisement of the request shall be advertised in a local newspaper prior to the meeting date.

4. Failure to provide an accurate and complete application will result in automatic rejection and return of the application and delay of the hearing date.

CLERMONT
Choice of Champions

APPLICATION & PETITION

DATE: May 14, 2018

FEE: $155.00
+ cost of advertising

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

PROJECT NAME (if applicable): _____

APPLICANT: Greg Beliveau, LPG Urban & Regional Planners, Inc.

Address: 1162 Camp Avenue

City: Mount Dora State: Florida Zip: 32757

Phone: 352-385-1940 Fax: 352-383-4824

Applicant is: Owner: ___ Agent: X Purchaser: ___ Lessee: ___ Optionee: ___

OWNER: Daniel Z. Wise, Trustee

Address: 1301 Raintree Place

City: Winter Park State: Florida Zip: 32789

Phone: 407-385-5380 Fax: _____

AGENT NAME (Affidavit required): Same as Applicant

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____

E-Mail: Gregb@lpgurp.com

Property address and/or general location: Hartle Road

Area of property: 13.31 +/- acres, and/or 579,909 +/- sq. ft.

The property is PRESENTLY used for: Vacant

The property is PROPOSED to be used for: Mixed Use - Multi-family and commercial

Existing Lake County Land Use* : Urban Low

Existing Lake County Zoning* : Agriculture

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

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

State the reason or basis for this request: City servicess

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

Section 26, Township 22, Range 26

See Attached

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

CLERMONT
Choice of Champions

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

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

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

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

IN WITNESS WHEREOF, we, the undersigned landowners, as petitioners, have hereunto set our hands and seals as of the 17th day of October, 2018.

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

Landowner (Petitioner)

10/17/18
Date

Notary Public

1/24/18
My Commission Expires

ALEX KIRKPATRICK
MY COMMISSION EXPIRES 01-24-2022
NOTARY PUBLIC
COMM. # GG 178308
STATE OF FLORIDA

CLERMONT
Choice of Champions

OWNER / AGENT AFFIDAVIT (ANNEXATION)

Date: 10/17/18

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

1. That said authority is the fee-simple owner of the property legally described in this application.

2. That said authority desires an ANNEXATION to allow:
Mixed use development of multi-family and commercial

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

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

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

X _____ Owner (signature)

X _____ Agent's (signature)

Sworn to and subscribed before me this 17th day of October, 2018.

Notary Public, State of FL
My commission expires:

ALEX KIRKPATRICK
MY COMMISSION EXPIRES 01-24-2022
NOTARY PUBLIC
COMM. # GG 178365
STATE OF FLORIDA

Sworn to and subscribed before me this 26 day of November 2018.

Sherie D. Lindh
Notary Public, State of FL
My commission expires: 1/23/2021

Sherie D. Lindh
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG058426
Expires 1/23/2021
FLORIDA NOTARY ASSOCIATION SINCE 1918

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

CLERMONT
Choice of Champions

CITY OF CLERMONT
REZONING
APPLICATION

DATE: May 14, 2018

FEE: $542.00
+ cost of advertisement

PROJECT NAME (if applicable): Wise Property

APPLICANT: LPG Urban & Regional Planners, Inc.

CONTACT PERSON: Greg Beliveau

Address: 1162 Camp Ave.

City: Mount Dora State: Florida Zip: 32757

Phone: 352-385-1940 Fax: 352-383-4824

E-Mail: Gregb@lpgurp.com

OWNER: Daniel Z. Wise, Trustee

Address: 1301 Raintree Place

City: Winter Park State: Florida Zip: 32789

Phone: 407-385-5380 Fax: N/A

Address of Subject Property: Hartle Road

Legal Description (include copy of survey): See Attached

Acreage: 13.31 Acres Land Use: County Urban Low
(City verification required)

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

CLERMONT
Choice of Champions

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?

Owner has submitted applications for annexation, rezoning and comp plan amendment.
In order to be in compliance with land development regulations, a rezoning is required. The property is vacant and it is
Proposed to develop it as a mixed use project with multi-family and commercial.

Greg Beliveau
Applicant Name (print)

X
Applicant Name (signature)

Daniel Z. Wise
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

The City Council of the City of Clermont will consider the enactment of the following proposed Ordinance at the regularly scheduled meeting to be held Tuesday, May 28, 2019 at 6:30 P.M. at City Hall located at 685 West Montrose Street. All interested parties will be given an opportunity to express their views on this matter.

ORDINANCE NO. 2019-14

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

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

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:

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

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Alternate Key 1648157

See Map Below

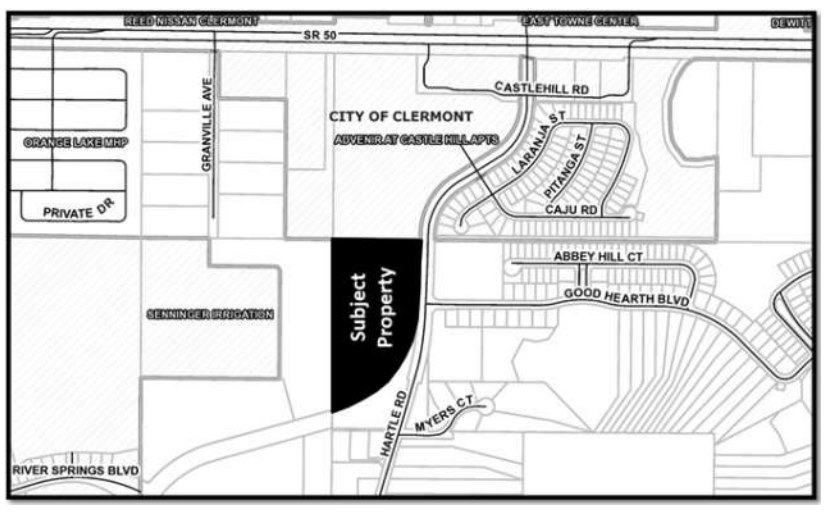
The public hearings are in the Council chambers of City Hall, 685 W. Montrose Street, and are open to public comment. Please call (352) 394-4083, ext. 3 if you have any questions.

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

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

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

Tracy Ackroyd Howe, MMC
City Clerk



D048519 - May 14 & 21, 2019

☐ **PROOF O.K. BY:**_____ ☐ **O.K. WITH CORRECTIONS BY:**_____

PLEASE READ CAREFULLY • SUBMIT CORRECTIONS ONLINE

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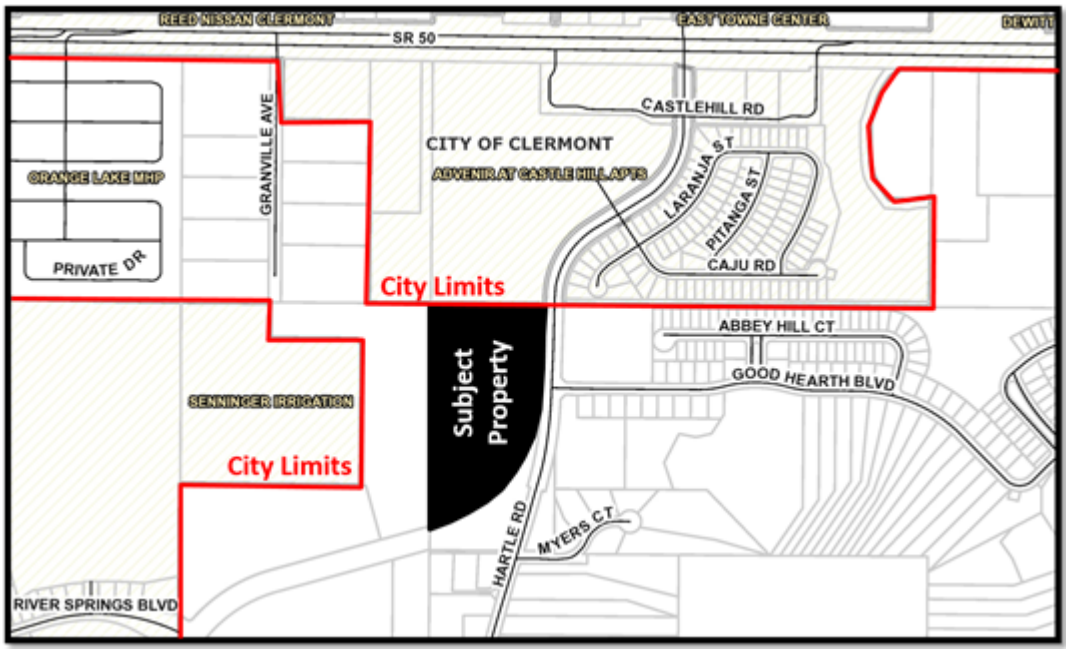
CITY OF CLERMONT

AGENDA ITEM

Meeting Date
Tuesday, August 13, 2019
Agenda Item Name
Ordinance No. 2019-15 *Final* *Table to August 27, 2019* *Wise Large-Scale Comprehensive Plan Amendment*
Requested Action
Recommend approval of Ordinance No. 2019-15.
Staff Report

The applicant, LPG Urban & Regional Planners, LLC, is requesting a large-scale comprehensive plan amendment on 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.

The proposed amendment was transmitted to the Florida Department of Economic Opportunity (DEO) and the reviewing agencies for review in March. Comments have been received back from three of the agencies. Two were "no comments" and FDOT advised further technical assistance to monitor impacts and coordinate with the Department in order to identify appropriate mitigation strategies to address potential impacts to State Facilities as development on the subject site progresses beyond the amendment phase.

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. *The Planning & Zoning Commission recommend unanimous approval, 7-0 for transmittal.*

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 August.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.	Clermont_Proposed_19-02ESR_FDOT_040519	Clermont_Proposed_19-02ESR_FDOT_040519 Wise

	Wise response	response.pdf
6.	DEO response	DEO response.pdf
7.	FL DEP response	FL DEP response.pdf
8.	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.
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Alternate Key 1648157

CHANGE IN FUTURE LAND USE CLASSIFICATION

FROM LAKE COUNTY: URBAN LOW DENSITY
TO CITY OF CLERMONT: COMMERCIAL

SECTION 2.

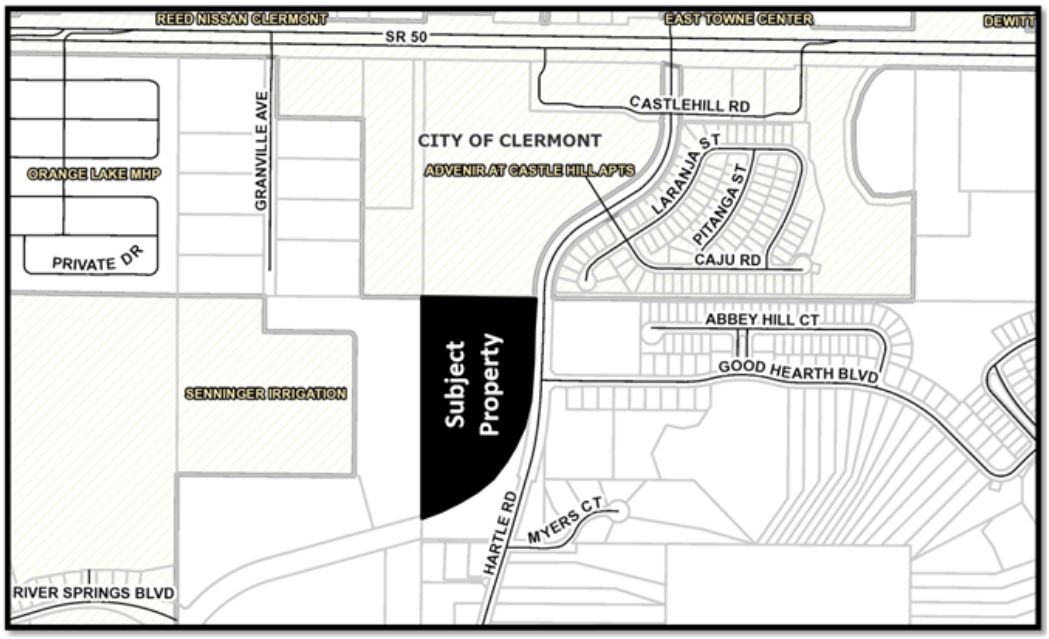
If any portion of this Ordinance is declared invalid, the invalidated portion shall be severed from the remainder of the Ordinance, and the remainder of the Ordinance shall continue in full force and effect as if enacted without the invalidated portion, except in cases where such continued validity of 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.


REED NISSAN CLERMONT
SR 50
EAST TOWNE CENTER
DEWITT
CASTLEHILL RD
GRANVILLE AVE
CITY OF CLERMONT
ADVENIR AT CASTLE HILL APTS
LARANJA ST
PITANGA ST
CAJU RD
ORANGE LAKE MHP
PRIVATE DR
ABBEY HILL CT
GOOD HEARTH BLVD
SENNINGER IRRIGATION
Subject Property
HARTLE RD
MYERS CT
RIVER SPRINGS BLVD

CITY OF CLERMONT
ORDINANCE NO. 2019-15

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida, this 13th day of August, 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

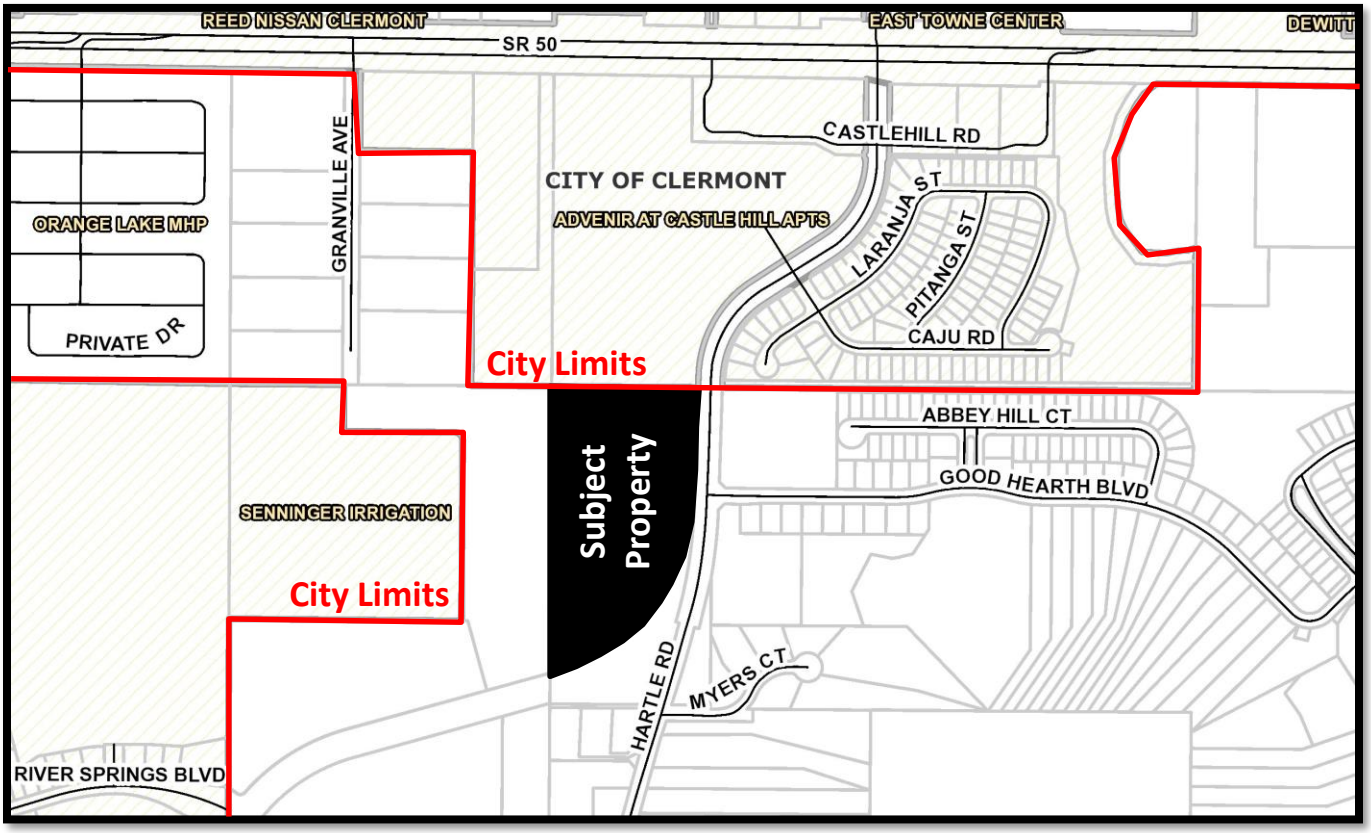
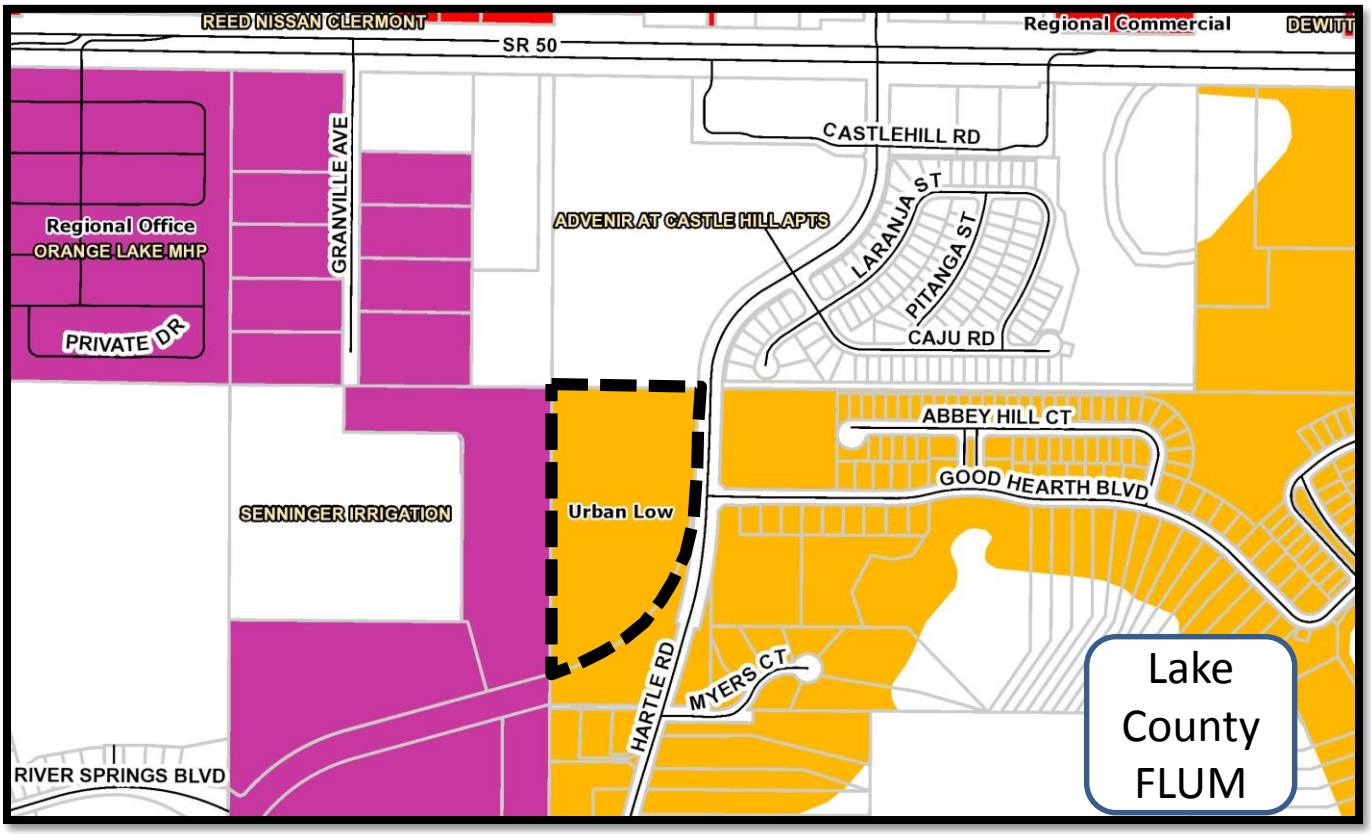


Exhibit – Future Land Use Map – Wise Property



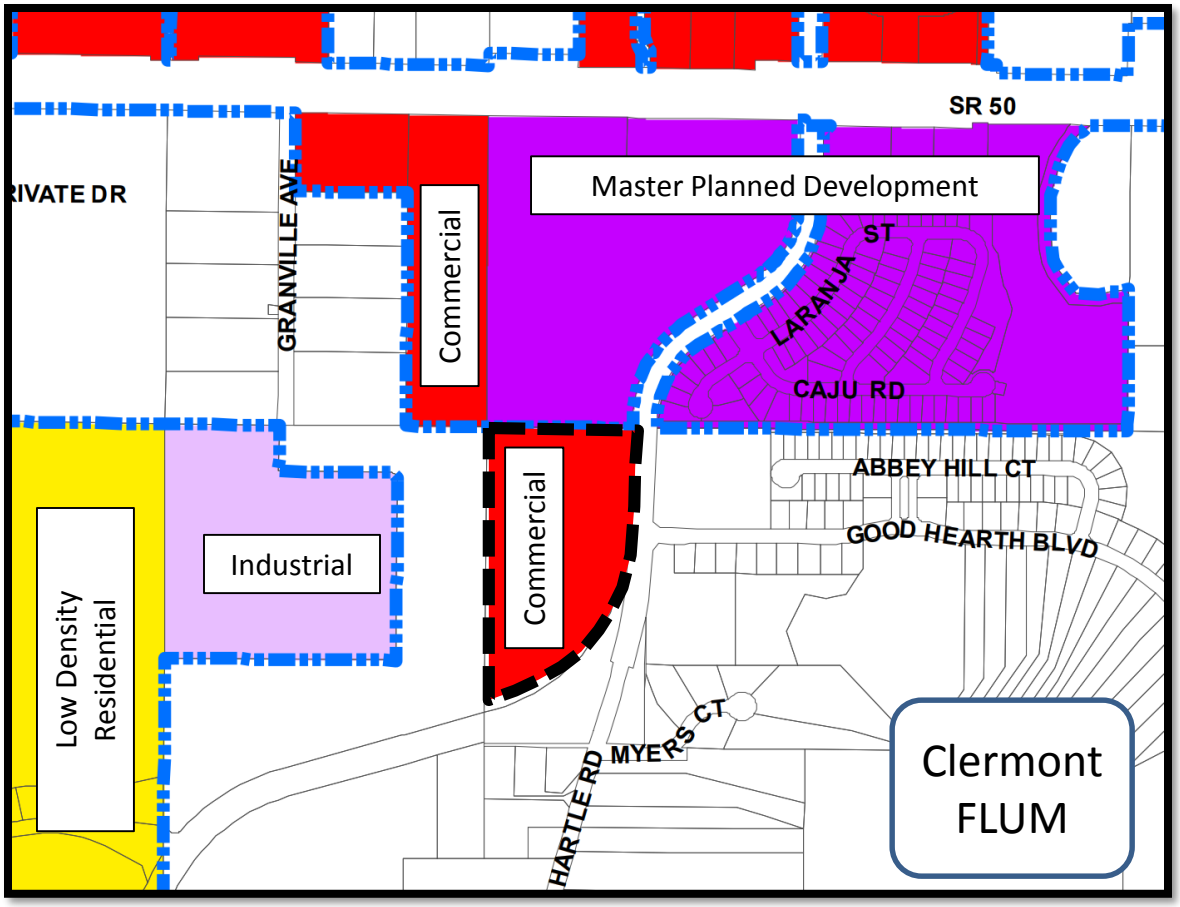
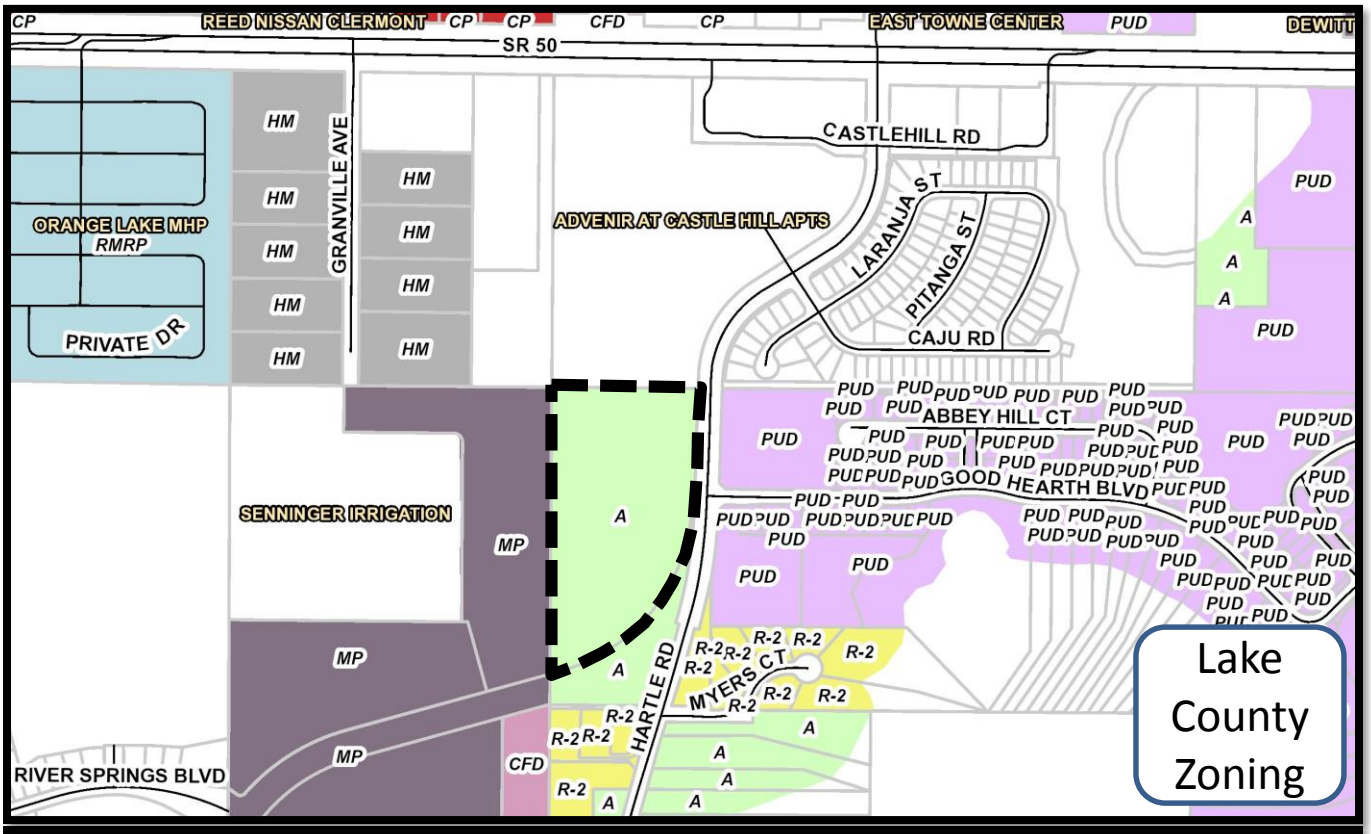
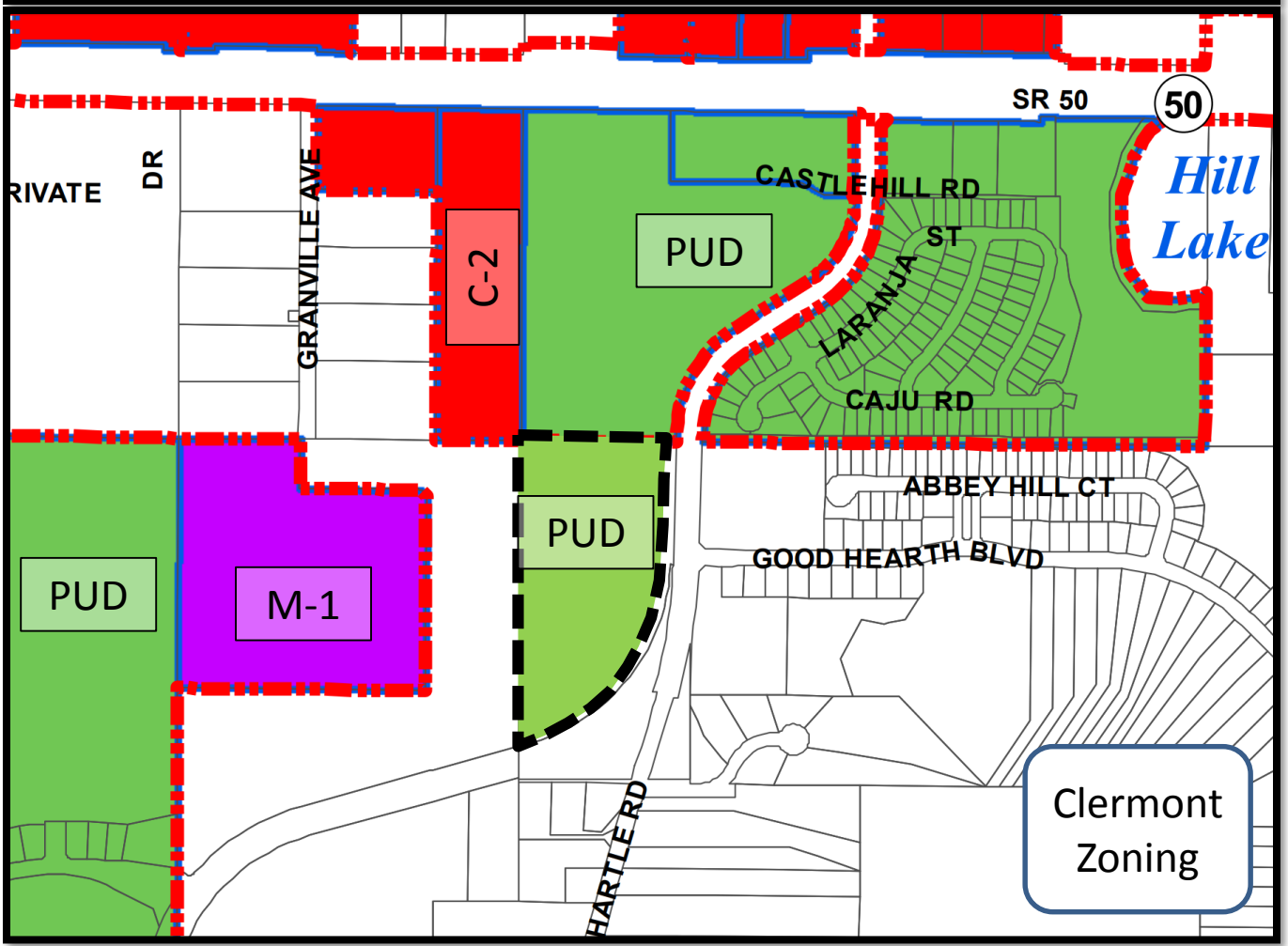


Exhibit – Zoning Map – Wise Property





BOUNDARY SURVEY

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:

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 BEGINNING; THENCE CONTINUE SOUB 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.

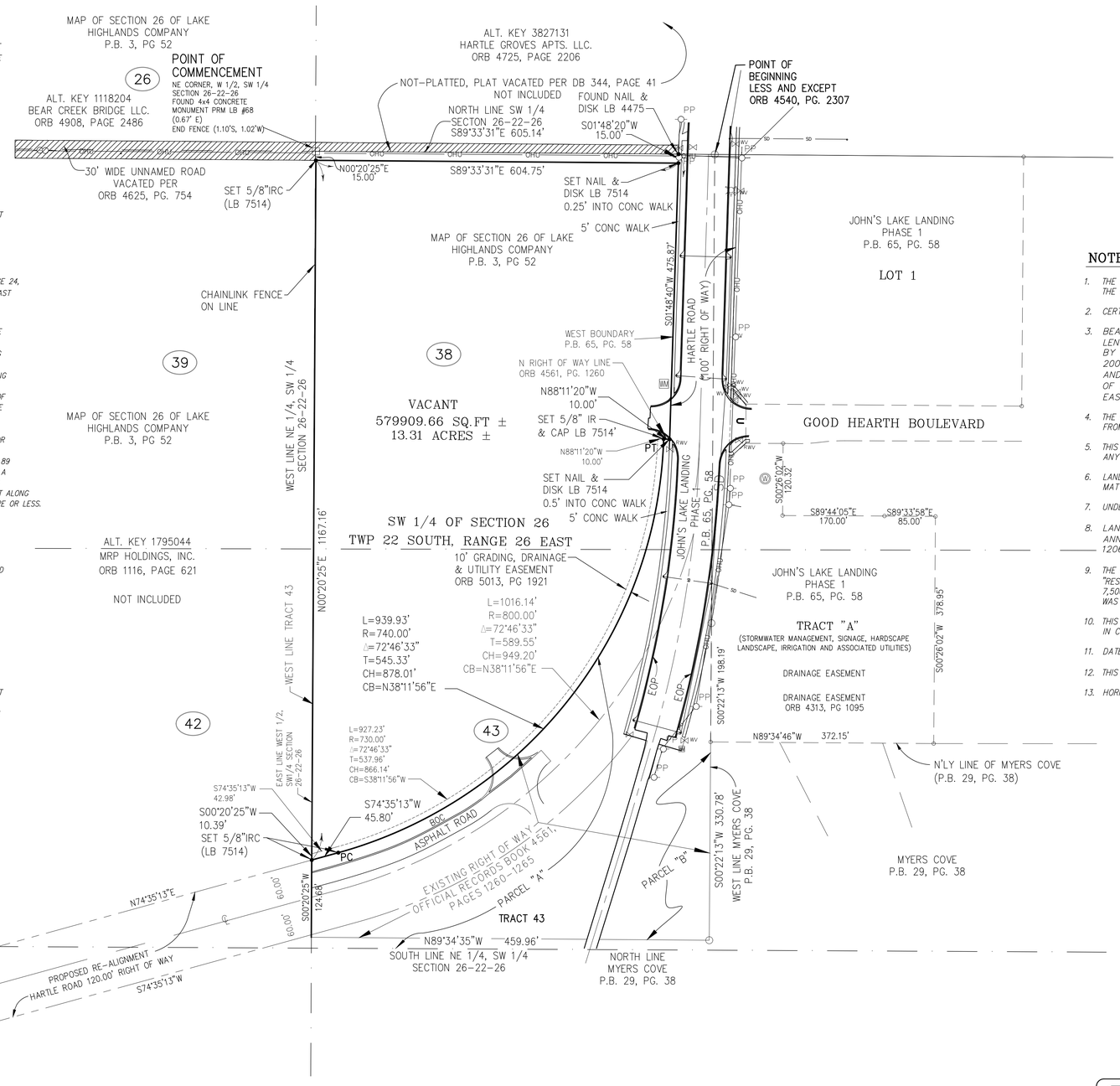
TOGETHER WITH

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 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 0616'21" 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-1 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 FOLLOWING SEVEN (7) COURSES: NORTH 17°16'39" EAST FOR 178.58 FEET; THENCE NORTH-1 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.

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



GRAPHIC SCALE

(IN FEET)
1 inch = 100 ft.

NOTES:

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.
2. CERTIFICATION IS LIMITED TO PARTIES NAMED HEREON.
3. 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 WANTMAN GROUP, INCORPORATED, AND IS BASED ON NORTH AMERICAN DATUM OF 1983, 2007 ADJUSTMENT (SPCS'83-2007) THIS SURVEY WAS CHECKED TO LAKE COUNTY GEODETIC 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.
4. THE LEGAL DESCRIPTION WAS SUPPLIED BY THE CLIENT AND COPIES OF THE ORIGINAL DEEDS WERE OBTAINED FROM THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.
5. 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.
6. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS, RIGHTS OF WAY, OWNERSHIP OR OTHER MATTERS OF RECORD BY THIS FIRM.
7. UNDERGROUND IMPROVEMENTS SUCH AS UTILITIES, FOUNDATIONS, ETC. WERE NOT LOCATED.
8. 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.
9. 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 IN 7,500 FEET. THE ACCURACY OBTAINED BY MEASUREMENT AND CALCULATION OF A CLOSED GEOMETRIC FIGURE WAS FOUND TO EXCEED THIS REQUIREMENT.
10. THIS SURVEY MEETS ALL APPLICABLE REQUIREMENTS OF THE FLORIDA STANDARDS OF PRACTICE AS CONTAINED IN CHAPTER 5J-17.052 OF THE FLORIDA ADMINISTRATIVE CODES.
11. DATE OF FIELD WORK IS REFLECTED IN TITLE BLOCK, NOT THE DATE OF SIGNATURE.
12. THIS MAP IS INTENDED TO BE DISPLAYED AT A SCALE OF 1/100 OR SMALLER.
13. HORIZONTAL DATUM SHOWN HEREON IS IN U.S. FEET.

LEGEND

WM	WATER METER
CO	CLEAN OUT
WV	WATER VALVE
GM	GAS METER
	POWER POLE
FP	FLAG POLE
	FIRE HYDRANT
	SIGN
	SET 5/8" IRON ROD AND CAP (LB 7514) OR AS NOTED
	SET NAIL AND DISC (LB 7514) OR AS NOTED
	FOUND CONCRETE MONUMENT (AS NOTED)
TJB	TELEPHONE JUNCTION BOX
	LIGHT POLE
	GUY WIRE
OHU	OVERHEAD UTILITY LINE
SAN	SANITARY SEWER LINE
X	FENCE LINE
(M)	MEASURED
(D)	DESCRIBED
(P)	PLAT
(M)	CALCULATED
℄	CENTERLINE
(FDOT)	FLORIDA DEPARTMENT OF TRANSPORTATION
CATV	CATEGORY 5 CABLE JUNCTION
EJB	ELECTRICAL JUNCTION BOX
	BOLLARD
D	STORM MANHOLE
S	SEWER MANHOLE
W	WELL
GV	GAS VALVE
SV	SEWER VALVE
FV	FIRE VALVE
	SPRINKLER
MW	MONITORING WELL

POC	POINT OF COMMENCEMENT
POB	POINT OF BEGINNING
ID	IDENTIFICATION
LB	LICENSED BUSINESS
RLS	REGISTERED LAND SURVEYOR
PSM	PROFESSIONAL SURVEYOR AND MAPPER
EOP	EDGE OF PAVEMENT
BOC	BACK OF CURB
IR	IRON ROD
CONC	CONCRETE
AC	AIR CONDITIONER PAD
BFP	BACKFLOW PREVENTER
IRC	IRON ROD & CAP
SAN	SANITARY LINE
CLF	CHAIN LINK FENCE
ICV	IRRIGATION CONTROL VALVE
FOC	FIBER OPTIC CABLE
EJB	ELECTRIC JUNCTION BOX
INV	INVERT
N&D	NAIL & DISK
FFE	FINISHED FLOOR ELEVATION
PC	POINT OF CURVATURE
PT	POINT OF TANGENCY
PRC	POINT OF REVERSE CURVE
ORB	OFFICIAL RECORDS BOOK
PG	PAGE
RR	RAILROAD
SEC	SECTION
DB	DEED BOOK
SQ.FT.	SQUARE FEET
SB2	SCHEDULE B 2 ITEM

UTILITIES

PVC POLYVINYL CHLORIDE
CMP CORRUGATED METAL PIPE
RCP REINFORCED CONCRETE PIPE

CERTIFIED TO:

DANIEL Z. WISE, TRUSTEE

DATE:

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

SHEET 1 OF 1

CLIENT	Daniel Z. Wise, Trustee
JOB NO.	JOB # 171094.0000-001
ACAD FILE	2017-ACAD-171094.0000 Boundary.dwg
DATE	10/17/2017 CHECKED BY: JMS
DRAWN BY:	Scott Dixon FLD. BOOK:MISC 6
REVISIONS	DATE

BOUNDARY SURVEY

26 — 22S — 26E

LAKE COUNTY, FLORIDA.

HARTLE ROAD BOUNDARY SURVEY
Daniel Z. Wise, Trustee

BESH
BOOTH ERN STRAUGHAN HOTT
902 North Sinclair Ave. Office: 352.343.8481
Tavares, Florida 32778 Fax: 352.343.8489
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

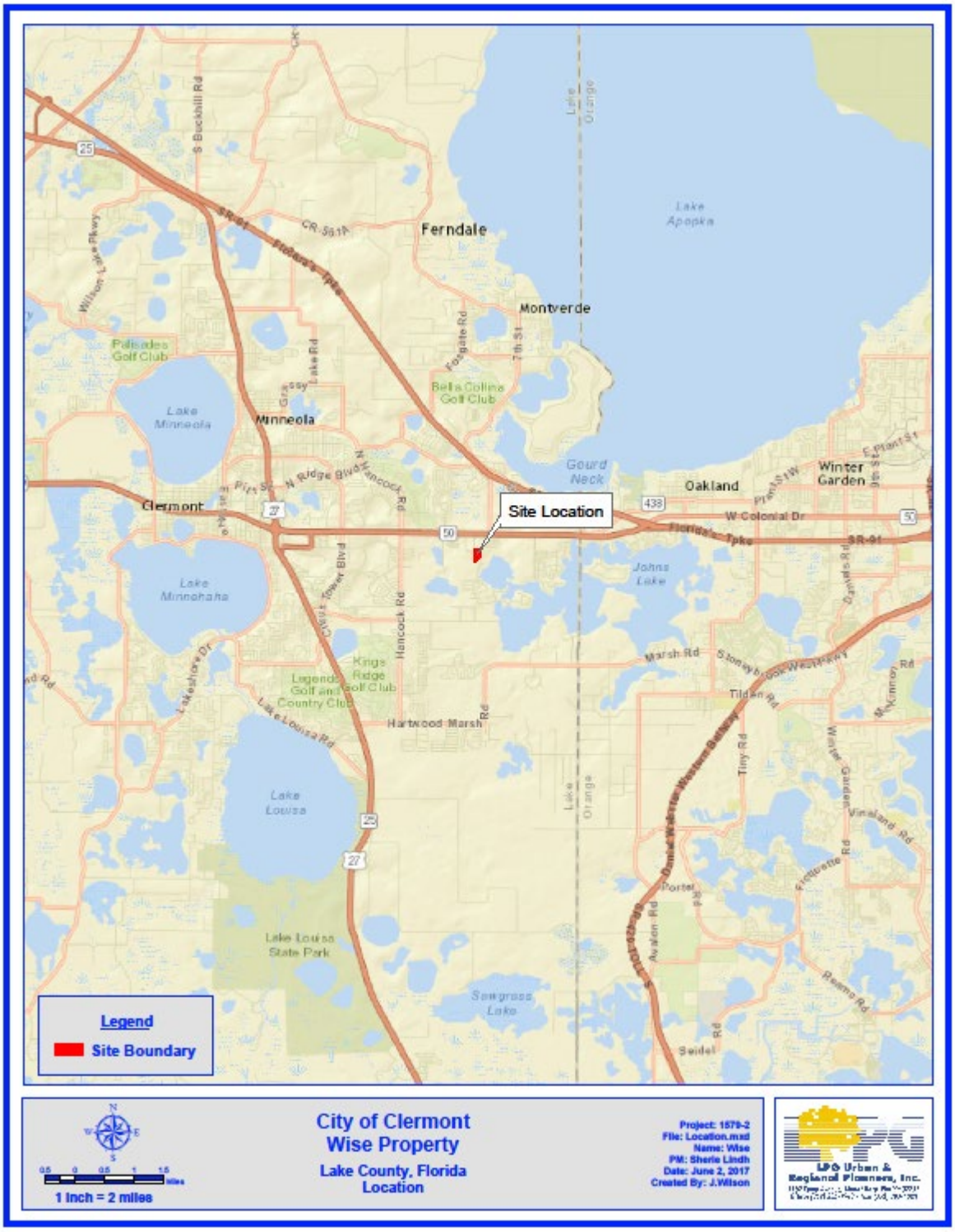

Site Location
Ferndale
Montverde
Minneola
Clermont
Oakland
Winter Garden
Lake Apopka
Lake Minneola
Lake Minnehaha
Lake Louisa
Lake Louisa State Park
Palisades Golf Club
Bella Collina Golf Club
Legends Golf and Country Club
Kings Ridge Golf Club
Gourd Neck
Johns Lake
Seagrass Lake
Legend
Site Boundary
City of Clermont
Wise Property
Lake County, Florida
Location
1 Inch = 2 miles
Project: 1579-2
File: Location.mxd
Name: Wise
PM: Sherie Lindh
Date: June 2, 2017
Created By: J.Wilson
LPG Urban & Regional Planners, Inc.

Figure 2

CLERMONT
Hartle Rd
Myers Ct
Legend
Site Boundary
City Limits
City of Clermont
Wise Property
Lake County, Florida
Site Aerial
1 inch = 200 feet
Project: 1579-2
File: Site Aerial.mxd
Name: Wise
PM: Sherie Lindh
Date: June 2, 2017
Created By: J.Wilson
LPG Urban &
Regional Planners, Inc.

Figure 3

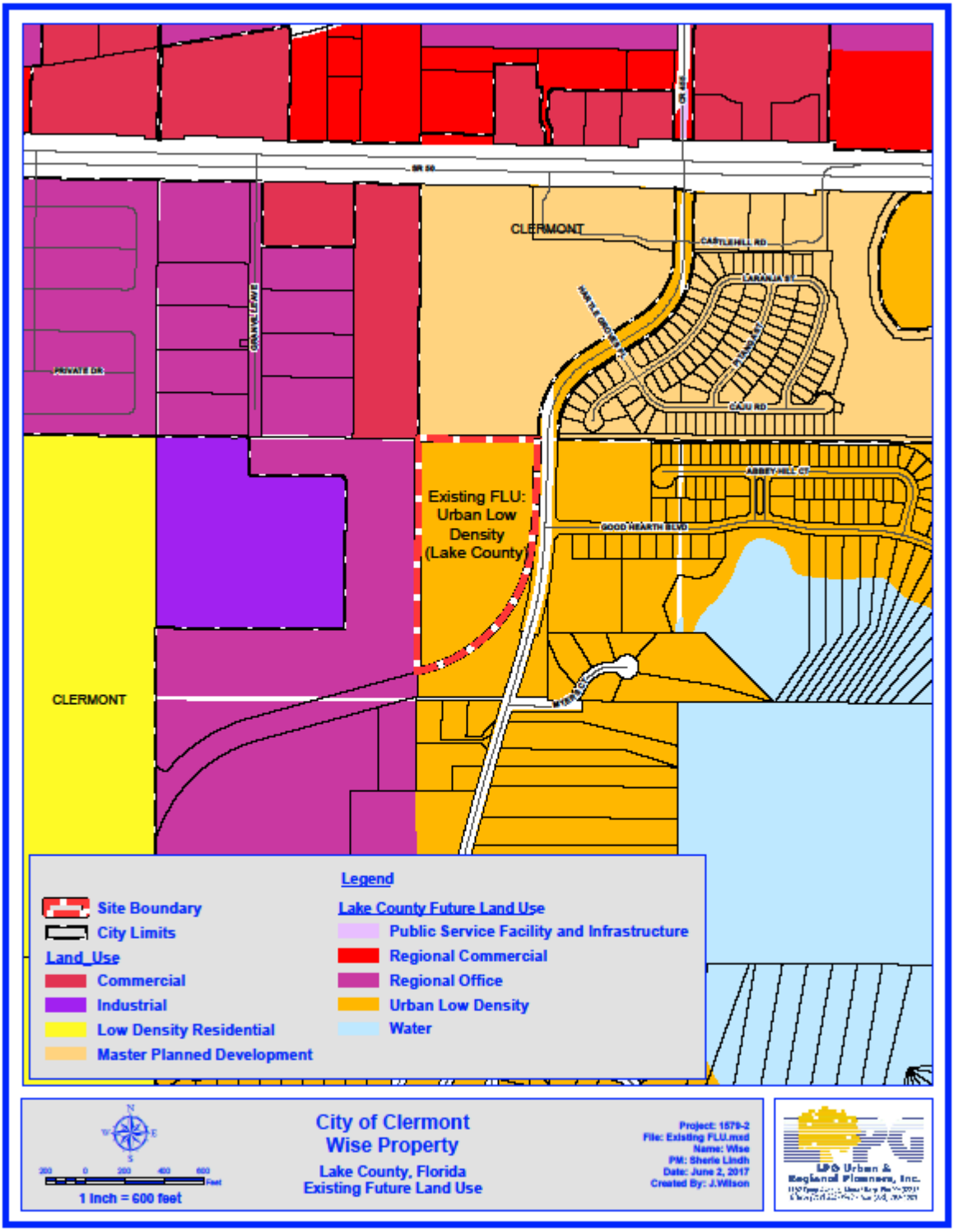

CLERMONT
CAPTLEHILL RD
LARANJA ST
CADU RD
ABBEY HILL CT
GOOD HEARTH BLVD
PRIVATE DR
GRANVILLE AVE
Existing FLU:
Urban Low
Density
(Lake County)
CLERMONT
Legend
Site Boundary
City Limits
Land Use
Commercial
Industrial
Low Density Residential
Master Planned Development
Lake County Future Land Use
Public Service Facility and Infrastructure
Regional Commercial
Regional Office
Urban Low Density
Water
City of Clermont
Wise Property
Lake County, Florida
Existing Future Land Use
1 Inch = 600 feet
Project: 1579-2
File: Existing FLU.mxd
Name: Wise
PM: Sherie Lindh
Date: June 2, 2017
Created By: J.Wilson
LPG Urban &
Regional Planners, Inc.

Figure 4

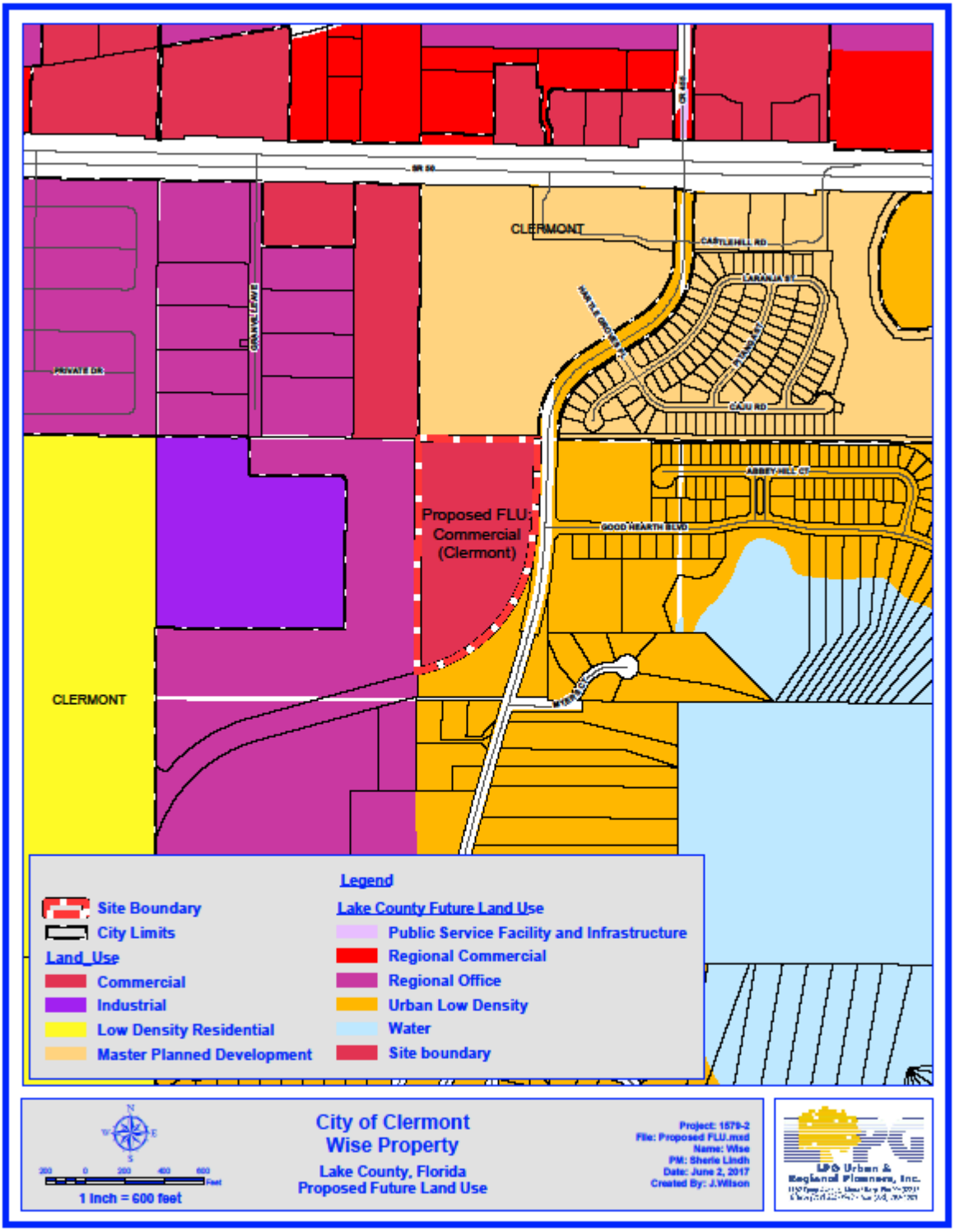

CLERMONT
CAPTIVEHILL RD
LARANJA ST
CAJU RD
ABBEY HILL CT
GOOD HEARTH BLVD
PRIVATE DR
GRANVILLE AVE
Proposed FLU: Commercial (Clermont)
CLERMONT
Legend
Site Boundary
City Limits
Land Use
Commercial
Industrial
Low Density Residential
Master Planned Development
Lake County Future Land Use
Public Service Facility and Infrastructure
Regional Commercial
Regional Office
Urban Low Density
Water
Site boundary
1 Inch = 600 feet
City of Clermont
Wise Property
Lake County, Florida
Proposed Future Land Use
Project: 1579-2
File: Proposed FLU.mxd
Name: Wise
PM: Sherie Lindh
Date: June 2, 2017
Created By: J.Wilson
LPG Urban & Regional Planners, Inc.

Figure 5

CLERMONT
CLERMONT
CLERMONT
9
8
9
10
21
38
34
28
8
9
Legend
Site Boundary
City Limits
Lake County Soils
8, Candler sand - 0 to 5 percent slopes
9, Candler sand - 5 to 12 percent slopes
10, Candler sand - 12 to 40 percent slopes
21, Lake sand - 0 to 5 percent slopes
28, Myakka sand
34, Orlando fine sand - 0 to 5 percent slopes
38, Placid sand - depressional
1 inch = 200 feet
City of Clermont
Wise Property
Lake County, Florida
Soils Map
Project: 1579-2
File: Soils.mxd
Name: Wise
PM: Sherie Lindh
Date: Nov. 26, 2018
Created By: J.Meier
LPG Urban & Regional Planners, Inc.

Figure 6

CLERMONT
CLERMONT
CLERMONT
Zone A
Undetermined Elevation
Zone AE
EL 99.7
Legend
Site Boundary
City Limits
Flood Zones
A - Undetermined Elevation
AE - Determined Elevation
1 inch = 200 feet
City of Clermont
Wise Property
Lake County, Florida
Flood Map
Project: 1579-2
File: Flood.mxd
Name: Wise
PM: Sherie Lindh
Date: Nov. 26, 2018
Created By: J.Meier
LPG Urban & Regional Planners, Inc.

Florida Department of Transportation

RON DESANTIS
GOVERNOR

719 S. Woodland Boulevard
DeLand, Florida 32720-6834

KEVIN J. THIBAULT.
SECRETARY

April 5, 2019

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

SUBJECT:	**PROPOSED COMPREHENSIVE PLAN AMENDMENT**
LOCAL GOVERNMENT:	**CITY OF CLERMONT**
DEO #:	**19-2ESR**

Dear Mr. Kruse,

The Department of Transportation has completed its review of the subject Proposed Comprehensive Plan Amendment as requested in your memorandum dated March 15, 2019, and received by the Department on March 18, 2019.

We appreciate the opportunity to participate in this review process and we offer our technical assistance with this review. The proposed amendment is not expected to result in adverse impacts to the State Highway System (SHS) and Strategic Intermodal System (SIS), however, it results in an increase in the trip generation potential of the subject site; therefore, the Department offers a technical assistance comment in the attached document.

If you have any questions, you may contact Tina Williamson at 386-943-5150 or by email at Tina.Williamson@dot.state.fl.us.

Sincerely,

Jean Parlow
Growth Management Coordinator

Attachment

C: Tim McClendon, Lake County
D. Ray Eubanks, DEO
Sherry Spiers, DEO
Kellie Smith, FDOT
Jennifer Carver, FDOT
Fred Milch, ECFRPC

H:\Deland\Development\PLEMO\Planning\Growth Management\CPA\CPA Project Files\Clermont_Lake\Review\2019\19-02ESR\Proposed\DRAFT CityofClermont_Proposed_19-2ESR_CoverLetter.doc

PROPOSED COMPREHENSIVE PLAN AMENDMENT REVIEW

Local Government:	City of Clermont
DEO Amendment #:	19-2ESR
Date Amendment Received FDOT:	03/18/2019
Review Comments Deadline:	04/17/2019
Today's Date:	04/05/2019

GENERAL BACKGROUND INFORMATION

The City of Clermont has submitted the proposed City of Clermont 19-2ESR Large-Scale Comprehensive Plan Amendment pertaining to 13.31± acres of land located off of Hartle Road south of SR 50, west of CR 455 and Good Hearth Boulevard in Clermont, Lake County. The proposed amendment changes the Future Land Use Map (FLUM) designations of the subject area from the County's Urban Low Density to the City's Commercial.

The pertinent FLUM designation and description for the FLU amendment include the following:

- **LAKE COUNTY – URBAN LOW DENSITY**

  The "Urban Low Density" future land use category provides for a range of residential development in addition to civic, commercial, and office uses at an appropriate scale and intensity to serve this category. Limited light industrial uses may only be allowed as a conditional use, unless permitted as an Economic Development Overlay District. This land use category shall be located on or in proximity to collector or arterial roadways to minimize traffic on local streets and provide convenient access to transit facilities.

  Maximum allowed density: Urban Low Density – Not to exceed four (4) dwelling units per one (1) acre.

- **CITY OF CLERMONT – COMMERCIAL**

  The "Commercial" category is established to assure availability of sufficient office and commercial sites to serve the needs of the existing and projected population. In addition to office and commercial uses, residential uses are allowed, preferably as mixed-use, high-density developments, as well as supportive accessory uses, churches and schools as conditional uses, minor public utilities (i.e., telephone switching stations, lift stations, drainage infrastructure, and similar facilities), parks and open space, municipal facilities and other civic and cultural uses subject to standards and performance criteria set forth in this plan and in the land development regulations.

  Maximum allowed density: Commercial – Not to exceed 12 dwelling units per one (1) acre and a FAR of 0.25.

PROPOSED COMPREHENSIVE PLAN AMENDMENT REVIEW

Local Government:	City of Clermont
DEO Amendment #:	19-2ESR
Date Amendment Received FDOT:	03/18/2019
Review Comments Deadline:	04/17/2019
Today's Date:	04/05/2019

FUTURE LAND USE MAP AMENDMENT

Elements: Future Land Use Element (Future Land Use Map)

Rule Reference: Chapter 163, Florida Statutes

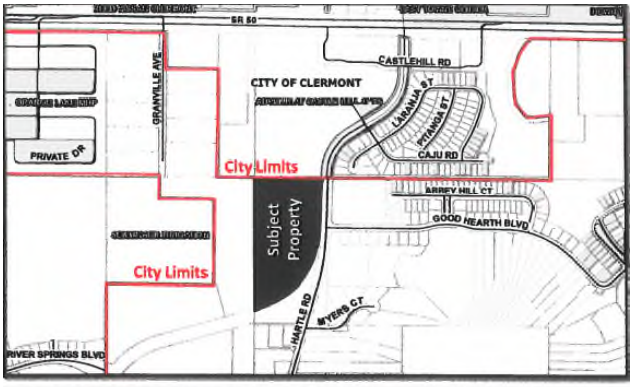
Background:

The City of Clermont has submitted the proposed City of Clermont 19-2ESR Large-Scale Comprehensive Plan Amendment pertaining to 13.31± acres of land located off of Hartle Road south of SR 50, west of CR 455 and Good Hearth Boulevard in Clermont, Lake County. The proposed amendment changes the Future Land Use Map (FLUM) designations of the subject area from the County's Urban Low Density to the City's Commercial.

Figure 1: Location Map

PROPOSED COMPREHENSIVE PLAN AMENDMENT REVIEW

Local Government:	City of Clermont
DEO Amendment #:	19-2ESR
Date Amendment Received FDOT:	03/18/2019
Review Comments Deadline:	04/17/2019
Today's Date:	04/05/2019



Under Lake County's Comprehensive Plan, the property can be developed at a maximum 4 units per acre for a total of 53 residential units and 144,945 square feet of commercial. The City's Commercial FLU allows up to 0.25 FAR and up to 12 units per acre. The commercial square footage would be the same (144,945), but the City designation allows an increase of 8 units per acre, or 103 additional residential units.

The ITE Trip General Manual 10th edition provides various land use categories such as industrial, residential, lodging, and recreational. Given that the Lake County and City of Clermont FLU designations are not identical to the ITE Trip General Manual 10th edition land use categories, a closely associated and reasonable land use of single-family residential was assumed for the current and proposed analysis.

Table 1 below shows the difference in total trip generation potential for the proposed and adopted FLU designations, and the change in trips as a result of the proposed FLUM amendment.

PROPOSED COMPREHENSIVE PLAN AMENDMENT REVIEW

Local Government: City of Clermont

DEO Amendment #: 19-2ESR

Date Amendment Received FDOT: 03/18/2019

Review Comments Deadline: 04/17/2019

Today's Date: 04/05/2019

Table 1: Trip Generation Potential of Parcel Affected by FLUM Amendment – Maximum Allowable for Existing and Proposed FLUM Designation

Scenario	Land Use	ITE Land Use Code	Allowed Development		Daily Trips	P.M. Peak Hour Trips
Adopted	Single Family	210	53	d.u.	505	53
Adopted	Office/Commercial	710	144,945	s.f.	1,598	216
Proposed	Single Family	210	156	d.u.	1,485	156
Proposed	Office/Commercial	710	144,945	s.f.	1,598	216
				Change in Trips	**+980**	**+103**

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

The trip generation analysis provided in the application accounts for an internal capture of 11%. Based on the adopted and proposed FLU designations, the analysis indicates the proposed amendment would result in an increase of the trip generation potential of the subject property by 980 daily trips and 103 P.M. peak hour trips.

PROPOSED COMPREHENSIVE PLAN AMENDMENT REVIEW

Local Government:	City of Clermont
DEO Amendment #:	19-2ESR
Date Amendment Received FDOT:	03/18/2019
Review Comments Deadline:	04/17/2019
Today's Date:	04/05/2019

Technical Assistance:

The review noted an error in the trip generation analysis provided in the application. The Proposed Land Use Program table shows a total PM Peak Hour volume of 306 trips. However, this value should be 372 trips. Therefore, resulting in an increase of 103 PM Peak Hour trips, not 37 as stated in the application. Using an internal capture assumption by the applicant of 11%, this will result in 92 PM Peak Hour trips, not 25 as stated in the application.

The Department acknowledges the Planned Unit Development zoning proposed in association with the Comprehensive Plan Amendment would limit the development potential on the property to 96,000 square feet of commercial/office uses and 96 multi-family units. However, since the proposed land use change will result in an increase of trips generated, the effect on state highway facilities is analyzed below. SR 50 north of the project area is the only state highway facility that may be affected. The analysis below looks at the current traffic conditions of the roadway and what impacts additional trips may have.

Table 2: Nearby Affected State Highways

Road	Segment	No. of Lanes	Adopted LOS	Daily LOS Capacity	2018 AADT	Remaining Daily Capacity	Over Capacity?
SR 50	From Hartle Road to Orange County Line	6	D	59,900	62,500	-2,600	Yes
	From Hancock Road to Hartle Lane	6	D	59,900	64,000	-4,100	Yes

According to the FDOT Traffic Online, SR 50 is operating over capacity. The 2018 AADT is an average of 63,250 trips from Hancock Road to the Orange County Line. This condition exists with or without the proposed amendment. The proposed development will add 908 daily trips and 92 PM Peak Hour trips to the surrounding roadways.

The proposed land use amendment results in an increase in the trip generation potential of the subject site; therefore, the Department offers the following technical assistance comment:

1) The Department recommends the City of Clermont continue to monitor impacts to State Facilities through traffic impact analyses and coordinate with the Department in order to identify appropriate mitigation strategies to address potential impacts to State Facilities as development on the subject site progresses beyond the amendment phase.

The Department respectfully requests a copy of the adopted plan. Please provide the adopted plan within 10 working days of adoption, in order to assist in facilitating review within the required 30-day time frame

PROPOSED COMPREHENSIVE PLAN AMENDMENT REVIEW

Local Government:	City of Clermont
DEO Amendment #:	19-2ESR
Date Amendment Received FDOT:	03/18/2019
Review Comments Deadline:	04/17/2019
Today's Date:	04/05/2019

from adoption, as required by Statutes (Expedited State Review Amendment Process Section 163.3184(3) and (5), Florida Statutes).

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

Ron DeSantis
GOVERNOR

FLORIDA DEPARTMENT of ECONOMIC OPPORTUNITY

Ken Lawson
EXECUTIVE DIRECTOR

April 17, 2019

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

Dear Mayor Ash:

The Department of Economic Opportunity ("Department") has reviewed the proposed comprehensive plan amendment for the City of Clermont (Amendment No. 19-02ESR) received on March 18, 2019. The review was completed under the expedited state review process. We have no comment on the proposed amendment.

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

- Section 163.3184(3)(b), F.S., authorizes other reviewing agencies to provide comments directly to the City. **If the City receives reviewing agency comments and they are not resolved, these comments could form the basis for a challenge to the amendment after adoption**.

- **The second public hearing,** which shall be a hearing on whether to adopt one or more comprehensive plan amendments, **must be held within 180 days** of your receipt of agency comments or the amendment shall be **deemed withdrawn** unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment pursuant to Section 163.3184(3)(c)1., F.S.

- **The adopted amendment must be rendered to the Department.** Under Section 163.3184(3)(c)2. and 4., F.S., the **amendment effective date** is 31 days after the Department notifies the City that the amendment package is complete or, if challenged, until it is found to be in compliance by the Department or the Administration Commission.

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

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

Sincerely,

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

JDS/de

Enclosure(s): Procedures for Adoption

cc: John Kruse, Senior Planner, City of Clermont Development Services
Hugh W. Harling, Jr., Executive Director, East Central Florida Regional Planning Council

SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS

FOR EXPEDITED STATE REVIEW

Section 163.3184(3), Florida Statutes

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

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

_____ State Land Planning Agency identification number for adopted amendment package;

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

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

_____ Ordinance number and adoption date;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Lori Crain

From: John E. Kruse
Sent: Friday, April 19, 2019 3:51 PM
To: Lori Crain
Subject: FW: Clermont 19-2ESR Proposed

State Agency response.

From: Plan_Review <Plan.Review@dep.state.fl.us>
Sent: Friday, April 19, 2019 3:18 PM
To: John E. Kruse <jekruse@clermontfl.org>; DCPexternalagencycomments@deo.myflorida.com
Cc: Plan_Review <Plan.Review@dep.state.fl.us>
Subject: Clermont 19-2ESR Proposed

To: John E. Kruse, Senior Planner

Re: Clermont 19-2ESR – Expedited State Review of Proposed Comprehensive Plan Amendment

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

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

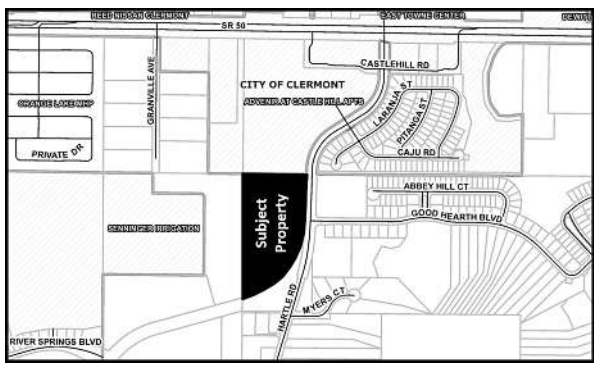
Please submit all future amendments by email to Plan.Review@FloridaDEP.gov. If your submittal is too large to send via email or if you need other assistance, contact Lindsay Weaver at (850) 717-9037.

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

D048493 - February 23 & May 14, 2019

☐ **PROOF O.K. BY:**_____ ☐ **O.K. WITH CORRECTIONS BY:**_____

PLEASE READ CAREFULLY • SUBMIT CORRECTIONS ONLINE

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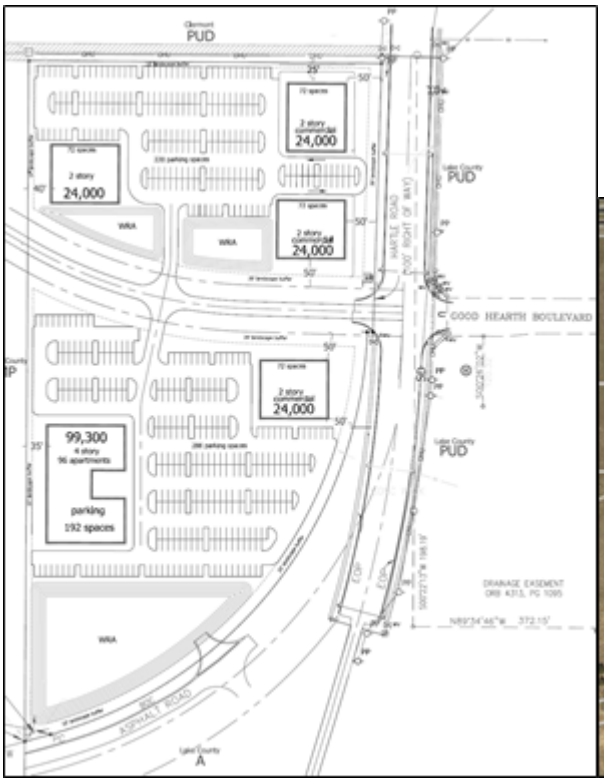
CITY OF CLERMONT

AGENDA ITEM

Meeting Date
Tuesday, August 13, 2019
Agenda Item Name
Ordinance No. 2019-16 *Final* *Table to August 27, 2019* *Wise PUD Rezoning*
Requested Action
Recommend approval of Ordinance No. 2019-16.
Staff Report

The applicant, LPG Urban & Regional Planners, LLC, is requesting a rezoning to a Planned Unit Development (PUD) consisting of up to 96,000 square feet of commercial/office space and 96 multi-family units on 13 +/- acres. The property 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 large-scale comprehensive plan amendment. The property is currently in Lake County with a zoning designation of Urban Low. Once the property is annexed, it will become Urban Estate.

The applicant has provided a PUD Conceptual Development Plan, prepared by LPG Urban & Regional Planners, showing the proposed layout. The project will consist of up to 96 multi-family units in a four-story apartment building with elevators. The size of the units will range from 750 square feet to 1,200 square feet, as indicated on the plan. The development will be at a density of approximately 7.2 units per acre. In addition, the applicant is proposing up to 96,000 square feet of C-2 General Commercial uses, which include retail and/or office use. The Commercial Floor Area Ratio will be limited to 0.25. Under Lake County's Urban Low zoning designation, the applicant would be allowed a maximum density of 53 residential units and 144,945 square feet of commercial. The applicant has used the PUD application as a way to cap density and intensity on the site. The applicant has not requested any variances to the Land Development Code. In addition, the applicant has agreed to dedicate 100-foot wide right-of-way for the Hook Street corridor, as displayed on the conceptual plan.



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 and an assisted living facility to the east, multi-family use to the north and industrial uses to the west.

Staff believes the proposal meets the standards in regards to Section 122-315, Review Criteria for a PUD. The project is located within ¼ mile of an arterial and major collector intersection (SR 50 and CR 455) and will access CR 455 via a future signalized intersection. The project can be fully served by the City's services, the density and intensity is consistent with the City's Comprehensive Plan, and the dedication of the Right-of-Way for the Hook Street connection serves a public benefit. Therefore, staff recommends approval of Ordinance 2019-16 for a Planned Unit Development to be developed in substantial accordance with the PUD Conceptual Development Plan, prepared by LPG Urban & Regional Planners LLC, dated May 11, 2018. *The Planning & Zoning Commission voted 6-0 for approval.*

Additional Analysis	

Fiscal Impact Summary	

Fiscal Impact	**Fund Number and Description**	**Available Budget Amount**

Exhibits Attached (copies of original agreements)	
1. 2019-16 PUD Wise	2019-16 Wise PUD August.doc
2. Site Aerial	Site Aerial.pdf
3. Wise Map	Wise Map.pdf

4.	Wise Concept Plan 02-28-2019 PUD	Wise Concept Plan 02-28-2019 PUD.pdf
5.	171094 Daniel Wise -Bndy_10-24_17	171094 Daniel Wise -Bndy_10-24_17.pdf
6.	Signed Applications	Signed Applications.pdf
7.	Wise PUD Legal Page 1	Wise PUD Legal Page 1.pdf
8.	Wise PUD Legal Page 2	Wise PUD Legal Page 2.pdf

CITY OF CLERMONT

ORDINANCE NO. 2019-16

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

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

SECTION 1.

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

LEGAL DESCRIPTION

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:

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 NO1°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 FOLLOWLNG FOUR (4) COURSES: SOUTH 01'48'40' WEST FOR 475.87 FEET TO THE POINT OF 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 FOLLOWJNG 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 0616'21" FOR 218.95 FEET; THENCE SOUTII 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 SOUTI-1 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 FOLLOWING SEVEN (7) COURSES: NORTH 17'16'39" EAST FOR 178.58 FEET; THENCE NORTI-1 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 NOR1H 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.

CONTAINING 13.3 ACRES, MORE OR LESS.

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

FROM: Urban Estate (UE)
TO: Planned Unit Development (PUD)

<u>SECTION 2.</u>

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.

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

SECTION 5. General Conditions

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

1. The conditions as set forth in this Planned Unit Development shall be legally binding upon any heirs, assigns and successors in title or interest.

2. The property shall be developed in substantial accordance with the Concept Development Plan prepared by LPG Urban & Regional Planners, Inc, dated May 11, 2018, EXHIBIT A. Formal construction plans incorporating all conditions stated in this permit shall be submitted for review and approved by the Site Review Committee prior to the issuance of a zoning clearance or other development permits.

3. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.

4. An environmental assessment addressing habitat and species shall be submitted to the City during the construction plans approval stage of each phase of the project. Applicable permits for any gopher tortoises and associated burrow commensal species or other threatened or endangered species found on the property must be received from the appropriate regulatory agencies prior to the initiation of development activity.

5. Fiber optic conduit and pull boxes may be required to be installed by the developer in the utility easements to extend the City's fiber optic network. The City will reimburse the developer at 100 percent for all costs including design, permitting, materials, and construction of the fiber optic conduit and pull boxes. At the time of site plan review, the

City's Information Technology Director or authorized designee will make this determination.

6. Easements shall be provided on any existing and proposed utilities that the City will own and maintain at no expense to the City.

<u>SECTION 6.</u> Land Uses and Specific Conditions

1. A total of up to 96,000 square feet of C-2 General Commercial Uses shall be allowed within the project. The maximum commercial Floor Area Ratio (FAR) will be 0.25 with a maximum of 0.8 Impervious Surface Ratio (ISR).

2. A total of up to 96 multi-family dwelling units may be permitted on the site, with a minimum of 750 square feet of living space in each unit. Elevators shall be installed for buildings with a walkup of more than one story.

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

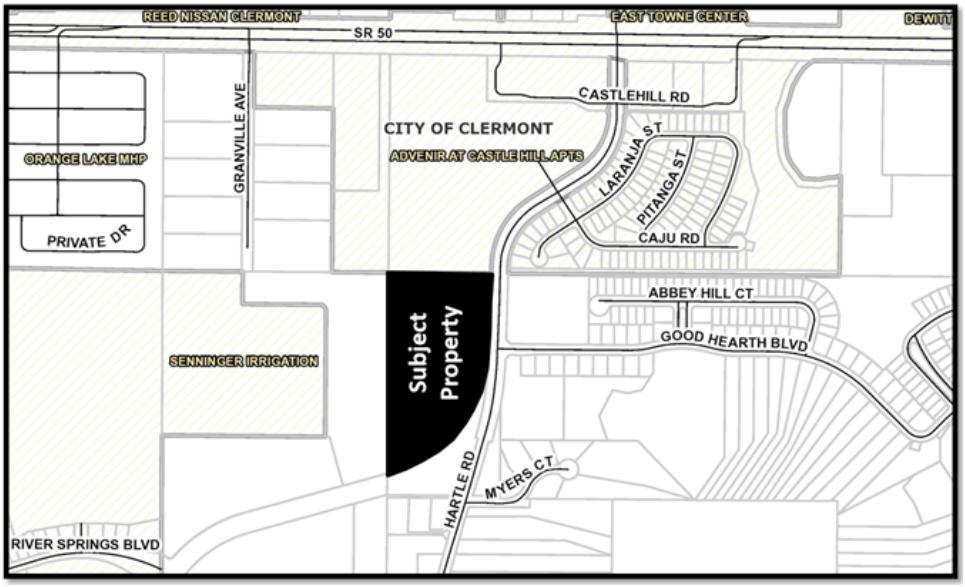
4. The development shall comply with all applicable County and Florida Department of Transportation access management requirements.

5. A Tier 2 Traffic Impact Study shall be completed at the time of site plan review and will be coordinated and reviewed by the Lake-Sumter Metropolitan Planning Organization. The study and comments shall be shared with all jurisdictions within the traffic impact area. If the study identifies a deficiency in the Level of Service of transportation facilities due to the proposed project, the developer shall be required to participate in mitigation strategies.

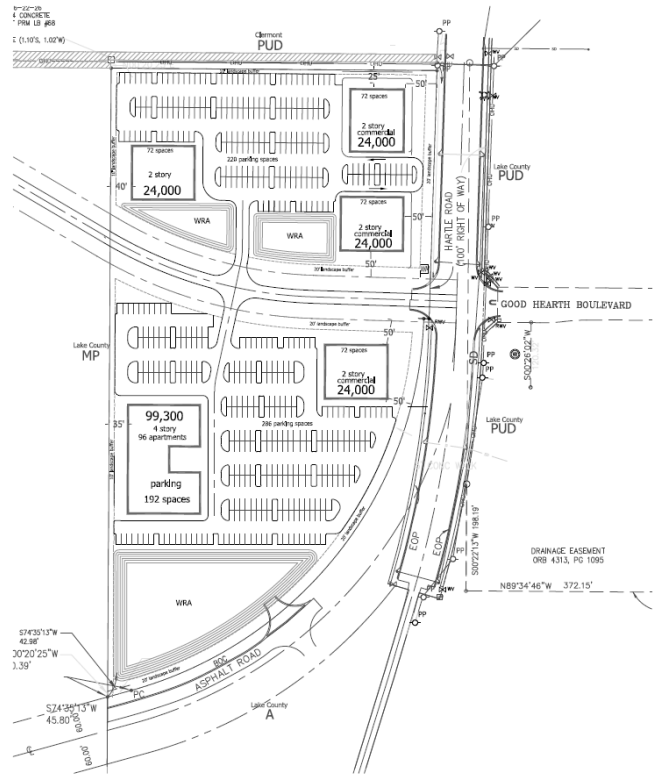
6. By virtue of the transportation system needs for the project, the developer shall dedicate on the final plat and/or commercial site plan, a 100-foot right-of-way for Hooks Street within the project boundary, from the western property line through the property towards to east, as shown on the Conceptual Development Plan. Modifications of this alignment may be necessary once final engineering plans have been produced. In addition to this 100-foot right-of-way, additional land necessary to accommodate temporary construction easements; not to exceed 10 feet in width, may be provided. The slope easement shall be identified at preliminary plat and/or preliminary commercial site plan review and shown on the final plat/commercial site plan. The developer shall coordinate with the County and City on alignment and grading of Hooks Street. The slope easement width and the alignment of Hooks Street may be adjusted once the design plans are approved by the County and the City. This will be required prior to the first Certificate of Occupancy for the site.

7. The project shall be developed according to the C-2 General Commercial zoning designation in the Land Development Code, unless expressly stated above.

Location map:



Close up of Conceptual Development Plan:



Owner:
Daniel Z. Wise, Trustee
1301 Raintree Place
Winter Park, Florida 32789

Applicant:
LPG Urban and Regional Planners, Inc.
c/o Greg Beliveau
1162 Camp Avenue
Mount Dora, Florida 32757
(352)-385-1940 (phone)

Notes:

Total acreage:	13.31 acres (579,910 square feet)
Zoning of parcel	Lake County A
Proposed Land Use	City of Clermont Commercial
Adjacent Zoning:	
	North - City of Clermont PUD
	South - Lake County A
	East - Lake County PUD
	West - Lake County MP
Proposed Use:	Mixed Use Development
	96 multi-family
	96,000 sf commercial/office
100 year flood elevation:	where shown
Wetland acreage:	0 acres
Open Space:	2.66 - 20% minimum

Notes:
* This plan is conceptual in nature and is subject to change due to engineering and other influences.
* Maximum commercial FAR - .25
* Proposed FAR - .17
* Maximum commercial ISR - .8
* Proposed ISR .8
* Maximum allowable building height 55'
* Commercial building setbacks:
  From Arterial Road - 50'
  Front - 25'
  Rear - 25'
  Side - 25'
* Apartment building setbacks:
  From Arterial Road - 50'
  Front - 25'
  Rear - 25'
  Side - 15'
* Buffers:
  North - 10'
  South - 20'
  East - 20'
  West - 10'
* Apartment units range from 750 sf to 1,200 sf.
* Utilities, water, sewer and fire protection will be provided by City of Clermont
* Stormwater mangement will be through a system of swales and retention ponds as required.
* Existing vegetation to be utilized in landscape buffers wherever possible.
* Parking requirement calculation:
  96 units, 192 parking spaces. 96,000 sf comm/office, 288 spaces
* Project to be constructed in a two phases. MF Phase 1, Commercial/Office Phase 2
* Internal road system 24' paved surface private street.
* Proposed commercial uses consistant with C-2 uses.
* Common areas to be maintained by POA

typical 2 story commercial/office building

typical 4 story apartment building

typical 2 story commercial/office building

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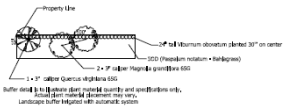
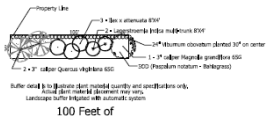

100 Feet of
Typical 10' Landscape Buffer


100 Feet of
Typical 20' Landscape Buffer

CITY OF CLERMONT
ORDINANCE NO. 2019-16

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 13th day of August, 2019.

CITY OF CLERMONT

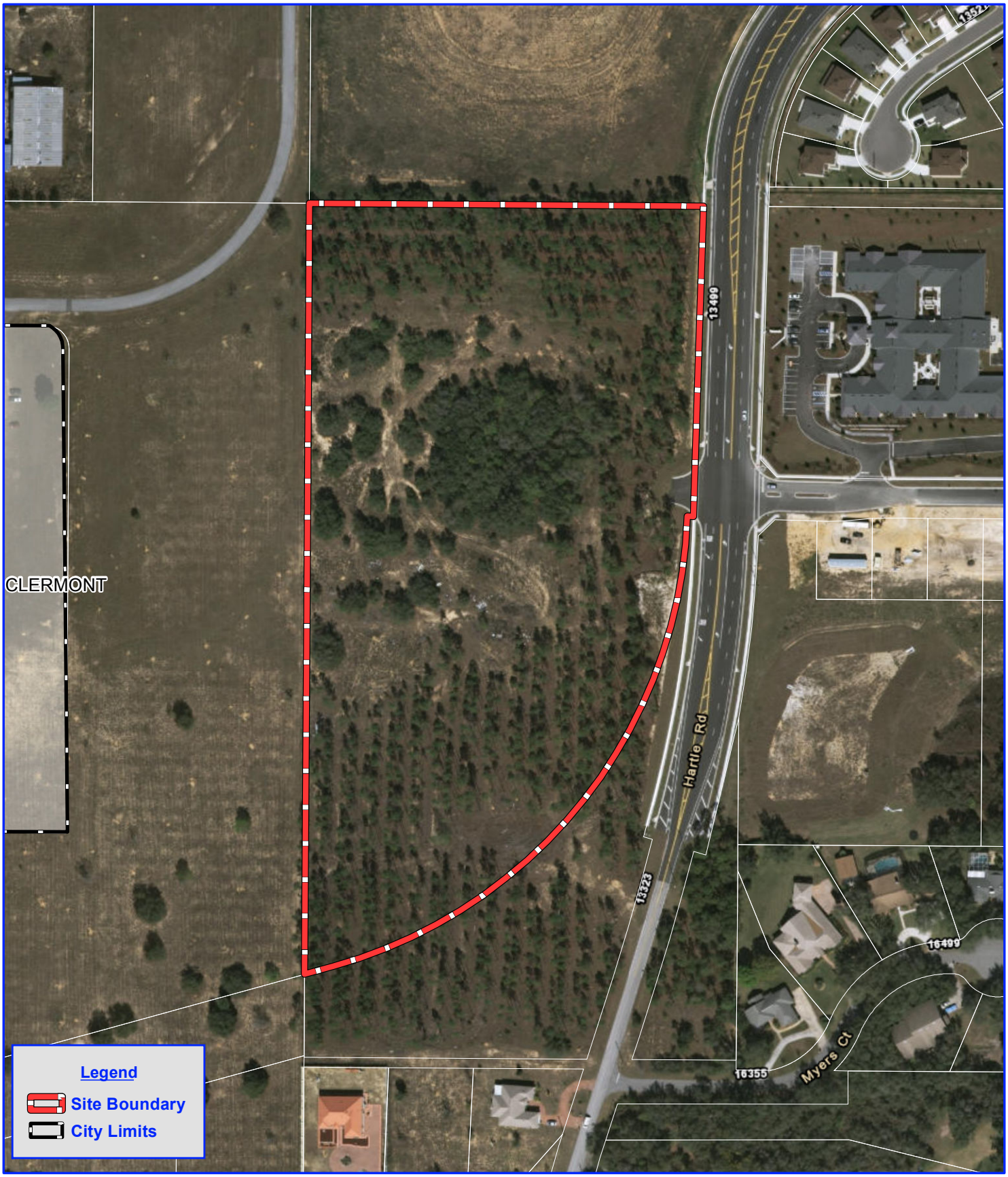
_____
Gail L. Ash, Mayor

ATTEST:

_____
Tracy Ackroyd Howe, MMC, City Clerk

Approved as to form and legality:

_____
Daniel F. Mantzaris, City Attorney



N
W E
S

100 0 100 200 Feet

1 inch = 200 feet

City of Clermont
Wise Property

Lake County, Florida
Site Aerial

Project: 1579-2
File: Site Aerial.mxd
Name: Wise
PM: Sherie Lindh
Date: June 2, 2017
Created By: J.Wilson

LPG Urban & Regional Planners, Inc.
1162 Camp Avenue, Mount Dora, Florida 32757
Office: (352) 385-1940 / Fax: (352) 383-4824

Exhibit - Location Map - Wise Property

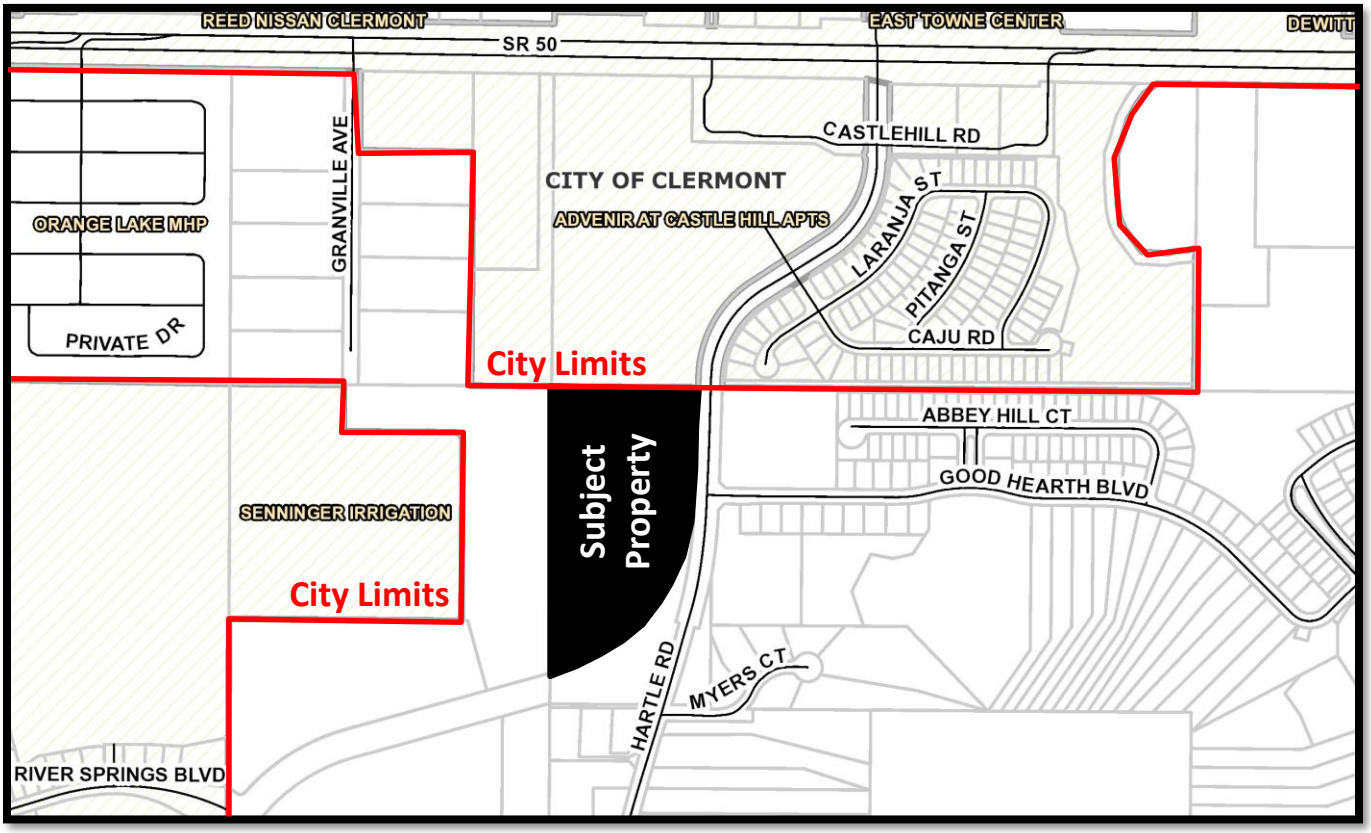
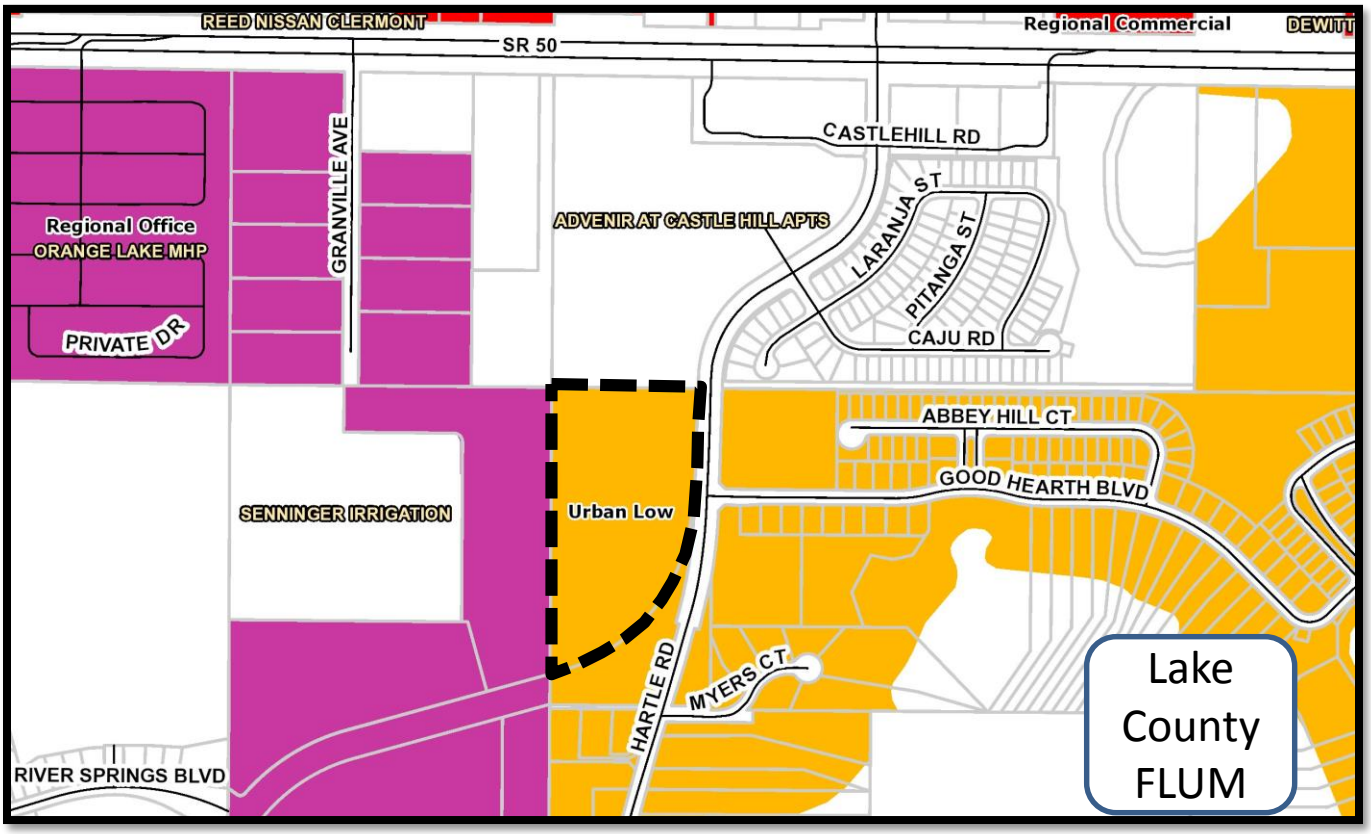


Exhibit – Future Land Use Map – Wise Property



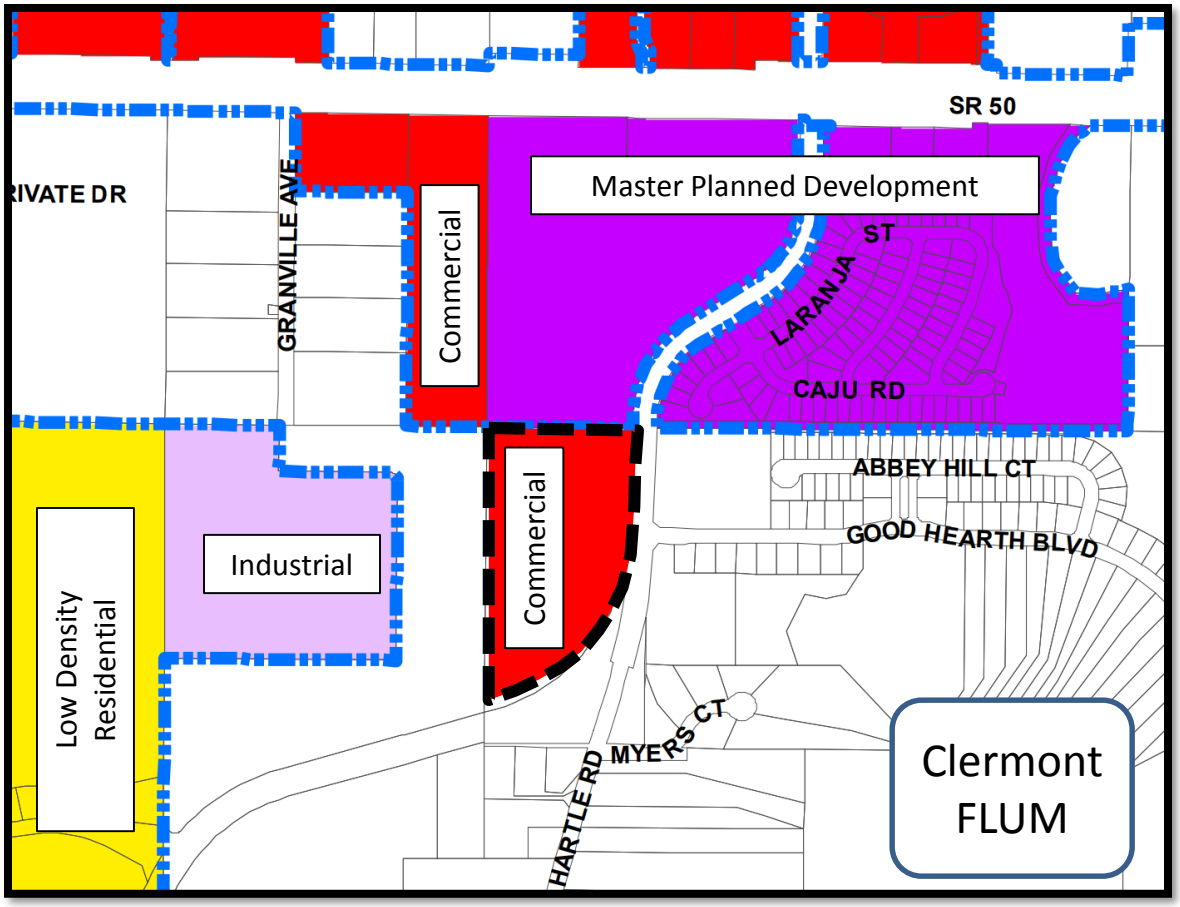
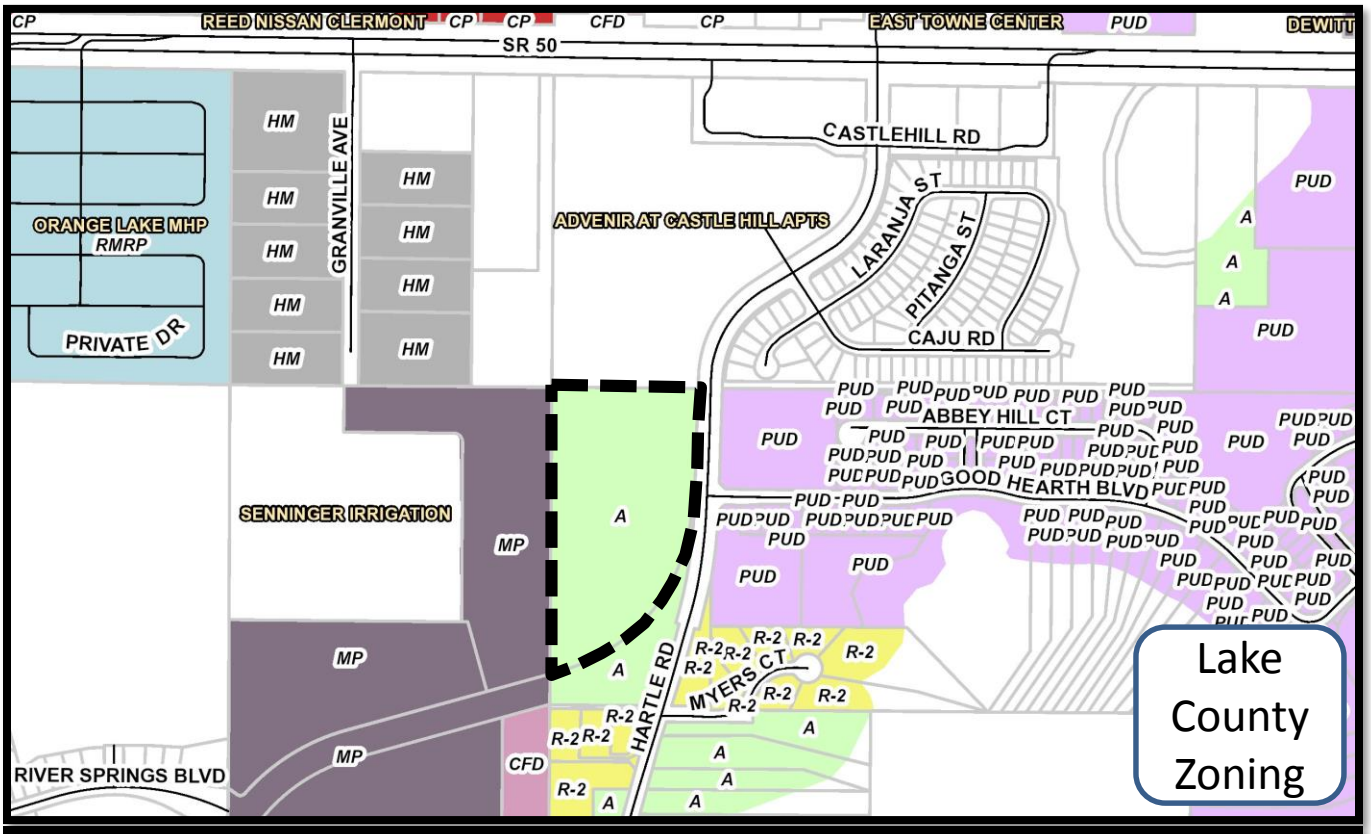
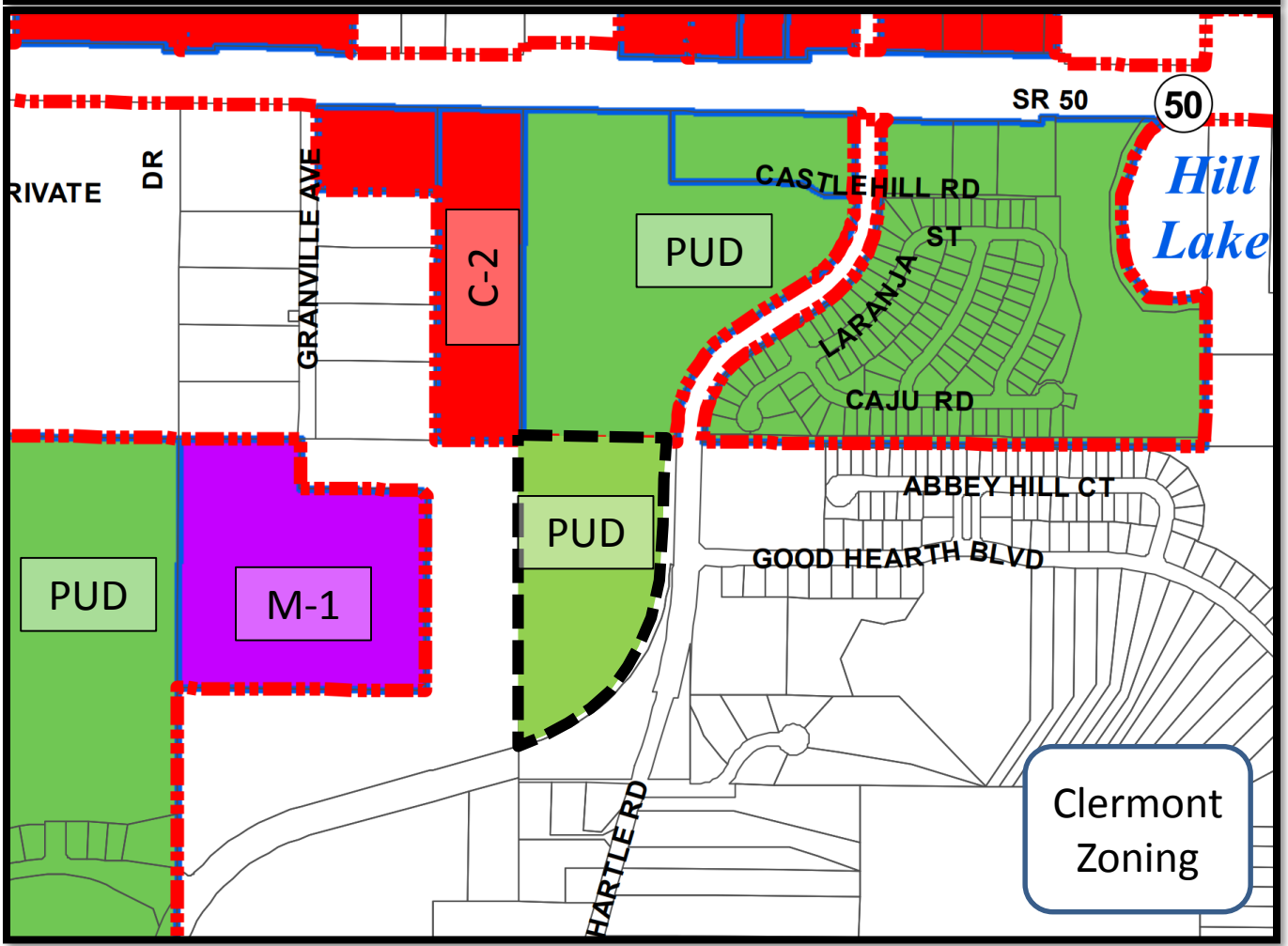
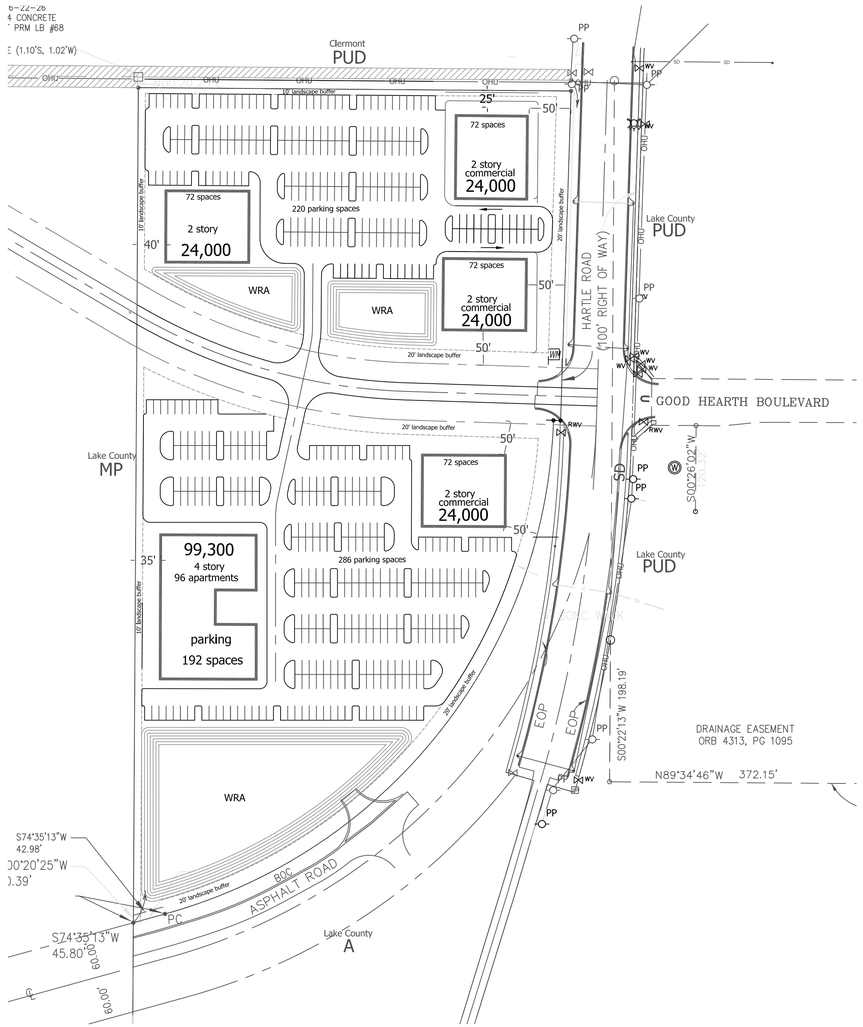


Exhibit – Zoning Map – Wise Property







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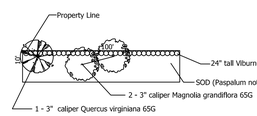
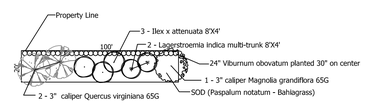


Buffer detail is to illustrate plant material quantity and specifications only.
Actual plant material placement may vary.
Landscape buffer irrigated with automatic system

100 Feet of
Typical 10' Landscape Buffer



Buffer detail is to illustrate plant material quantity and specifications only.
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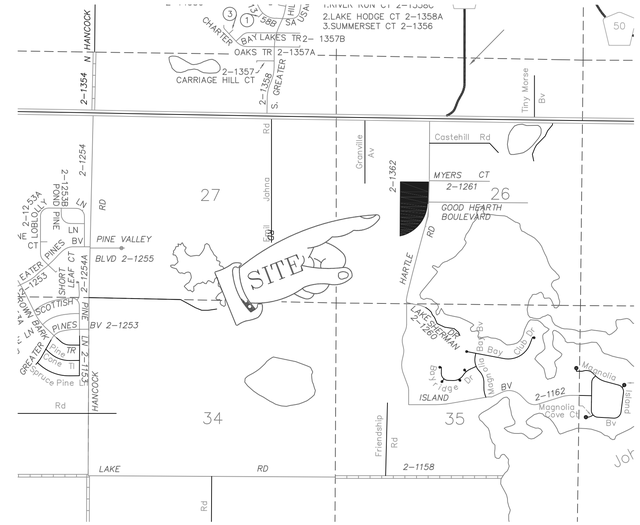
Landscape buffer irrigated with automatic system

100 Feet of
Typical 20' Landscape Buffer
not to scale



Location Map
no scale

LEGAL DESCRIPTION

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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

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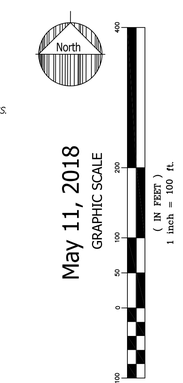
CONTAINING 1.10 ACRES OR 47,901 SQUARE FEET, MORE OR LESS.

Urban & Regional Planners, Inc.
1162 CAMP AVENUE - MT. DORA, FL 32757
(352)385-1940 / FAX (352)383-4824
Proj.: 1579-2 File: 1579-2.05-11-2018.dwg

Conceptual Development Plan

Wise Property Development

Clermont, Florida



May 11, 2018
GRAPHIC SCALE

BOUNDARY SURVEY

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:

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"

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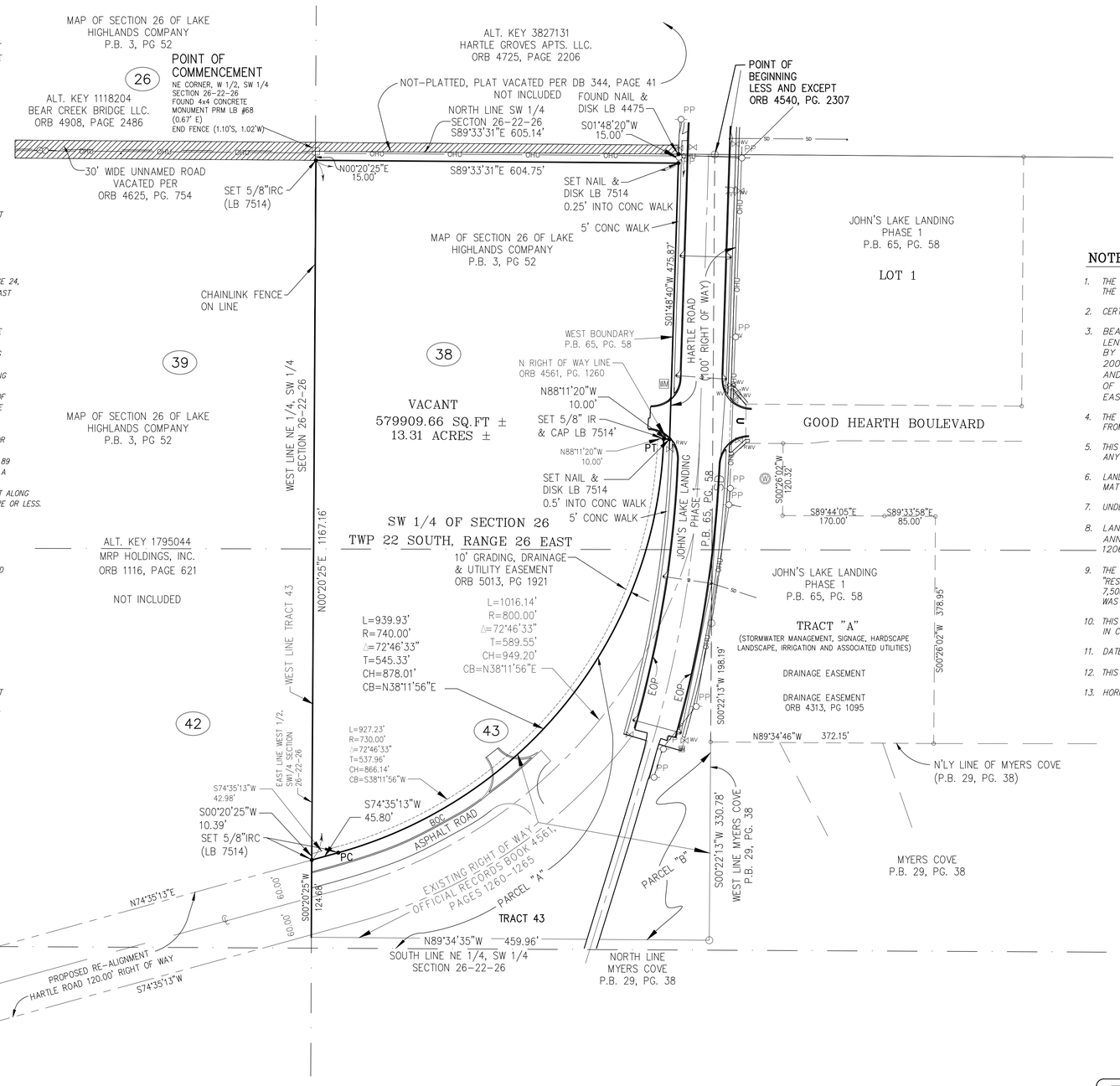

GRAPHIC SCALE

(IN FEET)
1 inch = 100 ft.

NOTES:

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.
2. CERTIFICATION IS LIMITED TO PARTIES NAMED HEREON.
3. 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 WANTMAN GROUP, INCORPORATED, AND IS BASED ON NORTH AMERICAN DATUM OF 1983, 2007 ADJUSTMENT (SPCS'83-2007) THIS SURVEY WAS CHECKED TO LAKE COUNTY GEODETIC 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.
4. THE LEGAL DESCRIPTION WAS SUPPLIED BY THE CLIENT AND COPIES OF THE ORIGINAL DEEDS WERE OBTAINED FROM THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.
5. 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.
6. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS, RIGHTS OF WAY, OWNERSHIP OR OTHER MATTERS OF RECORD BY THIS FIRM.
7. UNDERGROUND IMPROVEMENTS SUCH AS UTILITIES, FOUNDATIONS, ETC. WERE NOT LOCATED.
8. 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.
9. 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 IN 7,500 FEET. THE ACCURACY OBTAINED BY MEASUREMENT AND CALCULATION OF A CLOSED GEOMETRIC FIGURE WAS FOUND TO EXCEED THIS REQUIREMENT.
10. THIS SURVEY MEETS ALL APPLICABLE REQUIREMENTS OF THE FLORIDA STANDARDS OF PRACTICE AS CONTAINED IN CHAPTER 5J-17.052 OF THE FLORIDA ADMINISTRATIVE CODES.
11. DATE OF FIELD WORK IS REFLECTED IN TITLE BLOCK, NOT THE DATE OF SIGNATURE.
12. THIS MAP IS INTENDED TO BE DISPLAYED AT A SCALE OF 1/100 OR SMALLER.
13. HORIZONTAL DATUM SHOWN HEREON IS IN U.S. FEET.

LEGEND

WM	WATER METER
CO	CLEAN OUT
WV	WATER VALVE
GM	GAS METER
	POWER POLE
FP	FLAG POLE
	FIRE HYDRANT
	SIGN
	SET 5/8" IRON ROD AND CAP (LB 7514) OR AS NOTED
	SET NAIL AND DISC (LB 7514) OR AS NOTED
	FOUND CONCRETE MONUMENT (AS NOTED)
TJB	TELEPHONE JUNCTION BOX
	LIGHT POLE
	GUY WIRE
OHU	OVERHEAD UTILITY LINE
SAN	SANITARY SEWER LINE
X	FENCE LINE
(M)	MEASURED
(D)	DESCRIBED
(P)	PLAT
(M)	CALCULATED
℄	CENTERLINE
(FDOT)	FLORIDA DEPARTMENT OF TRANSPORTATION
CATV	CATEGORY 5 CABLE JUNCTION
EJB	ELECTRICAL JUNCTION BOX
	BOLLARD
D	STORM MANHOLE
S	SEWER MANHOLE
W	WELL
GV	GAS VALVE
SV	SEWER VALVE
FV	FIRE VALVE
	SPRINKLER
MW	MONITORING WELL

POC	POINT OF COMMENCEMENT
POB	POINT OF BEGINNING
ID	IDENTIFICATION
LB	LICENSED BUSINESS
RLS	REGISTERED LAND SURVEYOR
PSM	PROFESSIONAL SURVEYOR AND MAPPER
EOP	EDGE OF PAVEMENT
BOC	BACK OF CURB
IR	IRON ROD
CONC	CONCRETE
AC	AIR CONDITIONER PAD
BFP	BACKFLOW PREVENTER
IRC	IRON ROD & CAP
SAN	SANITARY LINE
CLF	CHAIN LINK FENCE
ICV	IRRIGATION CONTROL VALVE
FOC	FIBER OPTIC CABLE
EJB	ELECTRIC JUNCTION BOX
INV	INVERT
N&D	NAIL & DISK
FFE	FINISHED FLOOR ELEVATION
PC	POINT OF CURVATURE
PT	POINT OF TANGENCY
PRC	POINT OF REVERSE CURVE
ORB	OFFICIAL RECORDS BOOK
PG	PAGE
RR	RAILROAD
SEC	SECTION
DB	DEED BOOK
SQ.FT.	SQUARE FEET
SB2	SCHEDULE B 2 ITEM

UTILITIES

PVC POLYVINYL CHLORIDE
CMP CORRUGATED METAL PIPE
RCP REINFORCED CONCRETE PIPE

CERTIFIED TO:

DANIEL Z. WISE, TRUSTEE

DATE:

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

SHEET 1 OF 1

CLIENT	Daniel Z. Wise, Trustee
JOB NO.	JOB # 171094.0000-001
ACAD FILE	2017-ACAD-171094.0000 Boundary.dwg
DATE	10/17/2017 CHECKED BY: JMS
DRAWN BY:	Scott Dixon FLD. BOOK:MISC 6
REVISIONS	DATE

BOUNDARY SURVEY

26 — 22S — 26E

LAKE COUNTY, FLORIDA.

HARTLE ROAD BOUNDARY SURVEY
Daniel Z. Wise, Trustee

BESH
BOOTH ERN STRAUGHAN HOTT
902 North Sinclair Ave. Office: 352.343.8481
Tavares, Florida 32778 Fax: 352.343.8489
www.besandh.com
ENGINEERS SURVEYORS PLANNERS
LICENSED BUSINESS 7514

CLERMONT
Choice of Champions

CITY OF CLERMONT
COMPREHENSIVE PLAN AMENDMENT
Application

DATE: May 14, 2018 FEE: _____

Project Name (if applicable): _____

Applicant: LPG Urban & Regional Planners, Inc.

Contact Person: Greg Beliveau

Address: 1162 Camp Ave.

City: Mount Dora State: Florida Zip: 32757

Phone: 352-385-1940 Fax: 352-383-4824

E-Mail: Gregb@lpgurp.com

OWNER: Daniel Z. Wise, Trustee

Address: 1301 Raintree Place

City: Winter Park State: Florida Zip: 32789

Phone: 407-385-5380 Fax: _____

E-Mail: daniel@danielwisearchitect.com

General Location: Hartle Road

Legal Description (include copy of survey): See Attached

Property size (in acres or square feet): 13.31 acres, 579,909 SF

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

Existing (Actual) Land Use: Undeveloped

Existing Zoning: County Agriculture

Existing Future Land Use: County Urban Low

Proposed Future Land Use: Commercial

Type of development proposed: Mixed Use - Commercial and multi-family

Proposed density (dwelling units/acre) or intensity: .80 ISR

Proposed Zoning District: Planned Development

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

Property is being annexed and requires a land use designation within the City of Clermont. The site is located within an area of mixed uses ithat include, residential, commercial and industrial. The proposed land use would be a transistion between industrial and residential.

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

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

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

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

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

CLERMONT
Choice of Champions

APPLICANT'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE:

Before me, the undersigned authority personally appeared

Greg Beliveau, who being

by me first duly sworn on oath, deposes and says:

1. That he (she) affirms and certifies that he (she) understands and will comply with all ordinances, regulations and policies of Lake County, Florida, and that all statements and diagrams submitted herewith are true and accurate to the best of his (her) knowledge and belief, and further, that this application and attachments shall become part of the official records of the City of Clermont, Florida, and are not returnable.

2. That he (she) desires a Future Land Use Amendment from Urban Low to Commercial for the property legally described on the attachment of this application.

3. That the submittal requirements for the application have been completed and attached hereto as part of the application.

Greg Beliveau
Affiant - Applicant Name (print)

X
Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

or personally known by me this 26 day of November, 2018.

X
Notary Public, State of Florida at Large

Sherie D. Lindh
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG058426
Expires 1/23/2021

FLORIDA NOTARY ASSOCIATION SINCE 1976

My Commission Expires: 1/23/2021

CLERMONT
Choice of Champions

OWNER'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE:

Before me, the undersigned authority personally appeared

Daniel Z. Wise, who being

by me first duly sworn on oath, deposes and says:

1. That he (she) is the fee-simple owner of the property legally described on the attachment of this application.

2. That he (she) desires a Future Land Use Amendment from Urban Low to Commercial for the property legally described on the attachment of this application.

3. That the owner of said property has appointed Greg Beliveau to act as agent on his (her) behalf to accomplish the above. The owner is required to complete the APPLICANT'S AFFIDAVIT of this application if no agent is appointed to act in his (her) stead.

Daniel Z Wise
Affiant - Applicant Name (print)

X
Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

or personally known by me this 17 day of October, 2018.

X
Notary Public, State of Florida at Large

ALEX KIRKPATRICK
MY COMMISSION EXPIRES 01-24-2022
NOTARY PUBLIC
COMM. # GG 178368
STATE OF FLORIDA

My Commission Expires: 1/24/22

CLERMONT
Choice of Champions

CHECK LIST & FILING INSTRUCTIONS

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

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

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

PROCEDURES:

1. The proposed use of the property must be assessed to determine if there will be an increase in demand on the water or wastewater systems prior to submittal of the application. Any increase in demand on the water or wastewater systems will be subject to impact fees.

2. Any person requesting an Annexation shall file a complete application in the Development Services Department on or before the 1st day of the Month. Complete applications will then be scheduled for Public Hearing on the 4th Tuesday of the following month for the City Council meeting. All applications must be complete, to include applicable site plans and/or other pertinent descriptive materials in order to be processed. A pre-application meeting may be required prior to submission of an application. Dependent upon the scope and/or magnitude of a particular project, scheduling of one or more City Council Workshop(s) may also be necessary and additional time may be required prior to being scheduled for public hearing.

3. Upon receipt of a complete application, the Development Services Department shall proceed with the request for a public hearing in accordance with the following:

   A: The owners of all property lying within one hundred fifty (150) feet of the property requested to be annexed shall be notified by mail.

   B. A legal advertisement of the request shall be advertised in a local newspaper prior to the meeting date.

4. Failure to provide an accurate and complete application will result in automatic rejection and return of the application and delay of the hearing date.

CLERMONT
Choice of Champions

APPLICATION & PETITION

DATE: May 14, 2018

FEE: $155.00
+ cost of advertising

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

PROJECT NAME (if applicable): _____

APPLICANT: Greg Beliveau, LPG Urban & Regional Planners, Inc.

Address: 1162 Camp Avenue

City: Mount Dora State: Florida Zip: 32757

Phone: 352-385-1940 Fax: 352-383-4824

Applicant is: Owner: ___ Agent: X Purchaser: ___ Lessee: ___ Optionee: ___

OWNER: Daniel Z. Wise, Trustee

Address: 1301 Raintree Place

City: Winter Park State: Florida Zip: 32789

Phone: 407-385-5380 Fax: _____

AGENT NAME (Affidavit required): Same as Applicant

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____

E-Mail: Gregb@lpgurp.com

Property address and/or general location: Hartle Road

Area of property: 13.31 +/- acres, and/or 579,909 +/- sq. ft.

The property is PRESENTLY used for: Vacant

The property is PROPOSED to be used for: Mixed Use - Multi-family and commercial

Existing Lake County Land Use* : Urban Low

Existing Lake County Zoning* : Agriculture

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

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

State the reason or basis for this request: City servicess

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

Section 26, Township 22, Range 26

See Attached

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

CLERMONT
Choice of Champions

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

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

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

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

IN WITNESS WHEREOF, we, the undersigned landowners, as petitioners, have hereunto set our hands and seals as of the 17th day of October, 2018.

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

Landowner (Petitioner)

10/17/18
Date

Notary Public

1/24/18
My Commission Expires

ALEX KIRKPATRICK
MY COMMISSION EXPIRES 01-24-2022
NOTARY PUBLIC
COMM. # GG 178308
STATE OF FLORIDA

CLERMONT
Choice of Champions

OWNER / AGENT AFFIDAVIT (ANNEXATION)

Date: 10/17/18

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

1. That said authority is the fee-simple owner of the property legally described in this application.

2. That said authority desires an ANNEXATION to allow:
Mixed use development of multi-family and commercial

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

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

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

X _____ Owner (signature)

X _____ Agent's (signature)

Sworn to and subscribed before me this 17th day of October, 2018.

Notary Public, State of FL
My commission expires:

ALEX KIRKPATRICK
MY COMMISSION EXPIRES 01-24-2022
NOTARY PUBLIC
COMM. # GG 178365
STATE OF FLORIDA

Sworn to and subscribed before me this 26 day of November 2018.

Sherie D. Lindh
Notary Public, State of FL
My commission expires: 1/23/2021

Sherie D. Lindh
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG058426
Expires 1/23/2021
FLORIDA NOTARY ASSOCIATION SINCE 1918

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

CLERMONT
Choice of Champions

CITY OF CLERMONT
REZONING
APPLICATION

DATE: May 14, 2018

FEE: $542.00
+ cost of advertisement

PROJECT NAME (if applicable): Wise Property

APPLICANT: LPG Urban & Regional Planners, Inc.

CONTACT PERSON: Greg Beliveau

Address: 1162 Camp Ave.

City: Mount Dora State: Florida Zip: 32757

Phone: 352-385-1940 Fax: 352-383-4824

E-Mail: Gregb@lpgurp.com

OWNER: Daniel Z. Wise, Trustee

Address: 1301 Raintree Place

City: Winter Park State: Florida Zip: 32789

Phone: 407-385-5380 Fax: N/A

Address of Subject Property: Hartle Road

Legal Description (include copy of survey): See Attached

Acreage: 13.31 Acres Land Use: County Urban Low
(City verification required)

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

CLERMONT
Choice of Champions

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?

Owner has submitted applications for annexation, rezoning and comp plan amendment.
In order to be in compliance with land development regulations, a rezoning is required. The property is vacant and it is
Proposed to develop it as a mixed use project with multi-family and commercial.

Greg Beliveau
Applicant Name (print)

X
Applicant Name (signature)

Daniel Z. Wise
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

Daily Commercial

Advertising Receipt

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

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

Account Number: 7101866
Order Number: 10086060
Phone: (352) 241-7331
Date: 03/18/19
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	03/26/2019	05/14/2019	**$813.00**

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. 2019-16

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

LOCATION:

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

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:

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 FOLLOWLNG FOUR (4) COURSES: SOUTH 01'48'40' WEST FOR 475.87 FEET TO THE POINT OF 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 FOLLOWJNG 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

Payment Info	
Ad Price	**$813.00**
Tax	**$0.00**
Sub Total	**$813.00**
Prepaid Amount	**$0.00**
Balance Due	**$813.00**

TRIAL MODE − a valid license will remove this message. See the keywords property of this PDF for more information.

Daily Commercial

Advertising Receipt

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

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

Account Number: 7101866
Order Number: 10086060
Phone: (352) 241-7331
Date: 03/18/19
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	03/26/2019	05/14/2019	**$813.00**

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 0616'21" FOR 218.95 FEET; THENCE SOUTII 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 SOUTI-1 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 FOLLOWING SEVEN (7) COURSES: NORTH 17'16'39" EAST FOR 178.58 FEET; THENCE NORTI-1 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 NOR1H 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

From: UE Urban Estate
To: PUD Planned Unit Development

This request will be considered by the Planning & Zoning Commission on Tuesday, April 2, 2019 at 6:30 p.m.
A public meeting to consider the request will be held before the City Council on Tuesday, May 28, 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.

Tracy Ackroyd Howe, MMC
City Clerk

Ad No: 10086060
March 26, 2019 &
May 14, 2019

Payment Info	
Ad Price	**$813.00**
Tax	**$0.00**
Sub Total	**$813.00**
Prepaid Amount	**$0.00**
Balance Due	**$813.00**

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CITY OF CLERMONT

AGENDA ITEM

Meeting Date
Tuesday, August 13, 2019
Agenda Item Name
Variance Request *1230 Ryan Street*
Requested Action
Recommend denial of variance request
Staff Report

The applicant, Wood Properties Inc, is requesting a variance to the Land Development Code, Section 122-342 Accessory Structures Special Setbacks for property located at 1230 Ryan Street. The code requires any detached garage or storage building be located behind the front building line and must meet the setbacks for all other structures. The property zoning is R-2 Medium Density Residential which requires a 25-foot front yard setback.

The applicant is requesting a variance to allow a detached 550 square foot metal storage/garage be located in the 25 feet front yard setback. The proposed metal building will be 12 foot in height. The code requires any accessory building over 150 square feet and greater than 9 feet in height be located behind the front building line of 25 foot. The metal storage building will be 5 foot from the front yard property line. The side yard setback is 7.5 foot. The building will provide a 20-foot encroachment into the front yard setback. The applicant has indicated the detached metal building will be used for car storage. The visual aspect of the metal building is not in character with other storage structures. The metal building located in the front yard setback may be considered as not aesthetically pleasing and out of character with the surrounding properties. The accessory structure as submitted will provide a (two) 2 foot separation from the existing single family home and does not meet the separation requirements of the Florida Building codes.

Section 86-174 of the Land Development Code requires a positive finding on the review criteria in order to grant a variance. Staff has reviewed the application as submitted and finds the application does not meet a positive finding on five of the five criteria. Therefore, staff recommends denial of the requested variance.

Additional Analysis	

Fiscal Impact Summary		
Fiscal Impact	**Fund Number and Description**	**Available Budget Amount**

Exhibits Attached (copies of original agreements)	
1. New 86-174 Review Criteria-1230 Ryan Street	New 86-174 Review Criteria-1230 Ryan Street.pdf
2. LOCATION MAP	LOCATION MAP.pdf
3. Site Plan	survey.pdf
4. Shed Picture	Shed Picture.pdf
5. Application	Application.pdf
6. 1230 Ryan St Legal AD	1230 RYAN ST VARIANCE.pdf

1230 Ryan Street - Variance

The requirements for a variance are as follows:

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

FINDINGS:

(1) Granting the variance will not cause or allow interference with the reasonable enjoyment of adjacent or nearby property owners of negatively impact the standard of living of the citizens of the city;
Applicant response: The proposed building will be placed in front of house and will not interfere with adjacent neighbors.

Staff comments: The variance request is to allow a detached metal accessory structure be located in the front yard setback. The Land Development Code, Section 122-342 Special setbacks require any garage or storage building be located behind the front building line and must meet the setbacks of the R-2 zoning District. The proposed structure is a detached metal building that is not consistent with the existing development pattern of the neighborhood. The detached structure is out of charter with other buildings and will be encroaching into the required 25-foot front yard setback and will be 5 foot from the property line.
Negative finding

(2) The variance will allow reasonable use of the property; which use is not out of character with other properties in the same zoning category;
Applicant response: Most other properties have attached garages for vehicle storage.

Staff comments: The variance request is not the minimum variance allowed to allow reasonable enjoyment of the property, the applicant could construct an attached garage with a smaller foot-print that may not require a 20-foot variance to the Land Development Code. The attached garage would be part of the existing home and constructed with similar design and character of the neighborhood. The proposed metal garage is out of charter with other properties located in the area.
Negative finding

(3) In the context presented, strict compliance with the land development regulation will not further any legitimate city objective, or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under this criteria if the variance was denied;
Applicant response: The homeowner stores antique vehicles in a facility with monthly fees. Due to property not having a garage. If denied may force owner to sell property.

Staff comments: The requested variance to the land development code is not a reasonable use for the existing neighborhood character and intent of the Land Development Code, Section 122-342 Special Setbacks for accessory structures.
Negative finding

(4) The granting of the variance is consistent with the city's comprehensive plan;
Applicant response: Would benefit property owner by allowing a place to store vehicles without monthly fees.

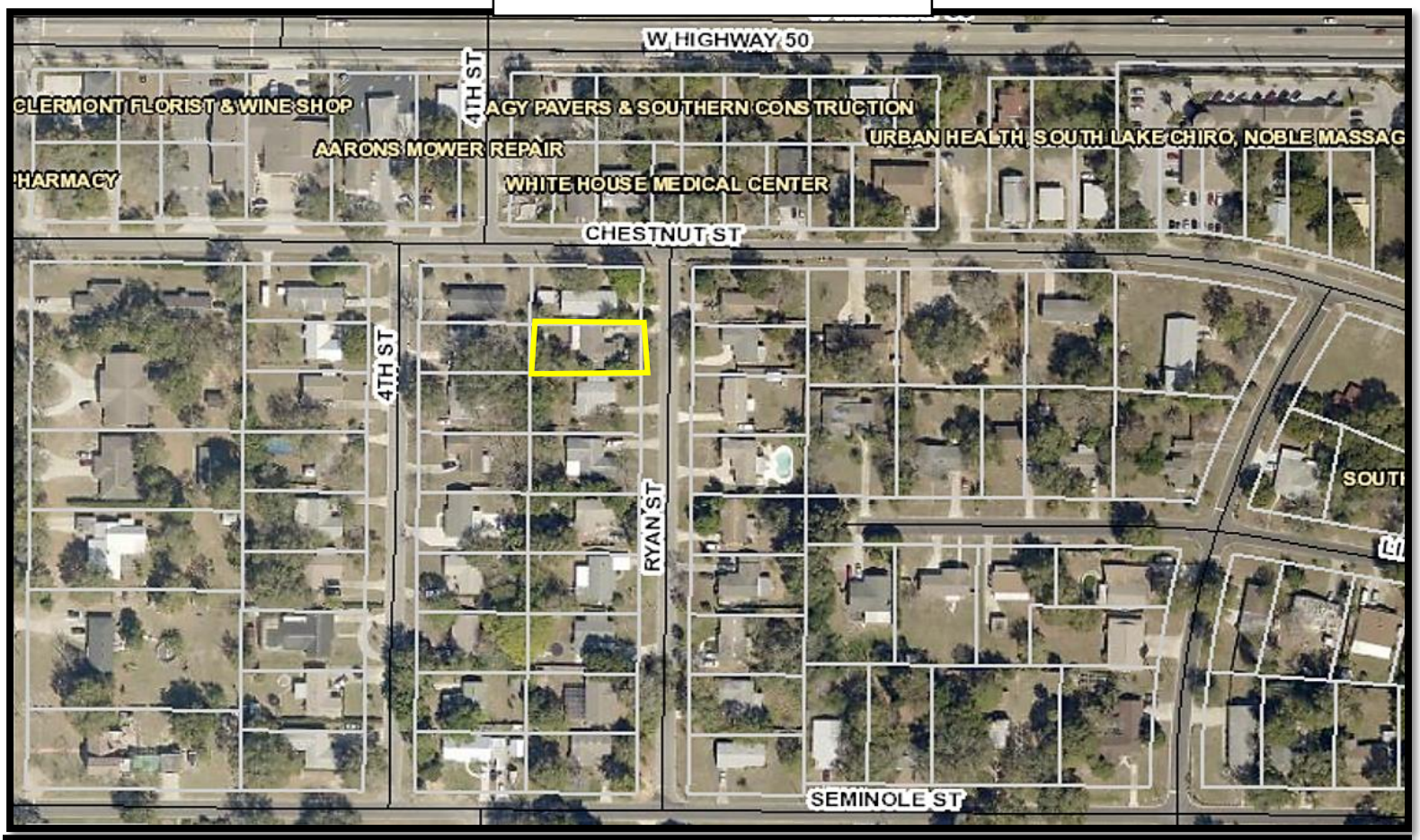
Staff comments: The variance request is not consistent with the comprehensive plan goals, objectives and policies for single family residential.
Negative finding

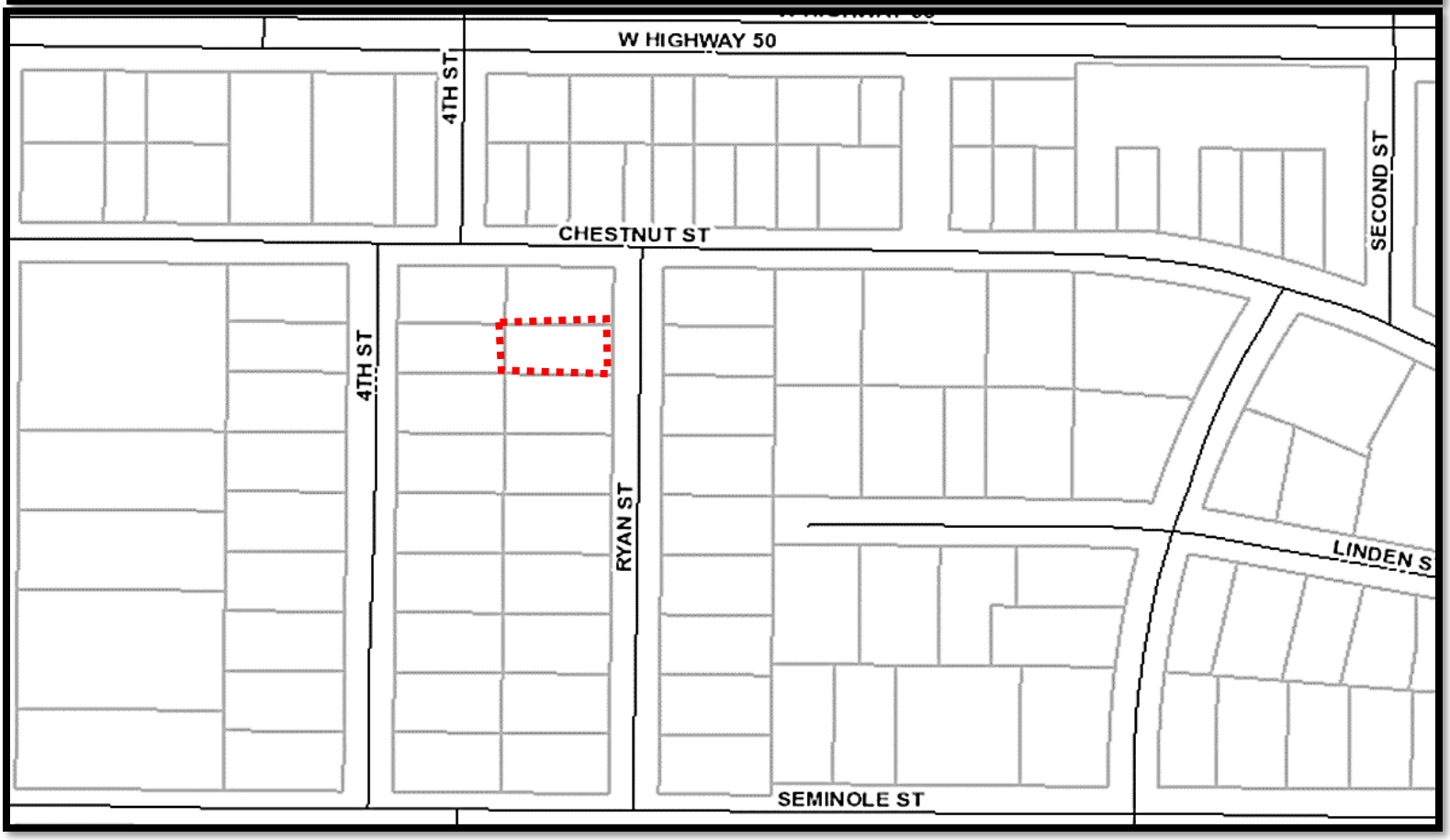
(5) The variance requested is the minimum variance that will make reasonable use of the land, building, or structure of the benefits that would be achieved under the other variance criteria by granting of the variance outweigh the benefits under this criteria if the variance was denied;
Applicant response: Would greatly improve homeowners use of the property otherwise if denied may be forced to sale property due to finances.

Staff comments: The requested variance is not the minimum to allow reasonable use of the land. The proposed detached 450 square foot metal accessory building encroaching into the front yard setback 20 foot is out of character with the other properties in the neighborhood and the intent of an accessory structure for storage.
Negative finding

STAFF RECOMMENDATION: Section 86-174 of the Land Development Code requires a positive finding on the Review Criteria and Findings in order to grant a variance, staff has reviewed the application as presented and finds the application does not meet a positive finding. Therefore, staff recommends **denial** of the variance request to the Land Development Code.

LOCATION MAP





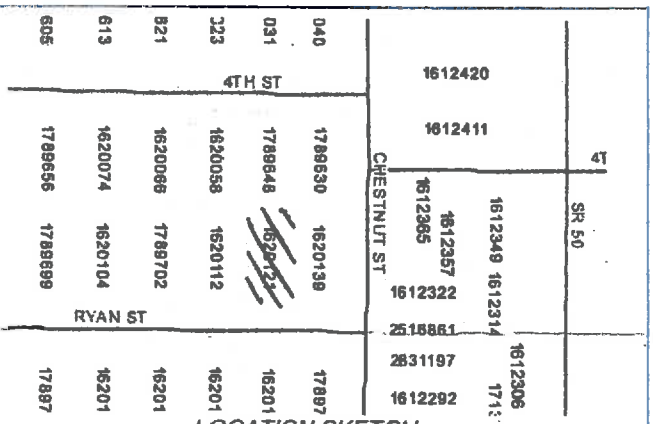
SWERDLOFF & PERRY SURVEYING, INC.
370 Waymont Court • Lake Mary, FL 32746 • Voice 407.688.7631 • Fax 407.688.7691

Legal Description

*The North 1/2 of Lot 37, South 36.5 of Lot 38, **MAP OF HIGHLAND-ESTATES**, according to the plat thereof, as recorded in Plat Book 6, Page(s) 107, of the Public Records of Lake County, FL.*

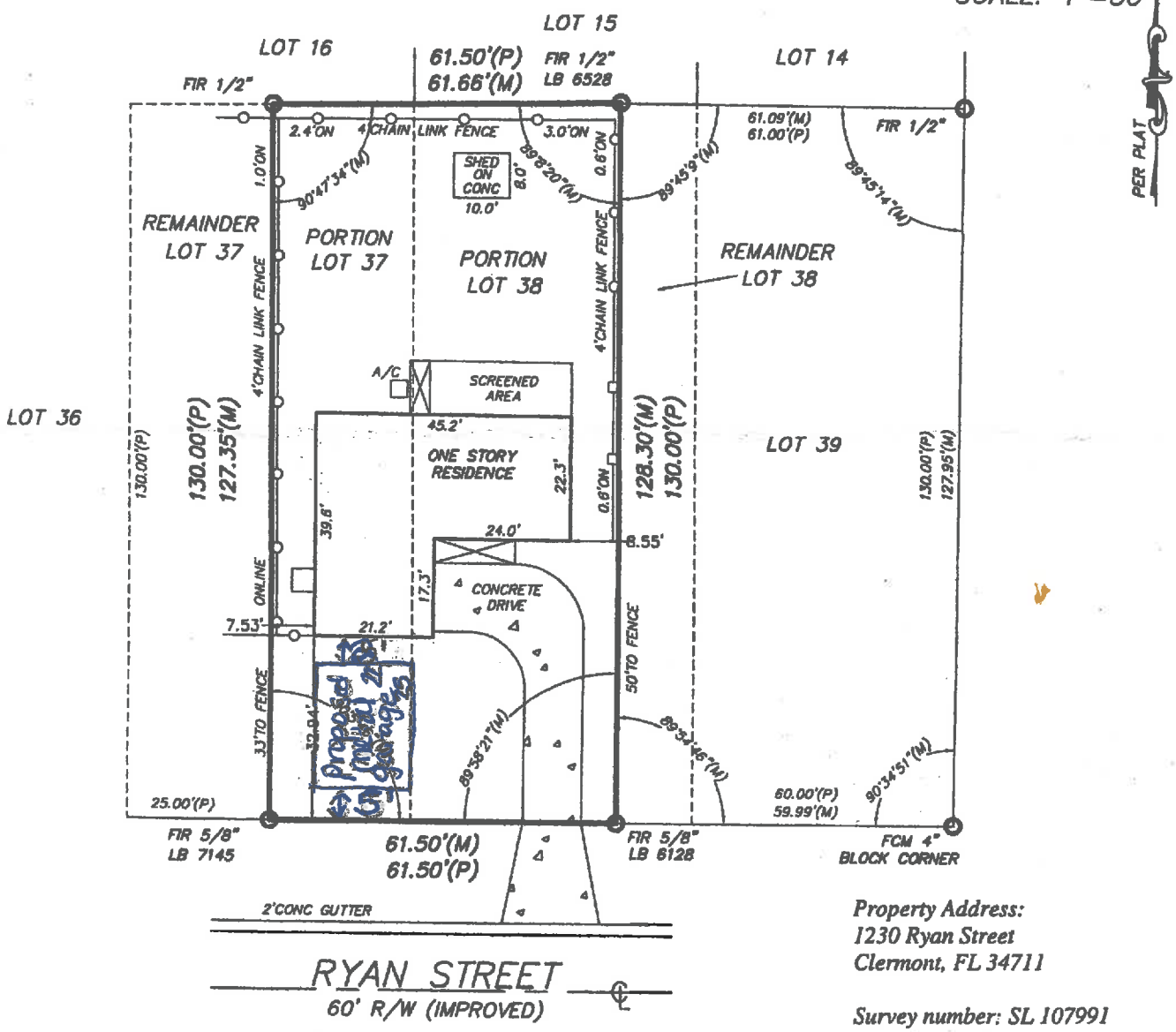
***Community number:** 120133 **Panel:** 0545*
***Suffix:** D **F.I.R.M. Date:** 7/3/2002 **Flood Zone:** D*
***Date of field work:** 1/22/2010 **Completion Date:** 1/22/2010*

Certified to:
Joseph Campano; Thelma Campano; Kahane & Associates, P.A.; Fidelity National Title Insurance Company; America Home Key, Inc., its' successors and/or assigns, as their interests may appear.



LOCATION SKETCH
Not to Scale

SCALE: 1"=30'



Property Address:
1230 Ryan Street
Clermont, FL 34711

Survey number: SL 107991

1230 Ryan Street Metal Shed

Shed4less

VAR 1906-0001

7/23/19

received 5/30/1986

CLERMONT
Choice of Champions

CITY OF CLERMONT
VARIANCE
Application

DATE: 5/7/19 FEE: $300.00

PROJECT NAME (if applicable): 1230 Ryan St.

APPLICANT: Brittenie Sapp / Wood Properties INC.

CONTACT PERSON: Brittenie Sapp

Address: 10160 Poyner Rd ~~Polk city~~

City: Polk city State: Fl Zip: 33868

Phone: 863-397-3127 Fax:

E-Mail: Shed4LessBS@gmail.com

OWNER: Joesph Campano

Address: 605 Garden View Street

City: Davenport State: Fl Zip: 33897-5845

Phone: 407-340-9840 Fax:

Address of Subject Property: 1230 Ryan St. Clermont, 34711 Alt #1620121

General Location: Highland Estates

Legal Description (include copy of survey): Clermont, Highland Estates N 1/2 of Lot 37, S 36.5 ft of Lot 38 PB 6 PG 107 ORB 3869 PG 2113 ORB 4959 PG 49

Land Use (City verification required): Single family (0100)

Zoning (City verification required): _____

CITY OF CLERMONT
VARIANCE
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Answers to the following questions are required to complete this application.

City Zoning Ordinance (Land Development Code Section) from which you are requesting relief:
122-146

What are you proposing to do that would require a variance **and** why? Place a Metal building (22x25x9) in Front of house with concrete foundation to use for vechiles.

How does the Code create a hardship? Layout and placement of the house on the property do not allow rear access for vechiles, ~~or accessible~~ house does not have garage for storage.

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

Variance requested – subject and code section: 122-146 accessory Structure.

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

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

Proposed building will be placed in front of house and will not interfer with adjacent properties.

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

Most other properties have attached garages for vechile Storage. 1230 Ryan Street does not.

CITY OF CLERMONT

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Application

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

Home owner stores antique vechiles in a facility with monthly fees. Due to property not having a garage. If denied may force owner to sale property.

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

would benefit property owner by allowing a place to securely store vechiles without recurring monthly fees.

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

Would greatly improve home owners use of the property otherwise if denied may be forced to sale property due to finances.

CITY OF CLERMONT
VARIANCE
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Page 4

_____ X_____
Applicant Name (print) Applicant Name (*signature*)

_____ X_____
Owner Name (print) Owner Name (*signature*)

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

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

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

ARTICLE IV. VARIANCES

Sec. 86-171. Permitted variances; exclusions.

(a) *Hardship relief.* A hardship may exist in which the strict application of one or several requirements of this land development code would render a parcel incapable of reasonable use. Specified provisions set forth in this land development code or in the development standards may be waived when, because of the particular physical shape,

CLERMONT
Choice of Champions

CITY OF CLERMONT
VARIANCE
Application
Page 4

(8) The granting of the variance will be in harmony with the general intent and purpose of this land development code, and will not be injurious to the surrounding properties or detrimental to the public welfare.

_____

_____

_____

Brittene Sapp
Applicant Name (print)

X Brett Sapp
Applicant Name (*signature*)

Owner Name (print)
Joseph Campana

X
Owner Name (*signature*)

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

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

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

180

Daily Commercial

Advertising Receipt

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

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

Account Number: 7101866
Order Number: 10088950
Phone: (352) 241-7331
Date: 07/08/19
Ad Taker: liana.rickman

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
LEGAL NOTICE Notice is hereby given that the City Council of the City of Cle	07/16/2019	07/16/2019	**$101.63**

LEGAL NOTICE

Notice is hereby given that the City Council of the City of Clermont will consider a request for the following variance: (1) to allow a detached accessory structure be located in the front yard setback instead of requirements by the Land Development Code, Section 122-342 at the following location:

LOCATION
1230 Ryan Street
(Alternate Key 1620121)

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

This request will be heard by the City Council at a public hearing to be held on Tuesday, July 23, 2019 at 6:30 P.M. in the Clermont City Hall, Council Chambers 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. 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: 10088950
July 16, 2019

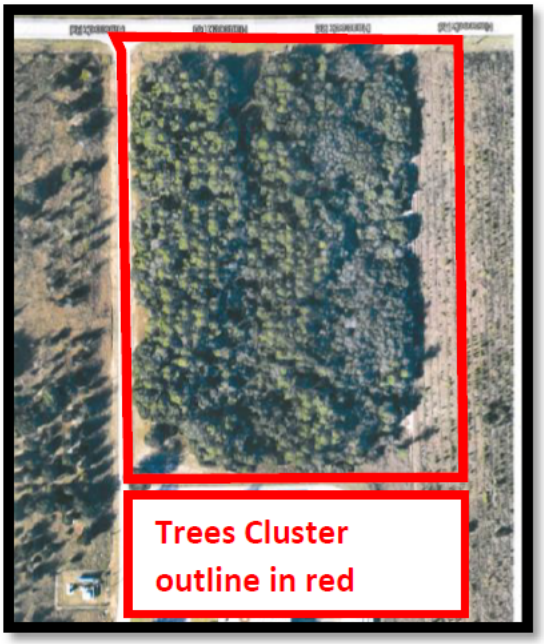
Payment Info	
Ad Price	$101.63
Tax	$0.00
Sub Total	$101.63
Prepaid Amount	$0.00
Balance Due	$101.63

CITY OF CLERMONT

AGENDA ITEM

Meeting Date
Tuesday, August 13, 2019
Agenda Item Name
Variance Request *Goodman Commerce Center*
Requested Action
Recommend denial of variance requests.
Staff Report

The applicant, McDonald Ventures, LLC, is requesting the following two variances to Section 118-113 of the Land Development Code (LDC): (1) To reduce the required tree mitigation replacement for tree removal and (2) To allow for 3-inch caliper replacement trees instead of the required 6-inch caliper trees per Code. The site is currently in development for a warehouse distribution center. The parcel is zoned M-1 Industrial and is approximately 9.408 +/- acres. The site was annexed into the City of Clermont on April 24, 2018 (Ordinance No. 2018-15) and a Conditional Use Permit was approved to allow 2 (two) warehouse/distribution buildings with over 20,000 square feet of floor space.



The applicant has indicated that considerable effort was placed on preserving and protecting as many trees as possible. The current design and development of the site has required the removal of some of the mature canopy trees. City Code Section 118-113 requires each tree removed must be replaced with a 3-inch or 6-inch caliper tree, depending on the size of the tree removed. The applicant is requesting a variance to allow 3-inch caliper trees for all tree replacements.

The applicant submitted a tree inventory report that indicated the total tree replacement required is 1941 inches. The applicant is able to provide a total of 342 inches of replacement trees on the site. When calculating the replacement

trees that cannot be replanted on site, the total is 1,599 inches of caliper trees. The total replacement mitigation cost of the trees is $168,860.00 which includes costs of the trees, transport and installation, and warranty for one year.

The applicant is seeking relief from this requirement, and is requesting a variance to allow a 90% fee reduction of the estimated total, or $16,886.00 tree replacement fee.

Section 86-174 of the Land Development Code requires a positive finding on the five review criteria and findings in order to grant a variance, staff finds the application as submitted does not meet the required criteria for a positive finding. Therefore, staff recommends **denial** of the requested variances.

Additional Analysis	

Fiscal Impact Summary		
Fiscal Impact	**Fund Number and Description**	**Available Budget Amount**

Exhibits Attached (copies of original agreements)	
1. New 86-174 Review Criteria-Goodman	New 86-174 Review Criteria-Goodman.pdf
2. LOCATION MAP	LOCATION MAP.pdf
3. Site Plan and Building Elevations	Site Plan and Building Elevations.pdf
4. Site Picture	Site Picture.pdf
5. Arborist Tree Report	Arborist Tree Report.pdf
6. Application	Application.pdf
7. Goodman CENTER VARIANCE Legal AD	Goodman CENTER VARIANCE Legal AD.pdf

Goodman Commerce Center – Tree Mitigation Variance

The requirements for a variance are as follows:

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

FINDINGS:

(1) Granting the variance will not cause or allow interference with the reasonable enjoyment of adjacent or nearby property owners of negatively impact the standard of living of the citizens of the city;
Applicant response: A reduction in payment for tree replacement does not interfere with the enjoyment of adjacent property owners because replacing the trees on the property is not possible and the tree fund money is used to mitigate in others areas in the City.

Staff comments: The variance request is to allow for 3-inch caliper replacement trees instead of 6-inch caliper trees as required and to allow a reduced tree mitigation fee instead of code requirements Section 118-113. The subject parcel has received site plan approval and currently being developed for a warehouse distribution center. The current zoning is M-1 Industrial. The variance request will not interfere with the reasonable enjoyment of adjacent property owners.
Positive finding

(2) The variance will allow reasonable use of the property; which use is not out of character with other properties in the same zoning category;
Applicant response: The property to the east is the Crothall laundry facility, to the south is Cube Smart and to the North, the City's new Public Works Facility.

Staff comments: The variance request is the minimum variance that will allow reasonable use of the property. The property is zoned M-1 Industrial and has received site plan approval. The applicant will be required to meet City Code and provide trees onsite for landscape buffers and provide appropriate screening. Other similar properties have been granted a fee reduction to allow site development. The applicant is requesting a 90% fee reduction, other properties have been required to pay more into the tree fund to ensure future planting of trees and beautification to other public amenities for the community.
Negative finding

(3) In the context presented, strict compliance with the land development regulation will not further any legitimate city objective, or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under this criteria if the variance was denied;
Applicant response: The development provides warehouse and distribution within the City's growing population. The reduction will provide jobs, revenue and taxes and money for the City's tree fund.

Staff comments: The requested variance to the land development code will not further any legitimate city objective, and will all development of a new warehouse and distribution center. Therefore, providing new development in this area.
Positive finding

(4) The granting of the variance is consistent with the city's comprehensive plan;
Applicant response: The proposed development provides warehouse and distribution. The tree removal is required for project to be viable.

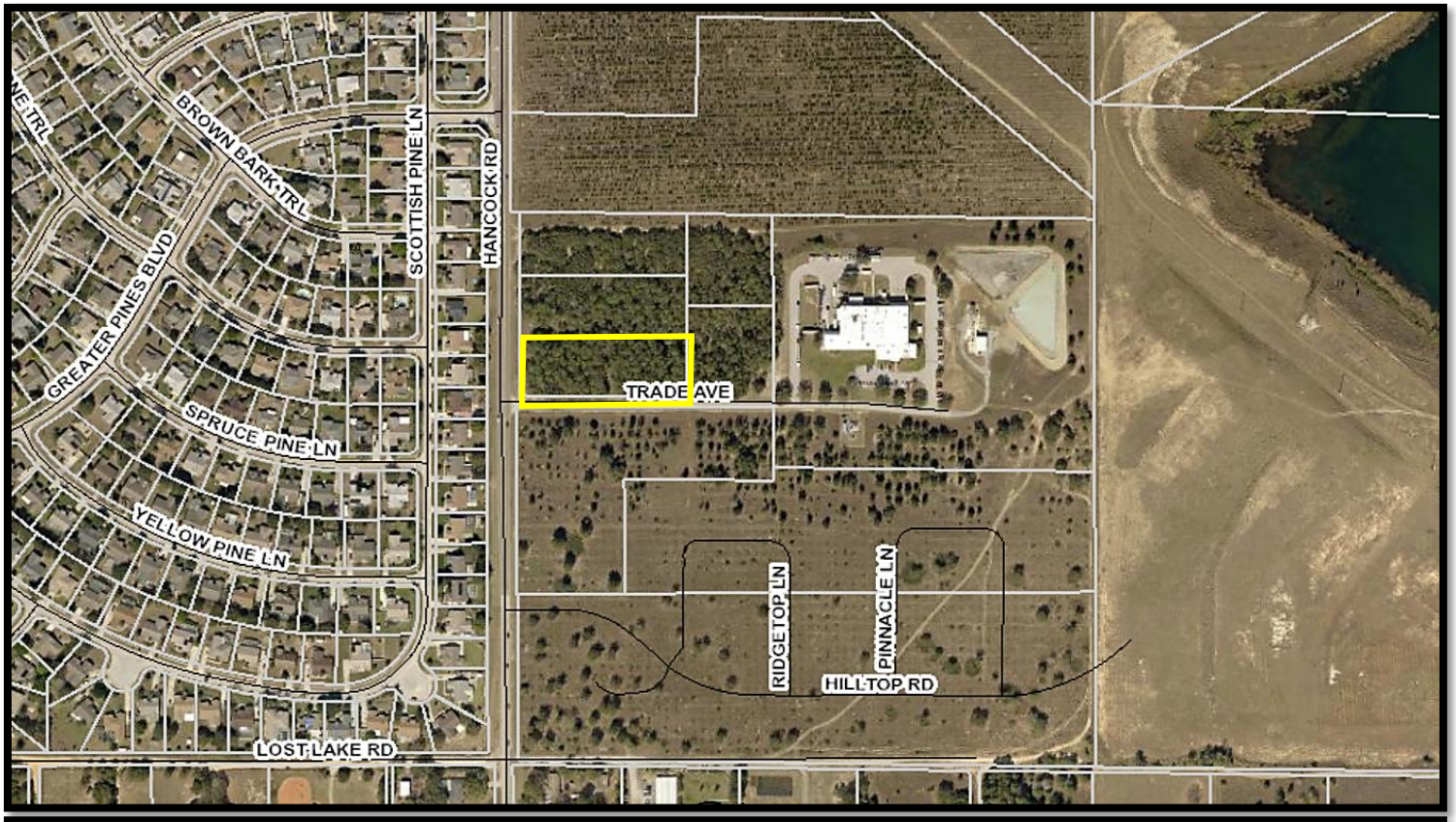
Staff comments: The variance request is consistent with the comprehensive plan goals, objectives and policies for the intent Industrial Land Use.
Positive finding

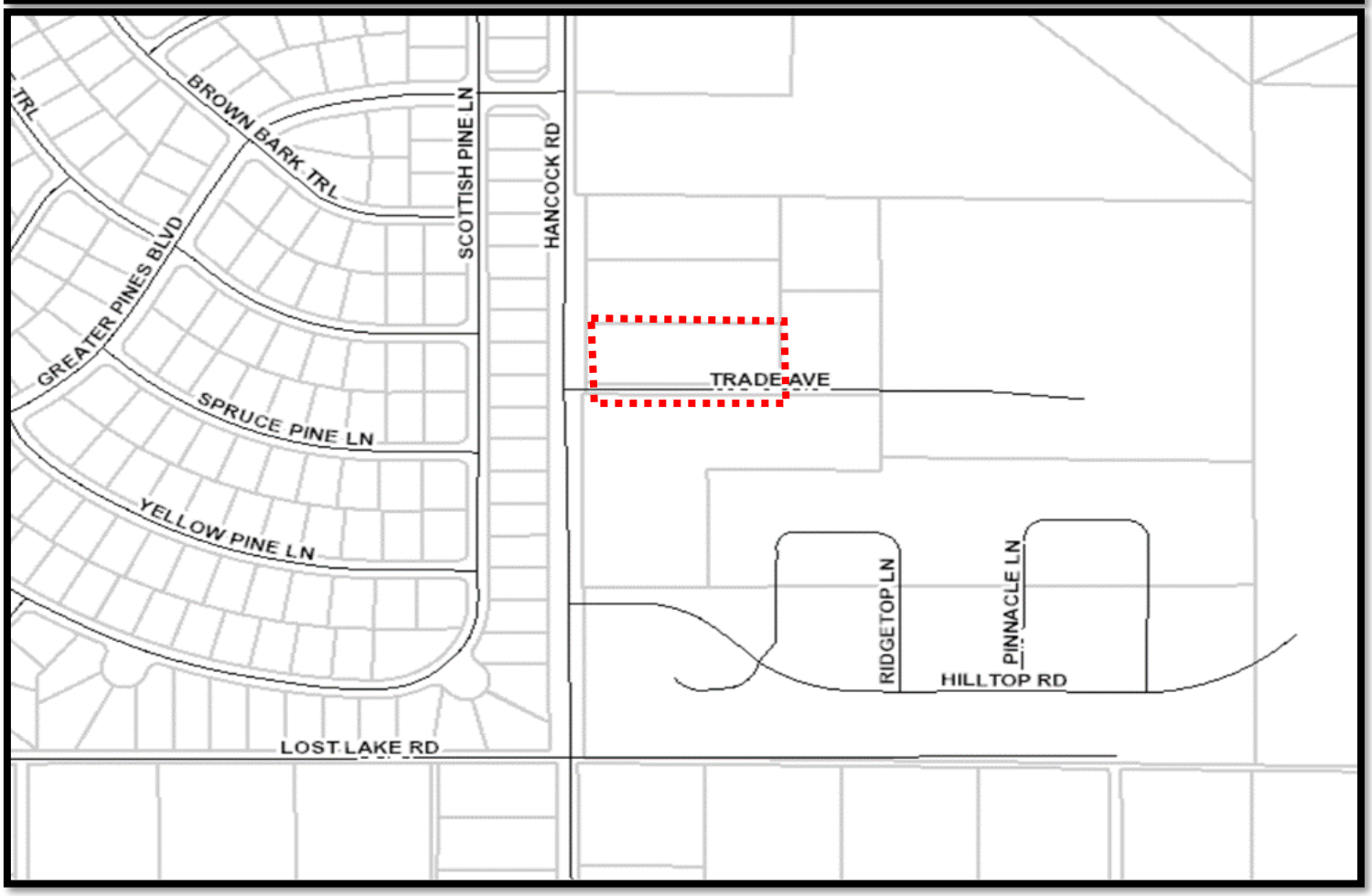
(5) The variance requested is the minimum variance that will make reasonable use of the land, building, or structure of the benefits that would be achieved under the other variance criteria by granting of the variance outweigh the benefits under this criteria if the variance was denied;
Applicant response: Development of this property without the fee reduction is not economically feasible. The developer is requesting to pay 10% of the tree replacement fee, which is consistent to other variances that have been granted for a tree reduction fee.

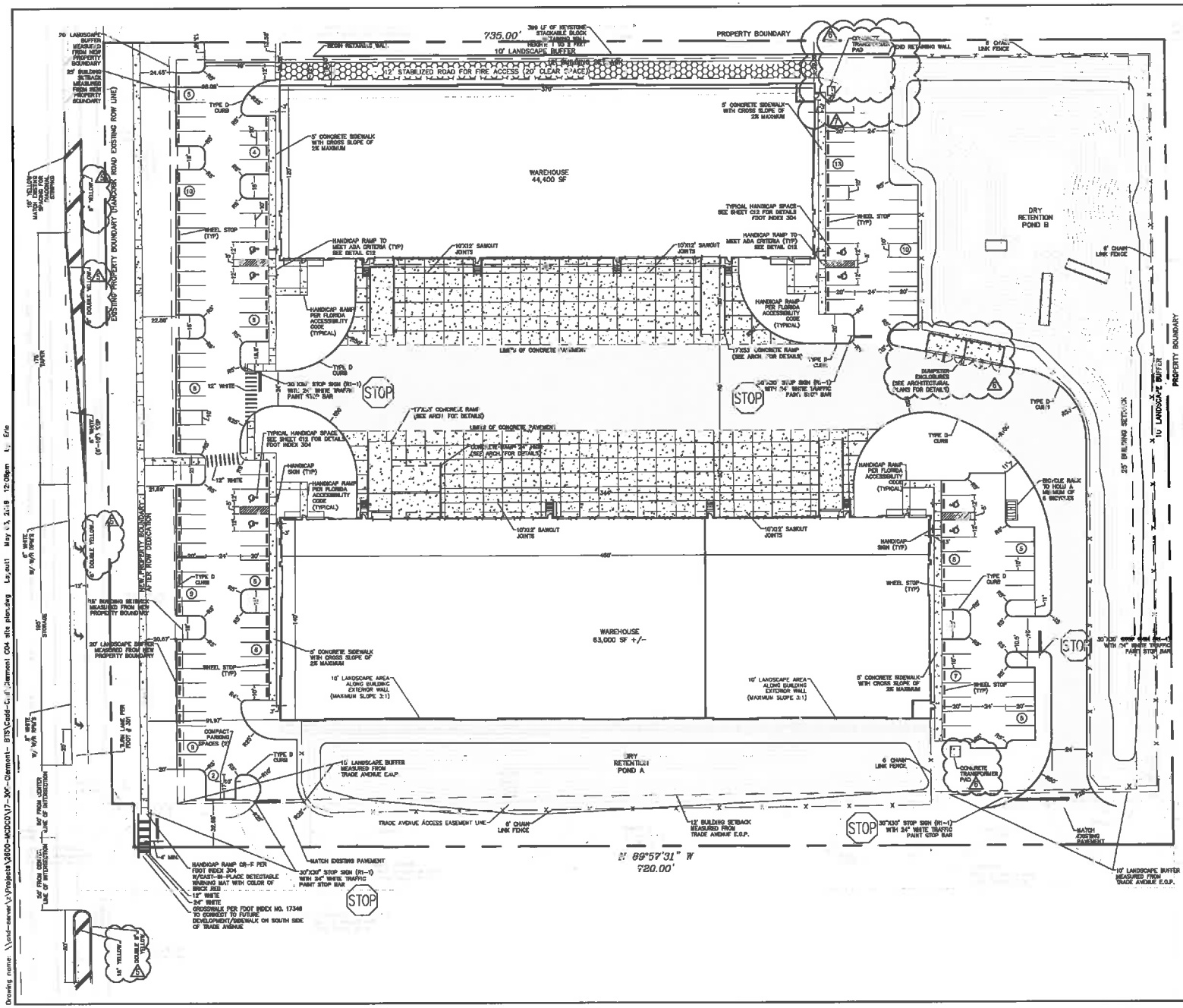
Staff comments: The requested variance is the minimum to allow reasonable use of the land. The tree reduction fee has been approved to allow reasonable use of the property and to allow development and growth opportunities in the City of Clermont. Although the property may have development constraints that require tree removal for site development. The proposed request does not create a hardship. The City of Clermont requires tree mitigation to ensure sufficient tree replacement for trees that are preserved and protected and to allow tree replacement mitigation to maintain beautification within the City of Clermont.
Negative finding

STAFF RECOMMENDATION: Section 86-174 of the Land Development Code requires a positive finding on the Review Criteria and Findings in order to grant a variance, staff has reviewed the application as presented and finds the application can only meet a positive finding on two of the five required review criteria. Therefore, staff recommends **denial** of the variance request to the Land Development Code.

LOCATION MAP







SITE DATA

PROJECT AREA:	408,828 SF / 9.40 ACRES
EXISTING ZONING:	M-1 INDUSTRIAL
FUTURE LAND USE:	INDUSTRIAL
EXISTING USE:	VACANT
PROPOSED USE:	WAREHOUSE/OFFICE
MAXIMUM IMPERVIOUS AREA:	60% / 327,862 SF / 7.53 ACRES
PROPOSED IMPERVIOUS AREA:	64% / 364,088 SF / 8.36 ACRES
TOTAL BUILDING AREA:	2.46 AC (107,400 SF)
TOTAL PAVEMENT/CONCRETE AREA:	3.89 AC (156,688 SF)
PROPOSED PERVIOUS AREA:	36% / 145,740 SF / 3.34 ACRES

BUILDING SETBACKS	REQUIRED
FRONT (WEST)*	25 FEET
REAR (EAST)	25 FEET
SIDE (NORTH)	12 FEET
SIDE (SOUTH)**	12 FEET
LANDSCAPE BUFFERS	
FRONT (WEST)*	20 FEET
REAR (EAST)	10 FEET
SIDE (NORTH)	10 FEET
SIDE (SOUTH)***	VARIES

*BUILDING SETBACK AND LANDSCAPE BUFFER MEASURED FROM NEW PROPERTY BOUNDARY AFTER ADDITIONAL 25 FEET OF HANCOCK ROAD ROW DEDICATION.

**BUILDING SETBACK MEASURED FROM TRADE AVENUE EDGE OF PAVEMENT.

***THE LANDSCAPE BUFFER WEST OF THE PROPOSED DRY RETENTION POND ALONG TRADE AVENUE AND THE LANDSCAPE BUFFER AREA EAST OF THE PROPOSED DRY RETENTION POND WERE MEASURED 10 FEET FROM THE TRADE AVENUE EDGE OF PAVEMENT. A LANDSCAPE AREA 10 FEET IN WIDTH WILL BE CONSTRUCTED ALONG THE SOUTH WALL OF THE SOUTH BUILDING IN LIEU OF A FORMAL LANDSCAPE BUFFER ALONG THE SOUTH PROPERTY BOUNDARY.

PARKING:

REQUIRED PARKING 1 SPACE PER 1,000 SQUARE FEET:
WAREHOUSE: 107,400 / 1,000 = 108 REQUIRED PARKING SPACES

PARKING PROVIDED:

STANDARD 90° PARKING:	108
COMPACT 90° PARKING:	2
HANDICAP SPACES:	8
TOTAL SPACES PROVIDED:	118 PARKING SPACES

BICYCLE PARKING:

REQUIRED BICYCLE PARKING – 5% OF VEHICULAR PARKING FOR THE FIRST 100 PARKING SPACES AND 2% OF VEHICULAR PARKING FOR PARKING SPACES OVER 100 SPACES.

NUMBER OF PROVIDED VEHICULAR PARKING SPACES – 118 SPACES
100 SPACES X 5% + 18 SPACES X 2 % = 8 BICYCLE SPACES REQUIRED
PROVIDED – 8 BICYCLE SPACES

AVERAGE DAILY AND PEAK TRIPS:
ITE TRIP GENERATION MANUAL 9TH EDITION FOR WAREHOUSING:
WEEKDAY DAILY TRAFFIC – 3.56 TRIPS/1000 SF = 382 AVERAGE DAILY TRIPS
AM PEAK RATE = 0.30 TRIPS/1000 SF = 32 TRIPS
PM PEAK RATE = 0.32 TRIPS/1000 SF = 34 TRIPS

DUMPSTER REQUIREMENT:
REQUIRED DUMPSTERS: 1 DUMPSTER PER 30,000 SF
107,400 SF / 30,000 SF = 3.58 DUMPSTERS
PROVIDED DUMPSTERS: 4 DUMPSTERS

No.	REVISIONS	DATE	BY
1	REVISED PER CITY COMMENTS	10/19/18	EPL
2	REVISED PER SJRWMD COMMENTS	11/06/18	EPL
3	REVISED PER CITY COMMENTS	12/11/18	EPL
4	REVISED PER CITY COMMENTS	1/17/19	EPL
5	REVISED PER LAKE COUNTY COMMENTS	2/19/19	EPL
6	SUPPLEMENTAL REVISION	3/25/19	EPL
7	SUPPLEMENTAL REVISION	4/25/19	EPL

LINN ENGINEERING & DESIGN INC.
P.O. BOX 140824
ORLANDO, FL 32814
PHONE: 407-896-4023
dlinn@linnengineering.com

DESIGN ENGINEER: CHAD C. LINN, P.E.
FLORIDA REGISTRATION NUMBER: 57524
SEAL

SCALE: AS NOTED
DESIGNED BY: EPL
DRAWN BY: EPL
CHECKED BY: EPL

SITE PLAN

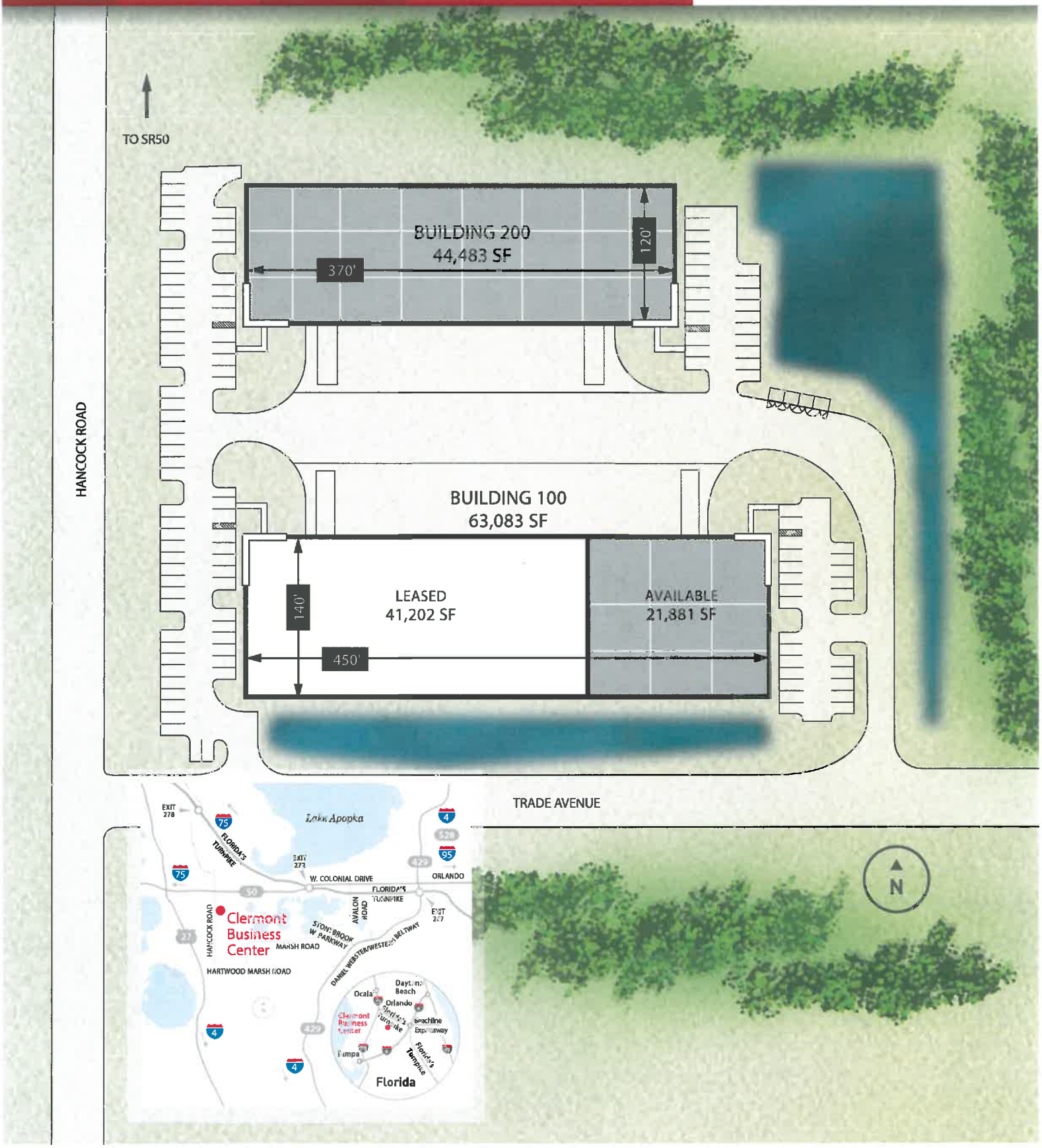
CLERMONT COMMERCE CENTER
HANCOCK ROAD
CLERMONT FLORIDA
LAKE COUNTY FLORIDA

DATE 8/21/2018
PROJECT NO. 2600-17-300
SHEET NUMBER C4

Drawing name: \\nd-server\z\Projects\2600-HCDC\17-300-Clermont- BTS\Cadd-Civil\Clermont C04 site plan.dwg Layout: May 03, 2019 12:08pm L. Erie

Clermont Business Center

McDONALD



Clermont Business Center

Hanckock Road at Trade Avenue
Clermont, Florida 34711

McDONALD

Hancock Rd
Hancock Rd
Hancock Rd
Hancock Rd
Crothall Laundry Services

Tree Mitigation Summary - Clermont Business Center

Calculation of # of Trees to be replaced	6" and above up to 17"	Equal to or above 18"	Total
Existing Average Trees	271 Trees	6 Trees	
Existing Above Average Trees	16 Trees	3 Trees	
Existing Average Trees Inches	2230 Inches	132 Inches	
Existing above Average Trees Inches	162 Inches	64 Inches	
Total Above Average & Average Inches	**2392**	**196**	
Remaining Average Existing Tree Inches	2392 Inches	196 Inches	
25% Thinning Credit	(-598 Inches)	(-49 Inches)	
Less Preserved on Site	0 Inches	0 Inches	
New 3" Caliper Trees Planted on Site	(-342 Inches)		
New 6" Caliper Trees Planted on Site		0 Inches	
Equals to be Removed	**1452 Inches**	**147 Inches**	
Replacement Trees Required (3" Caliper)			**484 Trees**
Replacement Trees Required (6" Caliper)			**25 Trees**

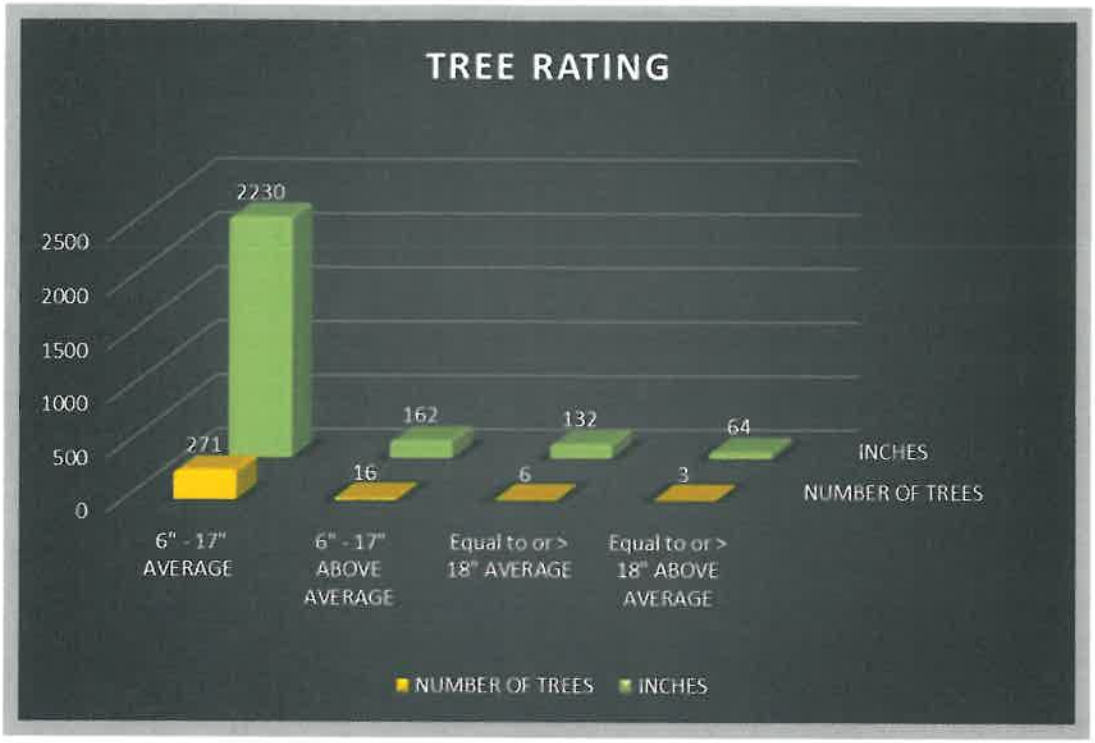
Replacement Detail

Tree Mitigation Fund Planted Offsite (6" Caliper)

70% Slash Pine @ $1,000/each	18 Trees	$18,000.00
30% Bald Cypress @ $1,200/each	7 Trees	$8,400.00

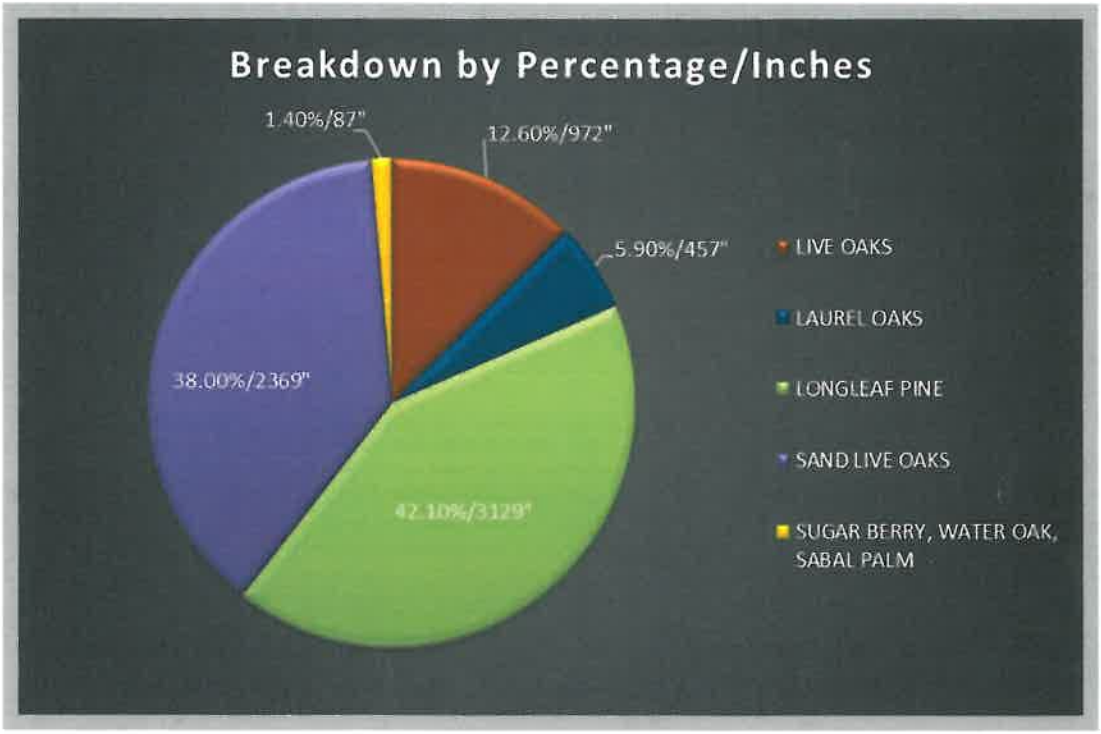
Tree Mitigation Fund Planted Offsite (3" Caliper)

70% Slash Pine @ $190/each	339 Trees	$64,410.00
30% Bald Cypress @ $210/each	145 Trees	$30,450.00
Total Offsite Cost		**$121,260.00**
Proposed Total Offsite Mitigation Cost		**$16,800.00**


TREE RATING
2230
2500
2000
1500
1000
500
0
271
162
16
132
6
64
3
INCHES
NUMBER OF TREES
6" - 17" AVERAGE
6" - 17" ABOVE AVERAGE
Equal to or > 18" AVERAGE
Equal to or > 18" ABOVE AVERAGE
NUMBER OF TREES
INCHES

Breakdown by Condition
5000
4500
4000
3500
3000
2500
2000
1500
1000
500
0
4426 INCHES
2588 INCHES
296 TREES
461 TREES
AVERAGE
DEAD/DYING

#	SPECIES	DBH (INCHES)	CIRCUMFERENCE	CONDITION	VALUE DIMUNATION	NOTES
1024	LIVE OAK	8	25.12	3.0	50%	
1025	SAND LIVE OAK	9	28.26	3.0	50%	WRITE IN
1026	LAUREL OAK	11	34.54	2.0	33%	CODOMINANT STEMS WITH INCLUDED BARK 1' ABOVE GRADE
1027	LIVE OAK	7	21.98	3.0	50%	
1028	SAND LIVE OAK	7	21.98	3.0	50%	
1029	LIVE OAK	27	84.78	3.0	50%	
1030	SAND LIVE OAK	13	40.82	3.0	50%	
1031	PINE SP	8	25.12	0.0	0%	
1032	SAND LIVE OAK	6	18.84	3.0	50%	WRITE IN
1033	SAND LIVE OAK	6	18.84	3.0	50%	WRITE IN
1034	SAND LIVE OAK	9	28.26	3.0	50%	



CITY OF CLERMONT
VARIANCE
Application

DATE: 5-22-19 FEE: $600.00 Dollars

PROJECT NAME (if applicable): Clermont Business Center

APPLICANT: McDonald Ventures XXXVIII, LLC

CONTACT PERSON: Greg Toepp

Address: 3715 Northside Pkwy. Bldg. 200 Suite 700

City: Atlanta State: GA

Zip: 30327

Phone: 404-239-0885 Fax:

E-Mail: gtoepp@mcdco.com

OWNER: Same as Applicant

Address:

City: State: Zip:

Phone: Fax:

Address of Subject Property: 12664 & 12668 Trade Ave. Clermont, FL 34711

General Location: At the corner of Hancock Road and Trade Avenue.

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

Land Use (City verification required): Warehousing & Distribution

Zoning (City verification required): MP- Planned Industrial District

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Page 2

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

City Zoning Ordinance (Land Development Code Section) from which you are requesting relief: Section 118-113

What are you proposing to do that would require a variance and why? Reduce the required payment amount for replacement of trees to 10%, of the total viable trees, established in our arborist tree survey. This approach is consistent with historical precedent and we want to be contribute based on the health of the existing trees.

How does the Code create a hardship? Because of the abundance of trees on this small parcel and the code limitations after development. The tree replacement cost is excessive and prohibits the reasonable use and redevelopment of this property. Also, the amount of replacement trees required by code would not have allowed the site to be developed for industrial use due to the economic encumbrance.

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

Variance requested – subject and code section: Section 118-113(d)(6)- Tree replacement fund.

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

(l) Granting the variance will not cause or allow interference with the reasonable enjoyment of adjacent or nearby property owners or negatively impact the standard of living of the citizens of the city; A reduction in payment for tree replacement does not interfere with the enjoyment of adjacent or nearby property owners because replacing the trees on the property is not possible and the tree fund money is used to mitigate in other areas of the city. Reduction of the tree replacement payment does not negatively impact the standard of living of citizens because payment at the current rate, is cost prohibitive for redevelopment of the property. Redevelopment of the property as currently proposed will increase city revenue with payment on impact fees and future taxes, which is a benefit to the city and its citizens. Additionally, the developer shall still continue to contribute to the tree replacement fund to be used to beautify the city.

(2) The variance will allow a reasonable use of the property, which use is not out of character with other properties in the same zoning category; The property to the east is the Crothall laundry facility, to the south is going to be the new Cube Smart Storage, the property to the north will be the new City of Clermont's Public Works Facility and residential is across Hancock Road, to the west.

CITY OF CLERMONT
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3) In the context presented, strict compliance with the land development regulation will not further any legitimate city objective, or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under this criteria if the variance were denied; The City of Clermont has a small percentage of Industrial properties within the city limits. This development provides warehousing & distribution within the city limits for its growing population. The reduction still provides a net gain of city revenue, jobs, taxes and monies for the tree replacement fund.

(4) The granting of the variance is consistent with the city's comprehensive plan; and
Granting this variance is consistent with the City's Comprehensive Plan because the proposed development provides the needed warehousing & distribution needed for the population growth within the city. For this development to be viable for any industrial developer, this payment reduction is necessary.

(5) The variance requested is the minimum variance that will make reasonable use of the land, building, or structure or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under this criterion if the variance were denied.
Development of the property, which is not economically feasible without a reduction of the tree replacement cost is more beneficial than requiring the full tree replacement fee. The developer shall still pay the 10% of the viable tree replacement fee, which is consistent with previously granted settlements and variances by the Board.

CITY OF CLERMONT
VARIANCE
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Page 4

McDonald Ventures XXXVIII, LLC
By John R. McDonald
Applicant Name (print)

x
Applicant Name (*signature*)

McDonald Ventures XXXVIII, LLC
By John R. McDonald
Owner Name (print)

x
Owner Name (*signature*)

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

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

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

ARTICLE IV. VARIANCES

Sec. 86-171. Permitted variances; exclusions.

(a) *Hardship relief.* A hardship may exist in which the strict application of one or several requirements of this land development code would render a parcel incapable of reasonable use. Specified provisions set forth in this land development code or in the development standards may be waived when, because of the particular physical shape,

Daily Commercial

Advertising Receipt

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

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

Account Number: 7101866
Order Number: 10089013
Phone: (352) 241-7331
Date: 07/09/19
Ad Taker: liana.rickman

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
LEGAL NOTICE Notice is hereby given that the City Council of the City of Cle	07/16/2019	07/16/2019	**$107.24**

LEGAL NOTICE July 16, 2019

Notice is hereby given that the City Council of the City of Clermont will consider the request for the following variances: (1) to allow for 3 inch caliper replacement trees instead of 6 inch caliper replacement trees; (2) to allow for a reduced fee in lieu of replacement for tree removal, as required by the Land Development Code, Section 118-113 at the following location:

LOCATION:
Clermont Commerce Center
Vacant parcel located at the corner of Hancock Road and Trade Avenue
(Alt. Key 3840720)

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

This request will be heard by the City Council at a public hearing to be held on Tuesday, July 23, 2019 at 6:30 P.M. in the Clermont 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. 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, MMC
City Clerk

Ad No: 10089013

Payment Info	
Ad Price	$107.24
Tax	$0.00
Sub Total	$107.24
Prepaid Amount	$0.00
Balance Due	$107.24

CITY OF CLERMONT

AGENDA ITEM

Meeting Date

Tuesday, August 13, 2019

Agenda Item Name

Variance Request
229 Brookdale Loop

Requested Action

Recommend approval of the variance request.

Staff Report

The applicant is requesting a variance to the Land Development Code (LDC), Section 122-186, to allow a rear yard setback of 17 foot instead of the required 25 foot. The property is located in the East Lakes Estates Phase II subdivision with R-3 Residential/Professional zoning. The requested 8-foot variance would allow construction of an 8 feet by 15 feet sold roof patio on the rear of the home. The proposed screen room would be 17 foot from the rear property line. The patio addition would not increase the impervious surface ratio (ISR), because the existing concrete slab will not be expanded. The proposed structure is very similar to existing structures that have been built in the community. The requested variance is not out of character with other properties in this zoning district and neighborhood.

Section 86-174 of the Land Development Code requires a positive finding on the Review Criteria and Findings in order to grant a variance, staff has reviewed the application as presented and finds the application can meet a positive finding. Therefore, staff recommends approval of the variance request to the Land Development Code.

Additional Analysis

Fiscal Impact Summary

Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)	
1. New 86-174 Review Criteria-229 Brookdale Loop Variance	New 86-174 Review Criteria-229 Brookdale Loop Variance.pdf
2. Location Map	Location Map.pdf
3. Site Plan	Site Plan.pdf
4. Applicant Justification Letter	Applicant Justification Letter.pdf
5. Variance Application	Variance Application.pdf
6. 229 BROOKDALE VARIANCE AD	229 BROOKDALE VARIANCE AD.pdf

<u>229 Brookdale Loop – Rear Setback Variance</u>

The requirements for a variance are as follows:

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

FINDINGS:

(1) Granting the variance will not cause or allow interference with the reasonable enjoyment of adjacent or nearby property owners of negatively impact the standard of living of the citizens of the city;
<u>Applicant response</u>: The granting of the variance doesn't allow any interference, other houses built their screen rooms on their existing concrete slabs. All have been approved through the variance process.

<u>Staff comments</u>: The requested variance will allow a 17- foot rear yard setback instead of the 25 foot required setback. The variance will allow construction of a screen room with a sold roof on an existing slab in the rear of property. The screen porch should not interfere with the reasonable enjoyment of any property owners.
<u>Positive finding</u>

(2) The variance will allow reasonable use of the property; which use is not out of character with other properties in the same zoning category;
<u>Applicant response</u>: Other houses in their neighborhood have screen rooms the same size and distance from the property line. They are all using their existing 8' slab to build the screen room. They have all went through the variance process and have been approved.

<u>Staff comments</u>: The requested rear setback variance will allow reasonable use of the property and is not out of character with other properties in the neighborhood.
<u>Positive finding</u>

(3) In the context presented, strict compliance with the land development regulation will not further any legitimate city objective, or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under this criteria if the variance was denied;
<u>Applicant response</u>: Other houses on this side of the road and other houses in the neighborhood have had similar variances and all have been granted.

<u>Staff comments</u>: The requested variance to the land development code will not further any legitimate city objective, there are other properties in the neighborhood that were granted variances with similar rear yard setbacks.
<u>Positive finding</u>

(4) The granting of the variance is consistent with the city's comprehensive plan;
<u>Applicant response</u>: Yes.

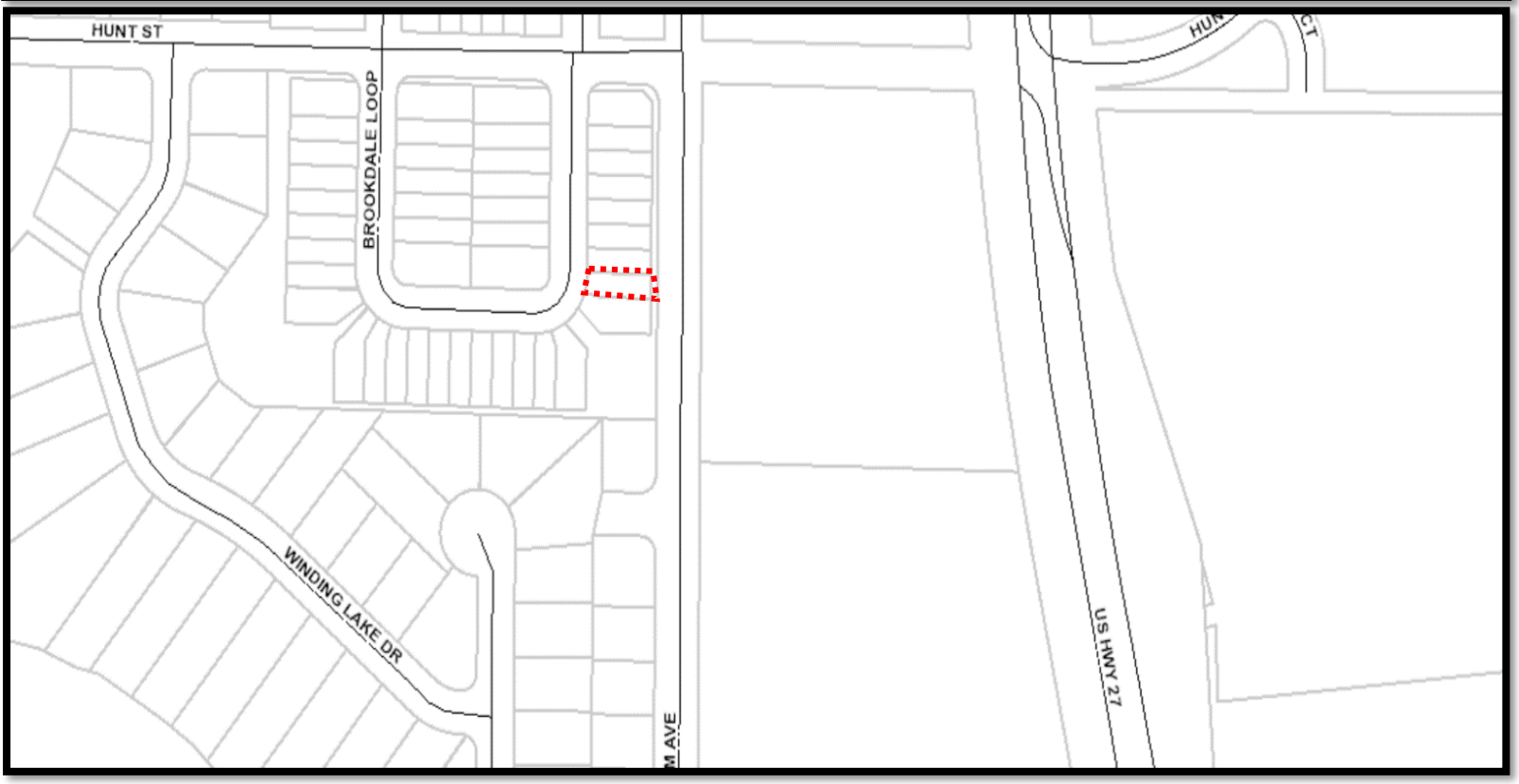
<u>Staff comments</u>: The variance request is consistent with the comprehensive plan goals, objectives, and policies.
<u>Positive finding</u>

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

Staff comments: The variance request is the minimum variance that will allow reasonable use of the land; and the benefits achieved under granting of the variance outweigh the benefits under this criterion if the variance was denied.
Positive finding

STAFF RECOMMENDATION: Section 86-174 of the Land Development Code requires a positive finding on the Review Criteria and Findings in order to grant a variance, staff has reviewed the application as presented and finds the application can meet a positive finding. Therefore, staff recommends **approval** of the variance request to the Land Development Code.

LOCATION MAP



SURVEY NOTES
CONCRETE DRIVE CROSSING INTO 10' D.E. & U.E. ON WESTERLY SIDE OF LOT.

THERE ARE CONCRETE A/C PADS AND CONCRETE DRIVE NEAR THE BOUNDARY AND CROSSING OVER PROPERTY LINE ON NORTHERLY AND SOUTHERLY SIDE OF LOT.

Reviewed By:

1"=20'

FOUND P-K NAIL/DISC PSM #5333 @ P.O.P.

N00°01'44"E 269.24'

BROCKDALE LOOP

60' R/W (IMPROVED)

N00°01'44"E 5.08'

10' D.E. & U.E.

PROPERTY CORNER FALLS IN CONC.

LOT 49

ADJACENT RESIDENCE

N89°58'16"W 103.00'

52.1' (C) PARTYWALL

SET 1/2" IRON ROD LB# 7593

TRACT H LANDSCAPE BUFFER

BLOXAM AVENUE

N00°01'44"E 34.01'

25.0'

8'

17'

7.5' D.E. & U.E.

25.0'

9'

FOUND P-K NAIL/DISC @ P.T.

Δ=15°13'44"
R=80.00'
L=22.06'

SET 1/2" IRON ROD LB# 7593

LOT 50

BUILDING #229

N73°44'32"W 23.46' (RADIAL)

43.5' (C) PARTYWALL

N89°58'16"W 83.64'

SET 1/2" IRON ROD LB# 7593

PROPERTY CORNER FALLS IN CONC.

LOT 51

10.0'

N00°01'44"E 51.10'

FOUND C.M. PSM #5333 @ S.E. CORNER LOT 51

PLAT LIMITS

PAGE 2 OF 2 PAGES

BOUNDARY SURVEY

LB #7893

TARGET SURVEYING, LLC

SERVING ALL FLORIDA COUNTIES

6250 N. MILITARY TRAIL, SUITE 103
WEST PALM BEACH, FL 33407
PHONE: (561) 640-4000
FACSIMILE: (561) 640-0378
STATEWIDE PHONE: (800) 536-4068
STATEWIDE FACSIMILE: (800) 743-0338

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION. NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL OR A RAISED OR EMBOSSED SEAL AND SIGNATURE.

Clyde McNeal

CLYDE D. MCNEAL, PROFESSIONAL SURVEYOR AND MAPPER #2462

July 9, 2019

Brian Severs
229 Brookdale Loop
Clermont, Fl. 34711

VARIANCE REQUEST—

This request for a variance is for a screen room with a solid roof on the rear of the property.

The requirements are 25-foot rear setback. The house sits at 25' from the property line. There is an existing slab 15' x 8' that we would like to put a screen room with a solid roof on it. This will require a change in the setback to be 17 feet from the rear property line.

There is a lot of screen rooms and sunrooms in the neighborhood. They were built with permits and were approved with a variance asking for a similar change in the rear setback.

These are just some of the addresses on the same street that had approved variances and were issued permits to have rooms installed:

217 Brookdale Loop- Permit #201200228 had applied and was granted a variance.
216 Brookdale Loop- Permit #201101088 screen room with acrylic windows
308 Brookdale Loop- Permit #200801916
304 Brookdale Loop- Permit #201100760 14' x 12' screen room
292 Brookdale Loop- Permit #201100268 14' x 12' screen room

Thank you,

Brian Severs

July 9, 2019

Brian Severs
229 Brookdale Loop
Clermont, Fl. 34711

To whom it may concern,

I, Brian Severs, hereby give my consent for Superior Aluminum Installations to apply for a variance on my behalf for a screen room to be built on my property at 229 Brookdale Loop in Clermont.

Thank you,

Brian Severs

received
7-11-19

CITY OF CLERMONT

VARIANCE

Filing Instructions

Any person requesting a Variance shall file a complete application in the Development Services Department at least thirty (30) days prior to the hearing date of the City Council. All applications must be complete, to include applicable site plans and/or other pertinent descriptive materials in order to be processed.

A Pre-Application meeting with the Development Services Director (or designated staff) is required prior to submittal of the application. The Development Services Director shall determine if the application is complete and properly filed.

APPLICATION FOR VARIANCE DOES NOT GUARANTEE APPROVAL. THE APPLICANT MUST BE PRESENT AT ANY MEETINGS TO JUSTIFY AND SUPPORT THE REQUEST

Notification of Public Hearing

All variance requests shall be considered at public hearings, which shall be noticed as follows:

(1) The City shall send notice of the proposed variance to the owners of all adjoining properties to the subject property. Such notice shall include the date, time and place of the public hearing before the City Council, along with a clear and concise description of the proposed variance. For the purposes of such notification, adjoining properties shall include those properties within 150 feet of the subject property even when separated from the subject property by a road, canal, easement, right-of-way or similar barrier.

(2) Notice of public hearing shall be published in a newspaper of general circulation within the City no less than five (5) days prior to the date set for hearing the variance request.

Conditions of Approval and Denial

(1) When any variance is granted, construction of the structure or other variance item must be started within one year from the date the variance is granted. It shall be the obligation of the owner to file written notice with the Administrative Official and the Development Services Director that he has begun the proposed construction. If no such notice is filed, the variance shall automatically lapse.

(2) A variance in the zoning regulations may be transferred along with the transfer of the property ownership, but only for the specific use and approved plan originally granted.

(3) Variance requests which have been denied may not be resubmitted for a period of two (2) years.

CITY OF CLERMONT
VARIANCE
Filing Instructions

Check List

The following information shall be provided:

✓ Proof of ownership, (i.e. Lake County Property record card, tax receipt, or deed.

✓ Legal description of the property – may be on information above.

✓ Plot plan (drawn to scale) of the property involved showing the location of existing buildings or structures and the location of proposed buildings or structures which specifically delineates and illustrates the extent of the variance request. Maximum size for plans is 11" x 17" (two full size copies for detail as needed, depending on the Variance).

✓ A written justification based on Sec. 86-174, which explains the conditions and circumstances of the alleged hardship and the necessity of the action. Staff will review the application based on the review criteria. Therefore, it is in the applicant's best interest to submit the application with those eight (8) items in mind to justify the variance request.

✓ Visual aids that may clarify the variance request such as overhead projections, large scale drawings, etc. A location map must be included that identifies the location of the property. These will be presented by the applicant at the public hearing.

✓ The original application and all supplemental materials.

✓ Fee: $300.^{00} plus cost of advertisement for existing single-family residential
$600.^{00} plus cost of advertisement for all others

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

CITY OF CLERMONT
VARIANCE
Application

DATE: 7/9/19 FEE: _____

PROJECT NAME (if applicable): Severs

APPLICANT: Michelle Hanson & Billy Walter

CONTACT PERSON: Billy Walter

Address: 15360 County Road 565A- Suite A

City: Groveland State: Fl. Zip: 34736

Phone: 407-678-0500 Fax: 407-678-0500

E-Mail: billyw@superior-fl.com

OWNER: Brian Severs

Address: 229 Brookdale Loop

City: Clermont State: Fl. Zip: 34711

Phone: 321-239-8427 Fax: N/A

Address of Subject Property: 229 Brookdale Loop

General Location: Alternate Key: 3839772

Legal Description (include copy of survey):

Clermont, East Lake Estates Phase 2 Replat Sub Lot 50

PB 55, PG 42, ORB 4244 PG 1598

Land Use (City verification required): _____

Zoning (City verification required): _____

CITY OF CLERMONT
VARIANCE
Application
Page 2

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

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

_____

_____

What are you proposing to do that would require a variance and why? _____
Build a 15' x 8' Screen Room w/ Solid Roof on existing slab.
We want to make use of the slab, sit out and enjoy the patio without getting wet or bit by mosquitos.

How does the Code create a hardship? _____
Want to be able to enjoy the backyard free of bugs and protection from rain when sitting out there. Code doesn't allow a room because the house sits on the rear setback.

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

Variance requested – subject and code section: Rear setback is 25', Proposed room will be an 8' projection which makes a 17' rear setback. Need variance to reduce the 25' by 8' to make it a 17' setback.

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

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

The granting of the variance doesn't allow any inteference, other houses have built their screen rooms on their existing concrete slabs. All have been approved through the variance process.

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

Other houses in this neighborhood have screen rooms the same size and distance from the property line. They are all using their existing 8' slab to build the room on top of. They have all went through the variance process and have been approved.

CITY OF CLERMONT

VARIANCE

Application

Page 3

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

Others house on this side of the road and other houses in the neighborhood have had similar variances and have all been granted.

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

Yes

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

Yes

CLERMONT
Choice of Champions

CITY OF CLERMONT
VARIANCE
Application
Page 4

Michelle Hanson
Applicant Name (print)

X
Applicant Name (*signature*)

BRIAN SEVERS
Owner Name (print)

X
Owner Name (*signature*)

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

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

ARTICLE IV. VARIANCES

Sec. 86-171. Permitted variances; exclusions.

(a) *Hardship relief.* A hardship may exist in which the strict application of one or several requirements of this land development code would render a parcel incapable of reasonable use. Specified provisions set forth in this land development code or in the development standards may be waived when, because of the particular physical shape,

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

Account Number: 7101866
Order Number: 10089454
Phone: (352) 241-7331
Date: 07/23/19
Ad Taker: liana.rickman

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
LEGAL NOTICE Notice is hereby given that the City Council of the City of Cle	08/06/2019	08/06/2019	**$103.50**

LEGAL NOTICE

Notice is hereby given that the City Council of the City of Clermont will consider a request for the following variance: (1) to allow for a rear yard setback less than 25 feet as required by the Land Development Code, Section 122-186 at the following location:

LOCATION
229 Brookdale Loop
East Lake Estates Phase II
(Alternate Key 3839772)

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

This request will be heard by the City Council at a public hearing to be held on Tuesday, August 13, 2019 at 6:30 P.M. in the Clermont City Hall, Council Chambers 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. 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: 10089454
August 06, 2019

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

CITY OF CLERMONT

AGENDA ITEM

Meeting Date
Tuesday, August 13, 2019

Agenda Item Name
Utility Agreement *Oak Properties LLC - CarMax Dealership*

Requested Action

Staff Report

The applicant, Oak Properties LLC, is requesting water and sewer services for a new automotive dealership (CarMax) located on vacant property along SR 50, east of CR 455. The proposed dealership has received their site entitlements through Lake County and is requesting utility services to commence construction of the dealership. The agreement is for commercial utility flow/demand for water at 4,800 gpd and sewer is 4,800 gpd, based on an annual average.

Additional Analysis

Fiscal Impact Summary		
Fiscal Impact	**Fund Number and Description**	**Available Budget Amount**
Exhibits Attached (copies of original agreements)		
1. Oak Properties - CarMax Utility Agreement	Oak Properties - CarMax Utility Agreement.docx	

UTILITY SERVICE AGREEMENT
FOR WATER & WASTEWATER

This document constitutes an agreement between the CITY of Clermont, hereby referred to as **CITY**, a municipality of the State of Florida, and Oak Properties, LLC and any successors or assigns, hereby referred to as **OWNER.**

WITNESSETH

Whereas, OWNER is requesting service for an Automobile Dealership (CarMax) for uses to include sales, display, service, repair, paint, body work, storage, etc. with up to 55,000 sq. ft. (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 and constructed in accordance with 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 upon Owner receiving a Certificate of Occupancy from Lake County; 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.

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, acceptable to CITY, is in place to guarantee completion of off-site improvements. No Certificate of Occupancy shall be issued until water and sewer extensions have been completed and accepted by the CITY.

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 existing utilities along State Road 50 must stay in service throughout construction. If the construction requires that the utilities be relocated or altered, the OWNER shall prepare plans, permit the project and construct the modifications at the OWNER's expense.

1.9 The utilities in the commercial property shall be privately owned and maintained, but shall be constructed to City standards.

1.10 Irrigation shall be provided by private well until such time that reuse water is available.

1.11 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.

1.12 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 as certified by OWNER'S project engineer. The CITY shall review and either approve or reject the costs.

1.13 The OWNER and CITY shall agree on the cost difference, which will be the responsibility of the CITY, prior to commencement of construction.

1.14 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 1.12 and 1.13 from the CITY in the form of Impact Fee Credits.

1.15 The Impact Fee Credits shall be established subject to Sections 1.12 and 1.13 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.

1.16 Impact Fee Credits may not be transferred outside of the Property described on Exhibit "A" but may be assignable to any heirs, assigns or successors in interest or title to part

or all of said Property.

1.17 The OWNER shall be responsible for all applicable fees including but not limited to impact fees, connection fees and permitting fees.

1.18 The City may require a looped system to provide reliability and redundancy to the property.

1.19 The point of sewer connection shall be coordinated with the existing utilities on the south side of State Road 50. The applicant will own and maintain the off-site force main from the private lift station to the existing gravity sewer system located on the south side of State Road 50.

1.20 Any fencing within public view, (including retention ponds), must be ornamental metal with complementing structural columns, as approved by the City's Site Review Committee. No chain link shall be used in public view areas.

1.21 Parking of any vehicles outside the paved parking areas, or in any landscape buffers shall not be permitted.

1.22 The OWNER must coordinate with Lake County and the Metropolitan Planning Organization (MPO) for compliance with Transportation Concurrency, and the Transportation Concurrency Management System (TCMS).

1.23 The development shall be in substantial compliance with the Dimension Plans shown in Exhibit "C". Major changes as determined by the Clermont Site Review Committee may require an amendment to this Agreement.

1.24 This Agreement shall be voided after five (5) years if building permits have not been issued and building construction has not started.

1.25 The Agreement shall be for commercial utility flow/demand for a CarMax automotive dealership - water at 4,800 gpd and sewer is 4,350 gpd, based on an annual average.

Section 2. DEVELOPMENT STANDARDS

(a) The project shall be developed according to City standards, unless otherwise stipulated in this Agreement or subsequent amendments to this Agreement.

(b) The project shall be developed in substantial accordance with the Master Site Plan as submitted with the Utility Service Agreement request, dated June 2019 by DRMP.

(c) The project shall be developed according to the City of Clermont Sign Code, Section 102.

Section 3. ANNEXATION

OWNER agrees that CITY may annex the Property into the City of Clermont if CITY, in its sole

discretion, chooses to do so. In conjunction herewith, OWNER shall provide to CITY a *Notice of Encumbrance to Annex* Property in a form substantially in compliance with the form set forth in Exhibit "B", attached hereto and incorporated herein. The CITY shall record this Notice in the public records of Lake County whereupon it is agreed it shall serve as an enforceable encumbrance on the real property described in Exhibit "A". The Notice of Encumbrance shall be executed by all owners of the real property described in Exhibit "A" and shall be accompanied, at OWNER'S expense, by a current certificate of title or opinion letter acceptable to CITY and issued by a licensed title company or attorney identifying all owners in interest of the real property. All land transfers by OWNER shall contain a deed restriction or covenant noting the existence of this encumbrance to annex, such restriction to be recorded as a covenant to run with the land.

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

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

OWNER

Oak Properties, LLC
7 Penn Plaza, Suite 618
New York, New York 10001

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. This Agreement shall be valid for no longer than five (5) years.

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 _____.

DATED this _____ day of _____, 2019.

CITY OF CLERMONT

ATTEST:

_____ _____

Gail L. Ash, Mayor Tracy Ackroyd Howe, MMC, City Clerk

Approved as to form and legality:

_____

Daniel F. Mantzaris, City Attorney

<u>OWNER:</u> Oak Properties, LLC

_____ Title: _____
Signature

_____
Print Name

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me on this _____ day of _____, 2019, by _____, who is personally known to me or who has produced _____ as identification and who did not take an oath.

Notary Public _____ SEAL:

Type/print name _____

EXHIBIT "A"

PROPERTY DESCRIPTION

Owner: Oak Properties, LLC – CarMax Dealership

Tracts 51A, 52A, 61 and 62, of LAKE HIGHLANDS COMPANY SUBDIVISION OF SECTION 23, TOWNSHIP 22 SOUTH, RANGE 26 EAST, according to the Plat thereof, as recorded in Plat Book 4, Page 11, of the Public Records of Lake County, Florida; LESS right of way on the West for State Road Number 455; together with Tracts 3, 4, 13 and 14 of LAKE HIGHLANDS COMPANY SUBDIVISION OF SECTION 26, TOWNSHIP 22 SOUTH, RNAGE 26 EAST, according to the Plat thereof, as recorded in Plat Book 3, at Page 52, of the Public Records of Lake County, Florida; LESS right of way on the West for State Road 455 and LESS right of way on the South for State Road 50, in and for Lake County, Florida.

LESS AND EXCEPT THE FOLLOWING AS CONTAINED IN THAT CERTAIN WARRANTY DEED RECORDED DECEMBER 26, 2002, IN OFFICIAL RECORDS BOOK 2231, PARE 2257, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA:

A portion of tracts 3, 4, 13 and 14 of LAKE HIGHLANDS COMPANY SUBDIVISION OF SECTION 26, TOWNSHIP 22 SOUTH, RANGE 26 EAST, according to the Plat thereof, as recorded in Plat Book 3, Page 52, of the Public Records of Lake County, Florida, being described as follows:

Commence at the North Quarter corner of said Section 26 as a point of reference, said point being marked by a railroad spike in the centerline of pavement of County Road No. 455; thence run South 00 degrees 40 minutes 30 seconds West, along the West line of the Northeast Quarter of said Section 26, 244.02 feet; thence run South 89 degrees 34 minutes 59 seconds East, parallel with the North line of said Northeast Quarter, 33.00 feet to the POINT OF BEGINNING; thence continue South 89 degrees 34 minutes 59 seconds East, parallel with said North line, 700.01 feet; thence run South 00 degrees 40 minutes 30 seconds West, parallel with the aforesaid West line of the Northeast Quarter, 879.12 feet to the North right of way line of State Road No. 50 as shown on right of way Map Section 11070-2505; thence run North 88 degrees 54 minutes 49 seconds West, along said North right of way line, 718.02 feet to the East line of a 30 foot right of way as shown on the Plat of LAKE HIGHLANDS COMPANY SUBDIVISION; thence run North 00 degrees 40 minutes 30 seconds East, along said East right line 261.64 feet to the East line of County Road No. 455 as currently monumented, said line being a curve concave to the Northwest; thence run Northeasterly along said curve having a central angle of 13 degrees 48 minutes 23 seconds, a radius of 623.00 feet, an arc length of 150.12 feet, a chord bearing of North 07 degrees 34 minutes 41 seconds East and a chord distance of 149.76 feet; thence run North 00 degrees 40 minutes 30 seconds East, continuing along said East line, 460.49 feet to the POINT OF BEGINNING.

AND LESS AND EXCEPT THE FOLLOWING AS CONTAINED IN THAT CERTAIN

That portion of the following described Parcel lying within 50 feet East of the North-South Mid-Section line of Section 26, Township 22 South, Range 26 East, Lake County, Florida.

Tract 13 of LAKE HIGHLANDS COMPANY SUBDIVISION OF SECTION 26, TOWNSHIP 22 SOUTH, RANGE 26 EAST, according to the Plat thereof, as recorded in Plat Book 3, Page 52, of the Public Records of Lake County, Florida, LESS AND EXCEPT right of way for SR 50.

EXHIBIT "B"

Notice of Encumbrance
to Annex to City of Clermont

City of Clermont
685 W. Montrose Street
Clermont, FL 34712

THIS INSTRUMENT, Made this **_____day of _____, 2019,** between **Oak Properties, LLC**, property owners in the County of Lake, State of Florida Grantor*, and the **CITY OF CLERMONT**, FLORIDA, A Municipal Corporation, Grantee*:

WITNESSETH, NOTICE is given that heretofore or contemporaneously herewith Grantor has petitioned the Grantee for it to permit voluntary annexation of Grantor's property below described into the corporate limits of the City of Clermont, and

GRANTOR, for and in consideration of the sum of ONE and 00/100 ($1.00) and other good and valuable consideration to Grantor in hand paid by Grantee, the receipt whereof is hereby acknowledged, DOES HEREBY ENCUMBER the below – described real property situate, lying and being in Lake County, Florida with the absolute requirement that the subject real property may be, at the sole discretion, and upon request of Grantee, annexed into the city limits of the City of Clermont at such time that the annexation of said real property is in accordance with applicable law,

GRANTOR, further agrees, on his/hers/theirs/its own behalf and that of Grantors' heirs and assigns to perform all ministerial functions necessary of the Grantor or Grantor's heirs and/or assigns (as the case may be) then required by law to enable the described real property to be incorporated into the city limits of the City of Clermont and where such ministerial functions consist of a simple written request or the renewal of the petition of which notice is given above, then this instrument shall be considered such request and/or renewal. The subject property is described as:

Exhibit "A"

Grantor is used for singular or plural, as the context requires. IN WITNESS THEREOF, GRANTOR has hereunto set Grantor's hand and seal the day and year first above written.

PROPERTY OWNER(S): WITNESSES (Two required):

Oak Properties, LLC **Witnesses**

By:_____ 1. _____
Signature *Signature*

_____ _____
Type or print name Type or print name

By:_____ 2. _____
Signature *Signature*

_____ _____
Type or print name Type or print name

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me on this _____ day of _____, 2019, by _____, who is personally known to me or who has produced _____ as identification and who did not take an oath.

Notary Public _____ SEAL:

Type/print name _____

Pursuant to Section 695.29(3)(f): this instrument exempt from Chapter 695, F.S.,; Prepared by a Public Officer, City Attorney, City of Clermont, Florida 34712

EXHIBIT "C"

DIMENSION PLAN

Oak Properties, LLC – CarMax Dealership

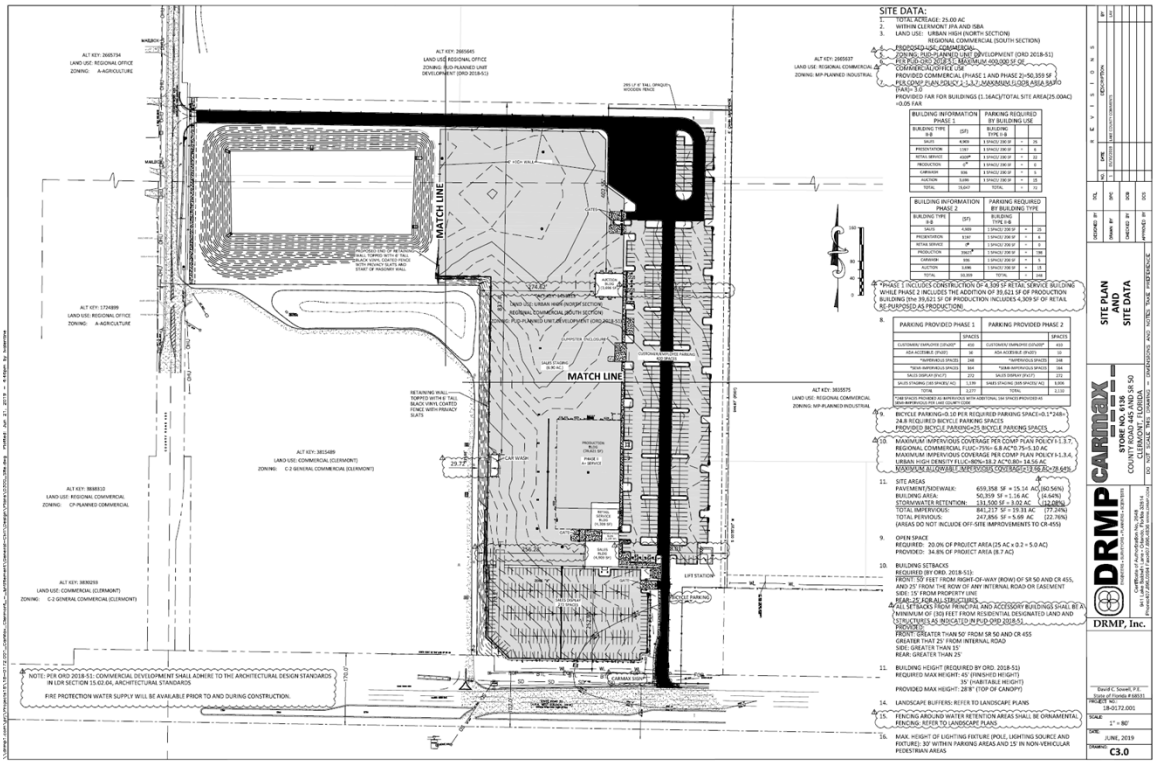


EXHIBIT "D"

LOCATION MAP

Oak Properties, LLC – CarMax Dealership

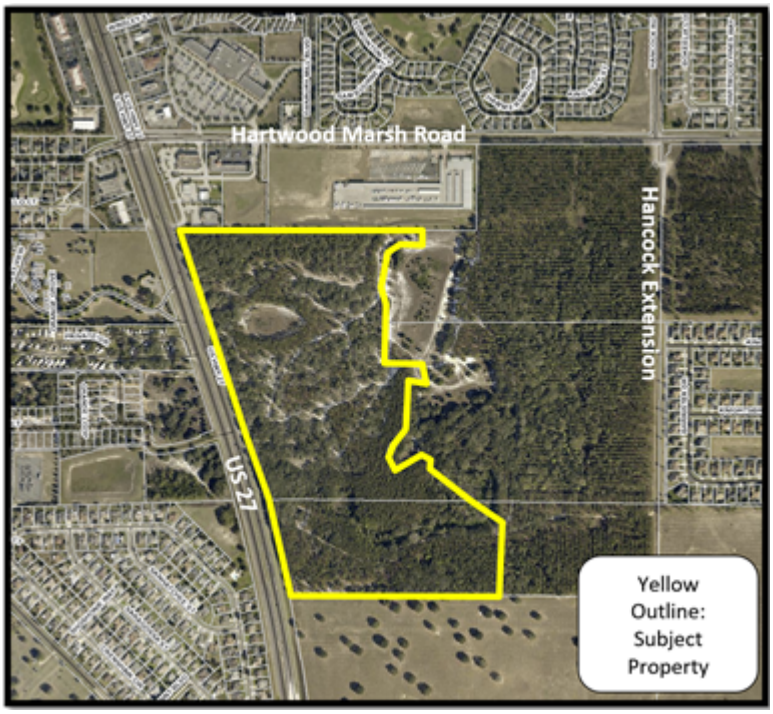
Aerial view:

CITY OF CLERMONT

AGENDA ITEM

Meeting Date
Tuesday, August 13, 2019
Agenda Item Name
Ordinance No. 2019-29 *Transmittal* *Hartwood Properties CPA* *Table to August 27, 2019*
Requested Action
Recommend transmittal of Ordinance 2019-29.
Staff Report

The owner, Hartwood Properties LLC, has requested an amendment to the Future Land Use Map. The applicant is requesting the City to designate the property with a future land use category of Master Planned Development. The subject site is 80 +/- acres in size. The property is 1/4 mile south of Hartwood Marsh Road, east of US Hwy 27. A portion of the property has been historically used for agricultural purposes.



The owner applied to the City in 2012 for an annexation, a large-scale comprehensive plan amendment and a rezoning. At that time, the owner requested a future land use of commercial on a portion of the property, 16 +/- acres, and High Density Residential on the remaining 64 +/- acres. The property was annexed into the City on November of 2012, however; the future land use and rezoning was tabled due to the pending Wellness Way Sector Plan. At the December 10, 2013 City Council meeting, the Council denied the final adoption to change the future land use and rezoning. The applicant has modified the plans since this time and has reapplied.

The amendment application is associated with a Planned Unit Development (PUD) rezoning that has been filed with

the City. Due to the required review by the State of Florida Department of Economic Opportunity (DEO) for the amendment to the Comprehensive Plan, this application is being presented to the Planning and Zoning Commission and the City Council to make a recommendation for transmittal. If transmitted, then DEO and other State agencies will review and render their comments prior to a public hearing on the adoption of this amendment. The anticipated adoption hearing will be in October 2019.

The current Future Land Use designation is Lake County's Regional Office. Lake County's Comprehensive Plan describes the Regional Office Category.

Policy I-1.3.6 Regional Office Future Land Use Category

The Regional Office Future Land Use Category provides for a variety of office uses and limited commercial uses that support office uses. This category is intended to accommodate office development which exhibits a high level of site and building amenities to include extensive landscaping, plazas and pedestrian/employee-friendly gathering areas, central building entrances, enhanced building and site security features, and accessory uses included within the building footprint. This Future Land Use Category shall be located on collector and arterial roadways to minimize traffic on local streets and to provide convenient access to transit facilities, and should be located in proximity to urban residential uses. The total number of multi-family dwelling units shall be no more than one (1) unit per 10,000 square feet of Gross Leasable Area of commercial space. A floor area ratio of up to a maximum 3.0 will be allowed.

The following City of Clermont Comprehensive Plan policy describes the intent of the Master Planned Development Category:

Policy 1.7.2: Planned Development.

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

A comparison between the existing Regional Office Future Land Use and the proposed Master Planned Development Category is listed below that was provide by the applicant. Staff concurs with the analysis.

Table 3 shows the change in development potential between the existing and proposed FLUM amendment. The proposed FLUM amendment would slightly decrease the potential residential development and dramatically decrease the potential non-residential development. Thus, there would be no increased impact from what was previously allowed under the Lake County FLU of Regional Office.

Table 3. Net Maximum Development Potential

Future Land Use	Residential Units	Non-Residential sf
Existing FLUM	967	9,671,627
Proposed FLUM	965	875,665
Net Increase (Decrease)	(2)	(8,795,962)

The applicant has requested a rezoning to a Planned Unit Development with up to 600 multi-family dwelling units and up to 120,500 square feet of commercial uses. The PUD will be considered by City Council during

the adoption phase of the Comprehensive Plan Amendment to ensure the project is capped at the proposed development intensity.

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

Since the project is located within the City's JPA and ISBA boundary, the City can provide adequate public facilities and services, and the proposed Master Planned Development land use is similar to the existing Regional Office, it is logical to support this future land use amendment. The project incorporates residential, commercial, retail, and office uses. With this mix of uses, the most appropriate Future Land Use category is the City's Master Planned Development (MPD) designation. Therefore, staff supports the applicant's request for a change to Master Planned Development.

Additional Analysis

Fiscal Impact Summary

Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)

1.	2019-29 Hartwood Properties CPA	2019-29 Hartwood Properties CPA.DOC
2.	Hartwood letter	Hartwood letter.docx
3.	Hartwood Properties Map	Hartwood Properties Map.pdf
4.	site plan	site plan.pdf
5.	transmittal docs	transmittal docs.pdf
6.	Lake Co School App & Affidavit	Lake Co School App & Affidavit.pdf
7.	App & Affidavits	App & Affidavits.pdf
8.	CPA AD Hartwood Properties MPD Master Planned Development	CPA AD Hartwood Properties MPD Master Planned Development.docx

CITY OF CLERMONT
ORDINANCE NO. 2019-29

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

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

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

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

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

SECTION 1.

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

LEGAL DESCRIPTION

Parcel 1: From E 1/4 cor run S 0-25-15 W along E line of SE 1/4 26 ft, Thence N 89-42-0 W 999.95 ft, N 0-18-0 E 26 ft to N line of SE 1/4, N 89-42-0 W along N line of SE 1/4 315.4 ft to NW cor of NE 1/4 of SE 1/4, S 0-20-29 W along W line of NE 1/4 of SE 1/4 644.48 ft to NE cor of S 1/2 of NW 1/4 of SE 1/4, N 89-36-25 W 382.81 ft along N line of S 1/2 of NW 1/4 of SE 1/4 for pob, run S 0-23-35 W 86.68 ft, S 87-41-33 W 82.14 ft, S 80-48-18 W 53.28 ft, S 74-46-16 W 40.33 ft, S 60-09-01 w 42.42 ft, S 44-07-53 W 55.81 ft, S 16-35-39 W 43.95 ft, S 09-45-40 W 49.13 ft, S 02-11-09 W 52.9 ft, S 07-19-12 W 66.15 ft, S 15-51-21 W 43.08 ft, S 30-34-13 E 20.75 ft, S 46-57-10 E 23.08 ft, S 25-48-53 E 31.53 ft, S 10-32-32 E 40.47 ft, S 06-51-20 W 199.46 ft, S 02-32-14 E 197.47 ft, S 45-06-17 E 26.84 ft, S 85-12-21 E 36.97 ft, N 79-46-13 E 30.52 ft, S 88-48-33 E 90.46 ft, S 73-14-47 E 36.84 ft, S 46-19-25 E 35.85 ft, S 32-23-58 E 72 ft

to the point of curvature of a curve concave NW'ly having a radius of 25 ft & a chord bearing of S 41-37-57 w, run SW'ly along arc of curve thru central angle of 148-03-50 a dist of 64.61 ft to the pt of tangency, N 64-20-08 W 25.4 ft, N 76-04-07 W 30.37 ft, S 68-05-38 W 28.33 ft, S 36-16-47 W 24.84 ft, S 14-54-49 w 44.67 ft, S 03-11-49 W 54.97 ft, S 02-36-01 E 121.76 ft, S 06-27-57 W 101.43 ft, S 20-42-07 W 56.29 ft, S 43-55-27 W 43.91 ft, S 61-30-08 W 44.26 ft, S 28-56-59 W 43.34 ft, S 16-05-04 W 33.97 ft, S 04-17-39 W 27.39 ft, S 21-01-30 E 101.88 ft, S 56-24-53 E 10.66 ft, S 77-06-37 E 14.04 ft, N 70-14-29 E 16.3 ft, N 55-07-08 E 65.04 ft, N 66-47-05 **E** 81.79 ft, N 25-50-57 E 30.74 ft, N 72-14-43 E 23.58 ft, S 79-19-14 E 22.5 ft, S 57-16-34 E 38.82 ft, S 31-04-08 E 24.54 ft, S 06-26-42 E 28.59 ft, S 18-55-15 W 15.13 ft, S 50-15-49 E to S line of sec, run w'Iy along S line of sec to e r/w line of us hwy 27, run NW along E r/w line of us hwy 27 to N line of SW 1/4 of NE 1/4 of SW 1/4, run E'ly along N line of S 1/2 of NE 1/4 of SW 1/4 & N line of S 1/2 of NW 1/4 of SE 1/4 to pob orb 621 pg 51 orb 774 pgs 2445 2447 orb 1427 pg 722 orb 1511 pg 1588 orb 3788 pg 45.
Parcel ID: 09-23-26-000400000600

Parcel 2: From NE cor of sec run S 0-26-49 W 662.26 ft to SE cor of N 1/2 of NE 1/4 of NE 1/4, N 89-32-02 W 1121.46 ft for pob, run N 0-27-58 E 529.08 ft, N 50-15-49 W to N line of sec, W along said N line to E'ly r/w line of us hwy 27, SE'ly along said E'ly r/w line to S line of N 1/2 of N 1/2 of NE 1/4, run E'ly along said S line of N 1/2 of N 1/2 of NE 1/4 to pob
orb 1511 pg 1588 orb 3788 pg 45.
Parcel ID: 16-23-26-000100000800

Site contains 80.4 +/- acres.

LOCATION
1/4 mile south of Hartwood Marsh Road, East of US 27
(Alternate Keys 1412251, 3853085)

CHANGE IN FUTURE LAND USE CLASSIFICATION

FROM LAKE COUNTY: REGIONAL OFFICE
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.

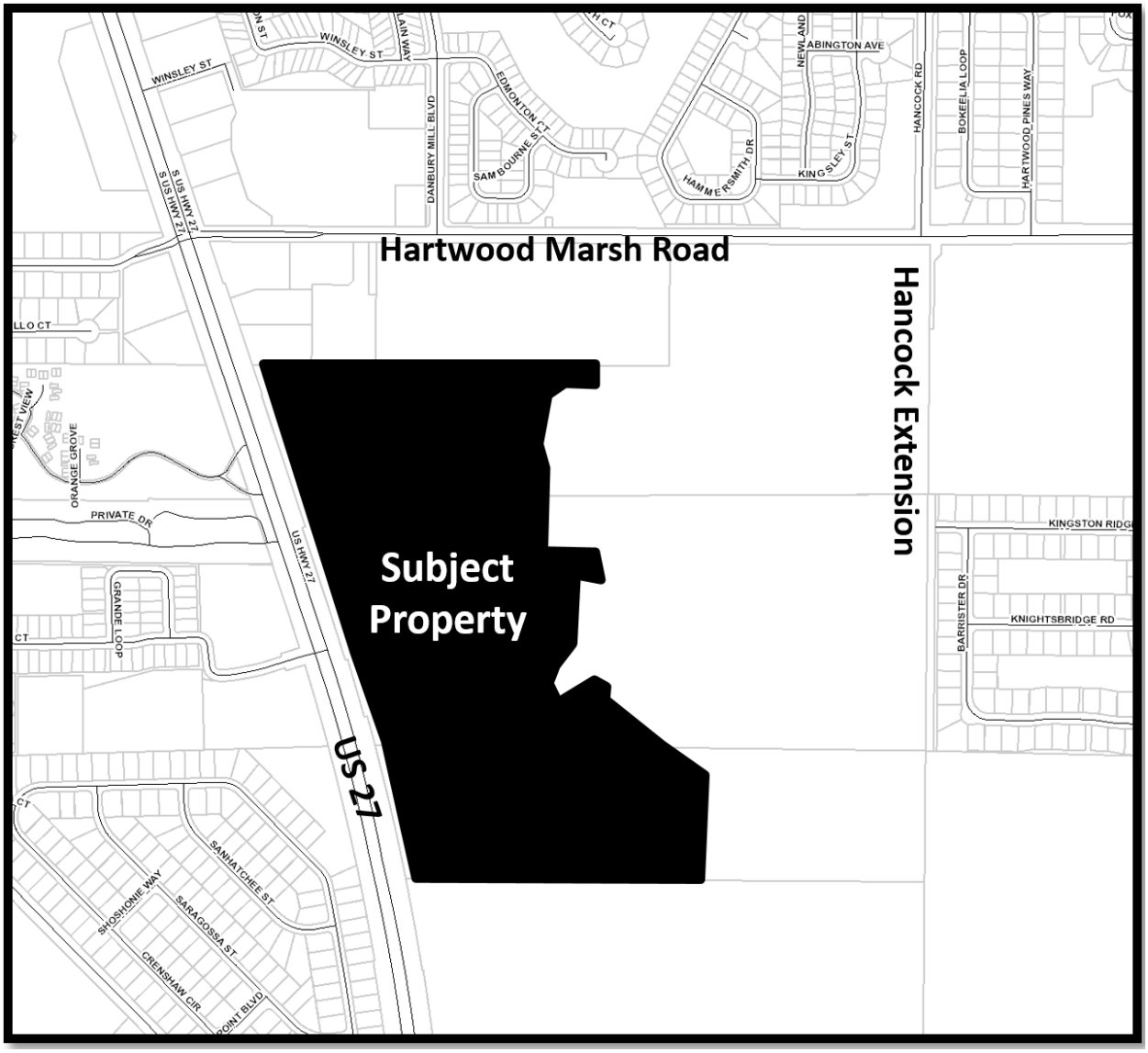
SECTION 3.

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. 2019-29

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida, this 22nd day of October, 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

July 18, 2019

Attn: John E. Kruse, Planning Manager

City of Clermont
685 W. Montrose Street
Clermont, Florida 34711

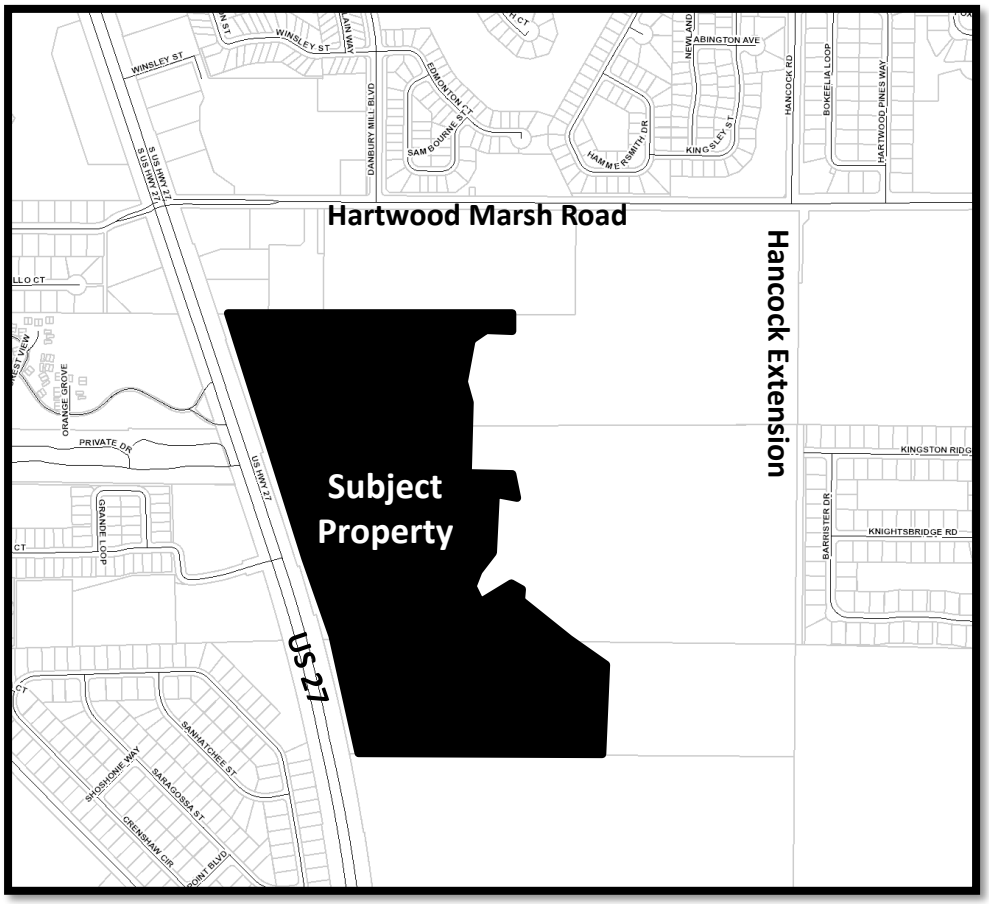
Mr. Kruse:

As discussed, we would like to proceed with the Master Planned Development Future Land Use Designation for Hartwood Marsh. Please let me know if you have any questions or need any additional information.

With kind regards,

George M. Kramer, AICP, LEED AP, Area Manager

Exhibit - Location Map –Hartwood Properties



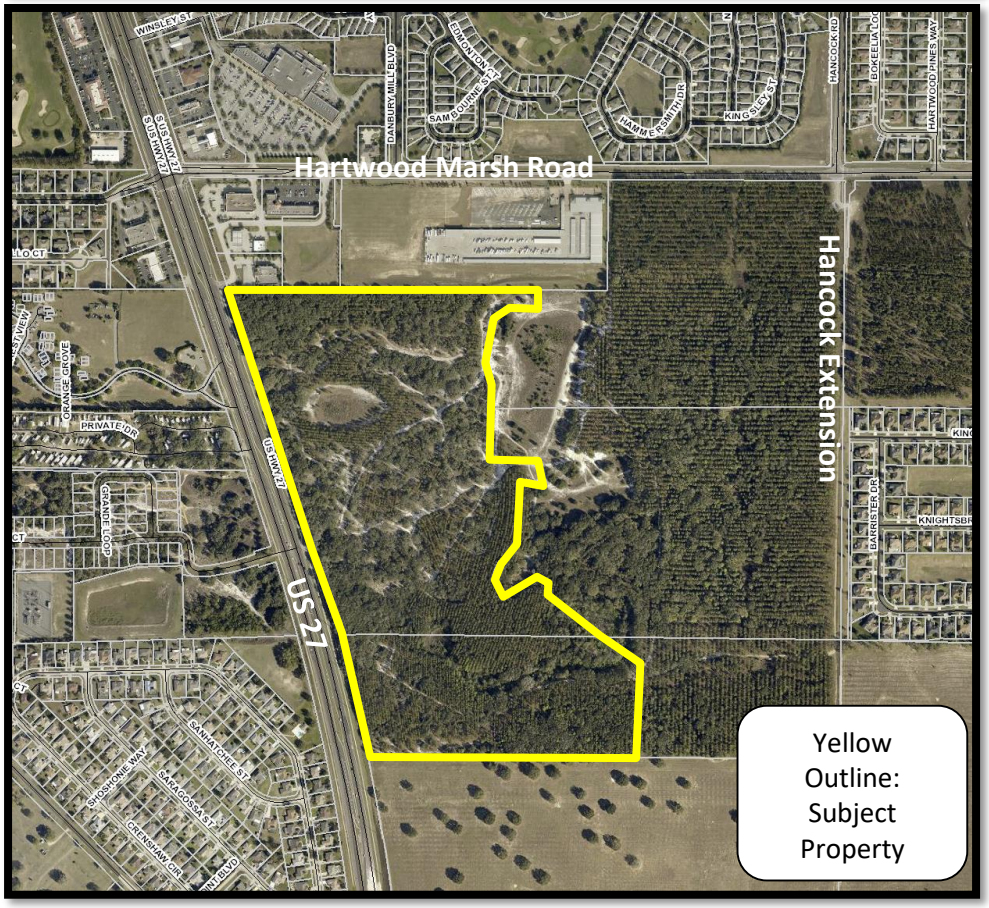
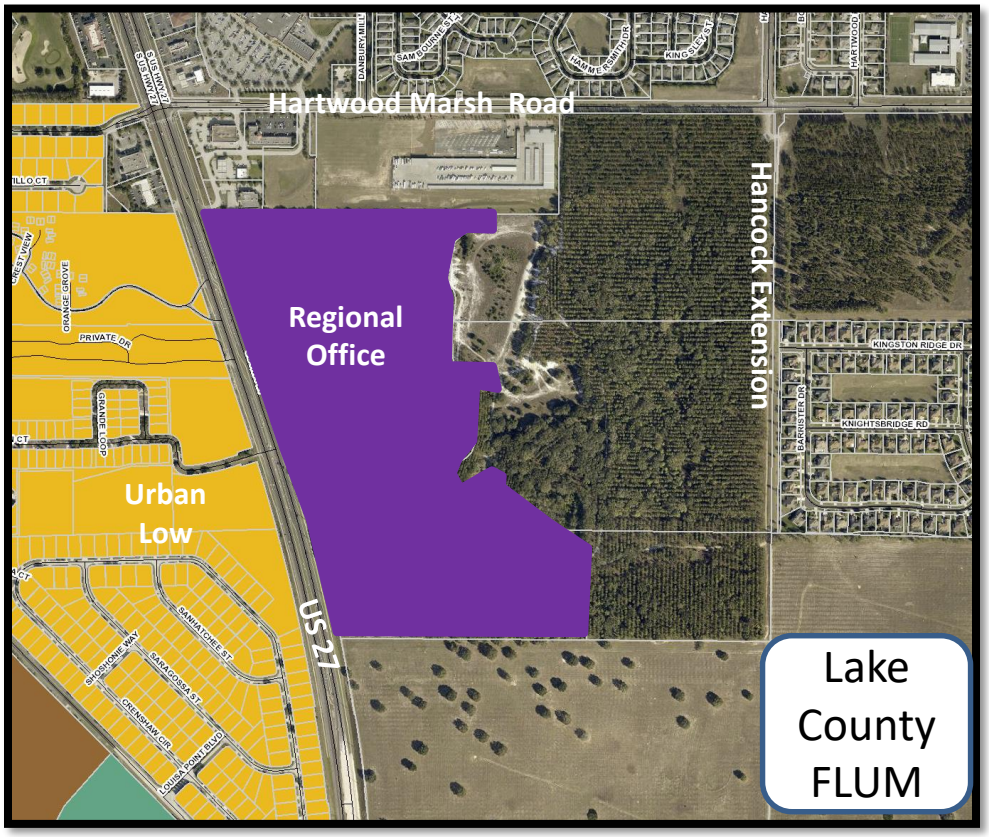


Exhibit – Future Land Use –Hartwood Properties



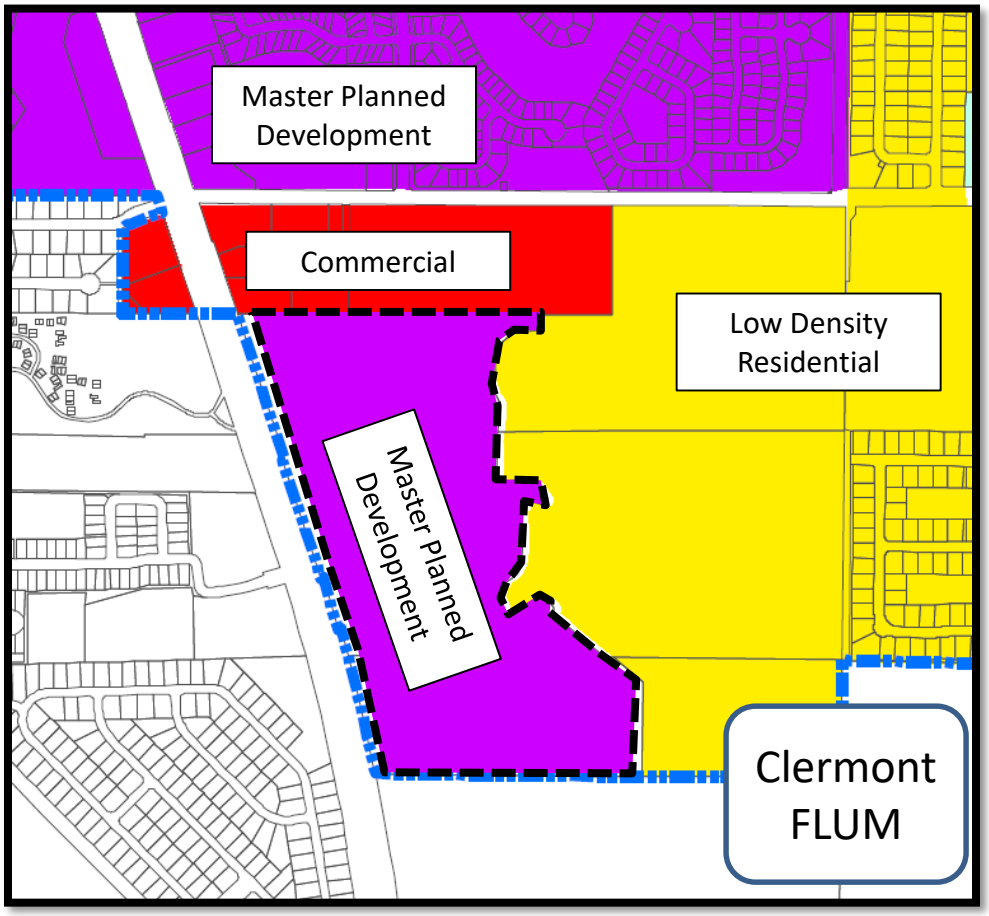
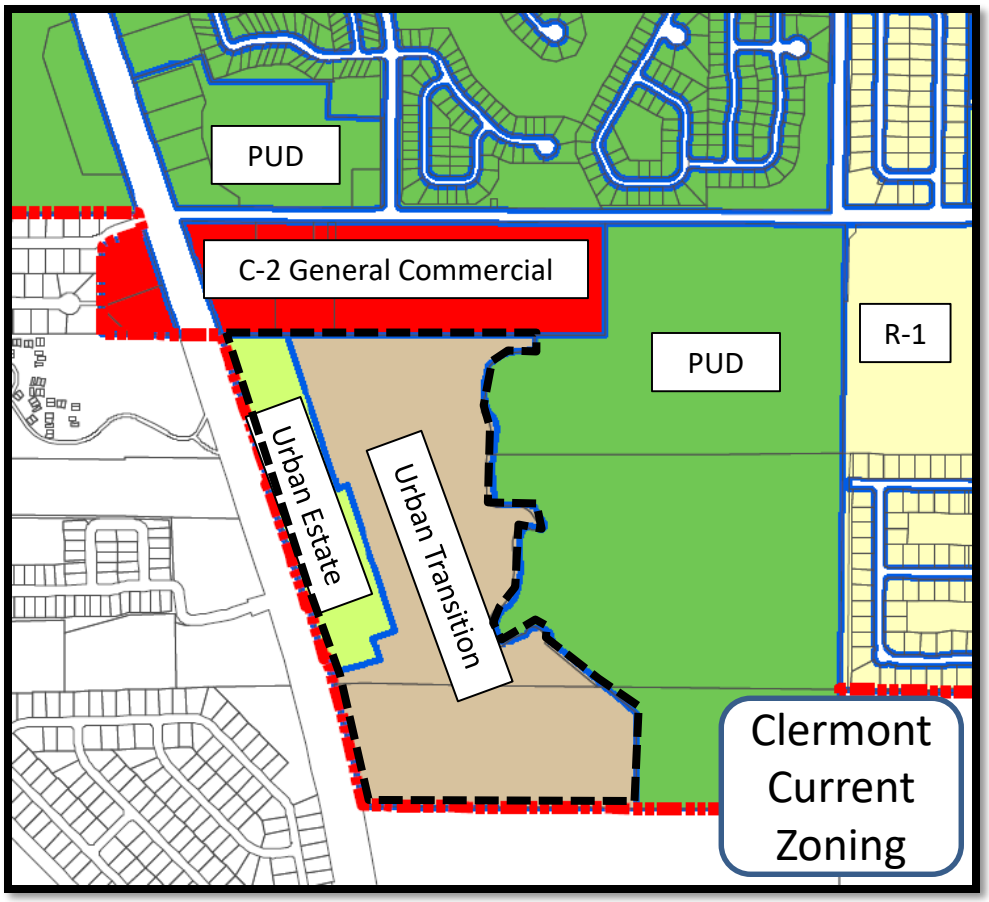
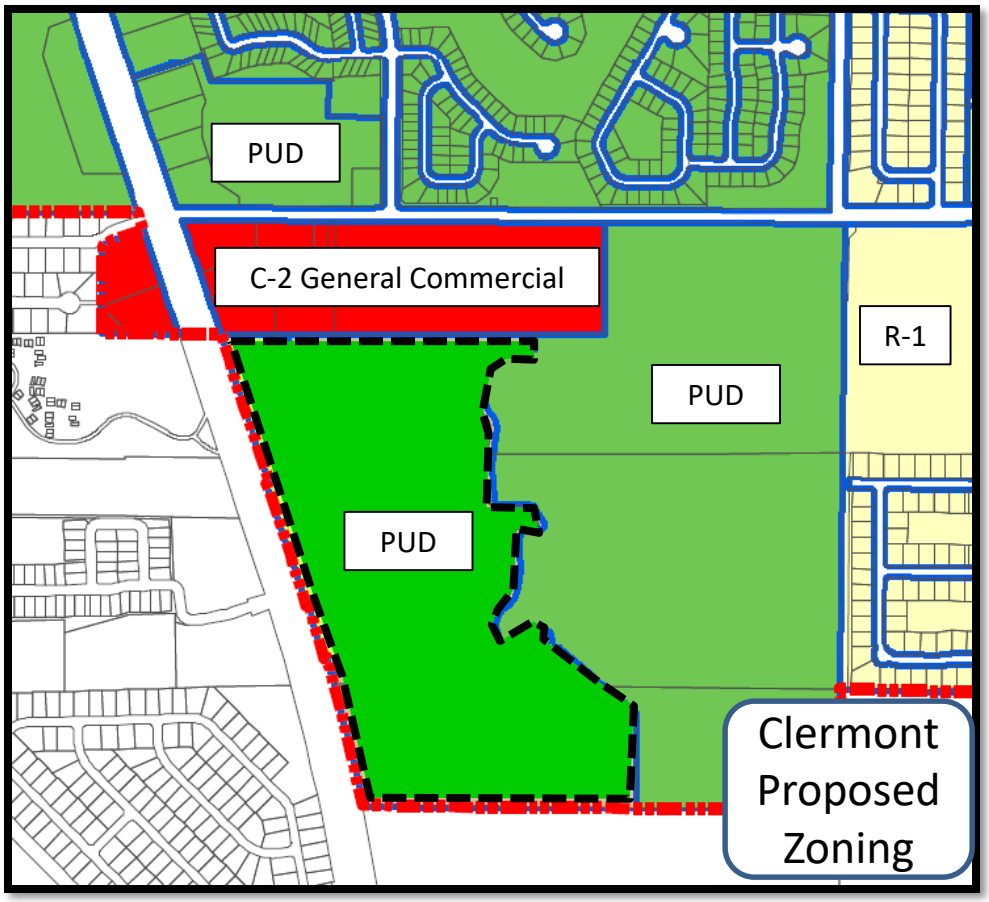
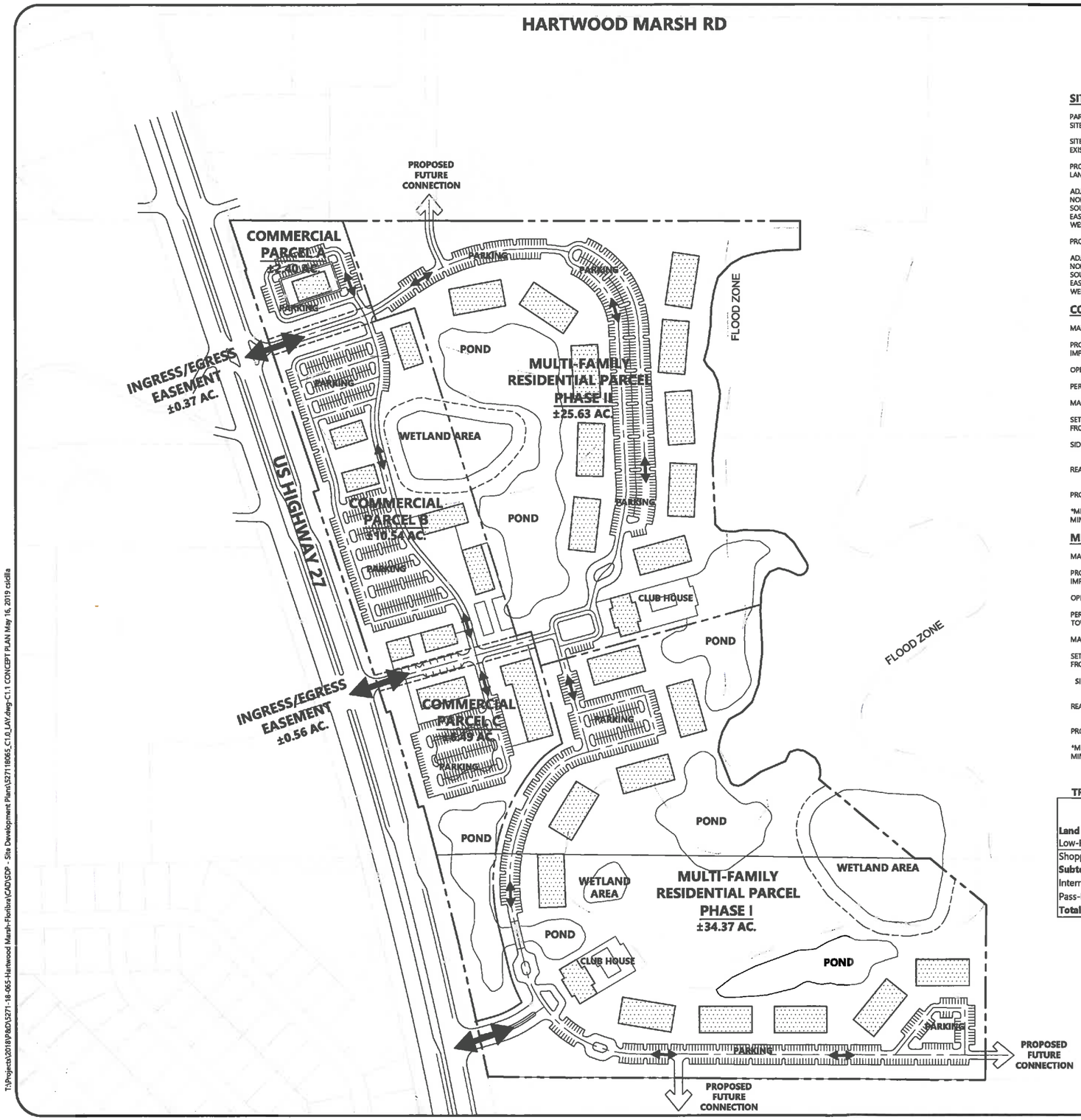


Exhibit - Zoning Map –Hartwood Properties







LOCATION MAP

SITE DATA

PARCEL ID.:	09-23-26-000400000600 & 16-23-26-000100000800
SITE ADDRESS:	SOUTH HWY 27 CLERMONT FL 34711
SITE ACREAGE:	80.41 AC. (3,502,359 FT²)
EXISTING ZONING:	UT - URBAN TRANSITION
PROPOSED FUTURE LAND USE:	MASTER PLAN DEVELOPMENT
ADJACENT ZONING:	
NORTH:	PUD - PLANNED UNIT DEVELOPMENT
SOUTH:	CFD - COMMUNITY FACILITY DISTRICT
EAST:	R-6 - URBAN RESIDENTIAL
WEST:	UE - URBAN ESTATE LOW DENSITY RESIDENTIAL
PROPOSED USE:	COMMERCIAL / MULTIFAMILY
ADJACENT LAND USE:	
NORTH:	COMMERCIAL
SOUTH:	US HIGHWAY 27 ROW
EAST:	WELLNESS WAY 1
WEST:	WELLNESS WAY 1

COMMERCIAL TRACT

MAXIMUM FLOOR AREA RATIO: 0.25

PROPOSED FAR:
IMPERVIOUS SURFACE RATIO (ISR): 80%

OPEN SPACE: 20%

PERMITTED USES: C-1 ZONING DISTRICT

MAXIMUM BUILDING HEIGHT: 55 FEET

SETBACKS (C-1 ZONING DISTRICT)
FRONT: 50 FEET (FROM US 27)
25 FEET (FROM OTHER STREETS)
SIDE: 50 FEET (FROM US 27)
25 FEET (FROM OTHER STREETS)
12 FEET INTERIOR SIDE YARD
REAR: 50 FEET (FROM US 27)
25 FEET

PROPOSED COMMERCIAL AREA: 120,500 SQ.FT.

*MINIMUM OF 25 FEET FROM ESTABLISHED HIGH-WATER MARKS
MINIMUM REQUIRED PARKING PER SECTION 98-14 OF THE LDC.

MULTI-FAMILY RESIDENTIAL TRACTS

MAXIMUM DENSITY: 12 UNITS PER ACRE

PROPOSED DENSITY:
IMPERVIOUS SURFACE RATIO (ISR): 70%

OPEN SPACE: 30%

PERMITTED USES: MULTI-FAMILY RESIDENTIAL DEVELOPMENT, INCLUDING APARTMENTS, TOWNHOMES, AND CONDOMINIUMS, EXCEEDING 12 DWELLING UNITS.

MAXIMUM BUILDING HEIGHT: 55 FEET

SETBACKS (C-1 ZONING DISTRICT)
FRONT: 50 FEET (FROM US 27)
25 FEET (FROM OTHER STREETS)
SIDE: 50 FEET (FROM US 27)
25 FEET (FROM OTHER STREETS)
15 FEET INTERIOR SIDE YARD
REAR: 50 FEET (FROM US 27)
25 FEET

PROPOSED RESIDENTIAL UNITS: 600 UNITS

*MINIMUM OF 25 FEET FROM ESTABLISHED HIGH-WATER MARKS
MINIMUM REQUIRED PARKING PER SECTION 98-14 OF THE LDC.

TRIP GENERATION

Land Use	ITE Code	Intensity	Daily Trip Ends	AM Peak Period In %	AM Peak Period In Trips	AM Peak Period Out %	AM Peak Period Out Trips	PM Peak Period Total	PM Peak Period In %	PM Peak Period In Trips	PM Peak Period Out %	PM Peak Period Out Trips	PM Peak Period Total
Low-Rise Housing	220	600DU	4,495	*23%*	*60*	*77%*	*202*	262	*63%*	*183*	*37%*	*108*	291
Shopping Center	820	120.5KSF	6,825	*62%*	*70*	*38%*	*43*	113	*48%*	*300*	*52%*	*324*	624
Subtotal			**11,320**		***130***		***245***	**375**		***483***		***432***	**915**
Internal Capture			566		3		3	6		108		108	216
Pass-By			2,128		23		14	36		65		73	139
Total			**8,626**		***104***		***228***	**333**		***310***		***251***	**560**

N

0 150 300 600
GRAPHIC SCALE (IN FEET)

1615 EDGEWATER DRIVE, STE 200
ORLANDO, FLORIDA 32804
T 407.975.1273
F 407.975.1278
www.smeinc.com

HARTWOOD MARSH PLANNED DEVELOPMENT

LAKE COUNTY, FLORIDA

NO.	DATE	DESCRIPTION	BY	CHK	APV
A	04/10/2019	PD SUBMITTAL	CFS	CD	CD

PROJECT NUMBER
527118065

DRAWING NUMBER
C1.1

DRAWING NAME
SITE DEVELOPMENT PLAN

T:\Projects\2018\P&D\5271-18-065-Hartwood Marsh-Florida\CAD\SDP - Site Development Plans\527118065_C1.0_LAY.dwg-C1.1 CONCEPT PLAN May 16, 2019 ccidla

Future Land Use Amendment and Rezoning Application

HARTWOOD MARSH

PREPARED FOR | Floribra Properties, LLC

PREPARED BY | S & ME, Inc.

MAY 2019

INTRODUCTION

The purpose of this narrative is to supplement applications to amend the future land use (FLU) and rezone two parcels located approximately 660 feet south of the southeast corner of the intersection of US Highway 27 and Hartwood Marsh Road. For the purposes of this document, these parcels are collectively referred to as the Hartwood Marsh property, whose combined area is approximately 80 acres.

The subject parcels of this application were annexed into the City of Clermont in 2013. However, they have yet to receive a City Future Land Use designation. Previously, when under Lake County's jurisdiction, the parcels were designated on the County's Future Land Use Map as Regional Office. In order to provide its past context and compatibility, the Regional Office description from Lake County's Comprehensive Plan 2030, Policy I-1.3.6, is provided below:

> *The Regional Office Future Land Use Category provides for a variety of office uses and limited commercial uses that support office uses. This category is intended to accommodate office development which exhibits a high level of site and building amenities to include extensive landscaping, plazas and pedestrian/employee-friendly gathering areas, central building entrances, enhanced building and site security features, and accessory uses included within the building footprint. This Future Land Use Category shall be located on collector and arterial roadways to minimize traffic on local streets and to provide convenient access to transit facilities, and should be located in proximity to urban residential uses. The maximum floor area ratio (FAR) is 3.0 and a maximum density of 1 dwelling per 10,000 square feet of commercial space.*

The subject parcels are also located directly adjacent to Lake County's Wellness Way, which is a long term economic development focused planned area aimed to encourage fiscally efficient, well-balanced development patterns, and leverage existing resources through mixed-use communities.

The City of Clermont has a similar goal in the Future Land Use Element of its Comprehensive Plan. Goal 1 is stated below:

> *Ensure that the character, magnitude and location of all land uses provide a system for orderly growth and development that achieves a balanced natural, physical and economic environment and enhances the quality of life of all residents.*

Furthermore, Objective 1.1 of this Goal explicitly calls for the discouragement of urban sprawl. This request seeks to advance this objective via a Future Land Use Map (FLUM) amendment and rezoning. To achieve a mixed use development along US 27 with high density residential and commercial/retail and officer uses, this application proposes to change the future land use designation to Commercial on the City's future land use map. Below is Objective 1.9 from the City Comprehensive Plan, which describes the intent of the Commercial designation.

> *The commercial category is established to assure availability of sufficient office and commercial sites to serve the needs of the existing and projected population. In addition to office and commercial uses, residential uses are allowed, preferably as mixed-use, high-density developments, as well as supportive accessory uses, churches and schools as conditional uses, minor public utilities (i.e., telephone switching stations, lift stations, drainage infrastructure, and similar facilities), parks and open space, municipal facilities and other civic and cultural uses subject to standards and performance criteria set forth in this plan and in the land development regulations. The maximum floor area ratio (FAR) is 0.25 with a maximum density of 12 dwelling units per acre.*

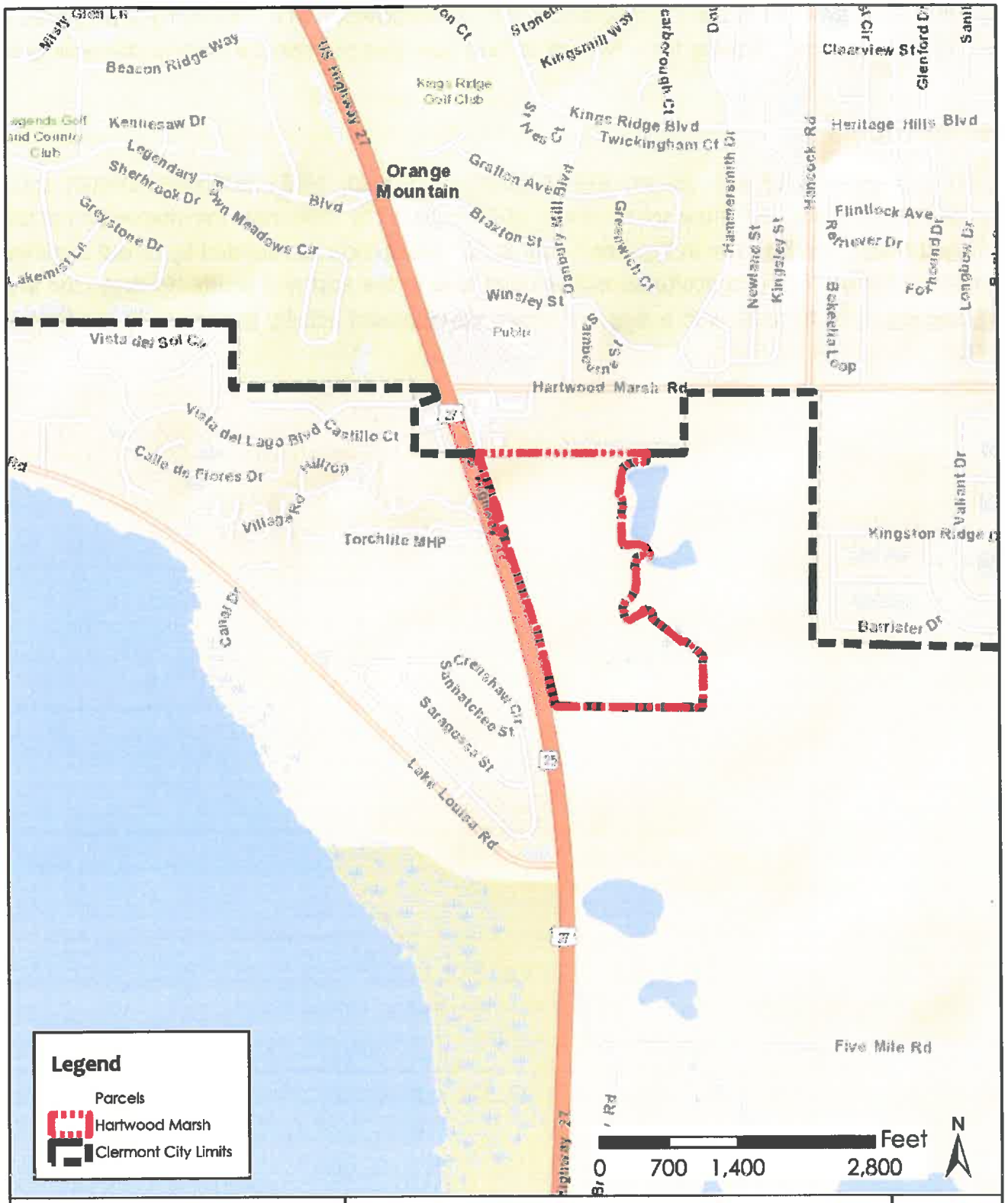
This would be similar to the previous Regional Office FLU designation under Lake County and comparable to the Wellness Well designations of the properties near-by. The proposed change to Commercial future land use designation would allow an increase in density and options for commercial, office, and residential

development in the area. The proposed FLUM amendment and rezoning are important to allow the creation of a mixed-use environment, as identified in Objective 1.9, and to foster smart growth along a major corridor, as identified in Objective 1.11 in the Comprehensive Plan. The Hartwood Marsh property is proposed as a Planned Unit Development, allowing for a mixture of land uses that promotes a more sustainable growth pattern.

SITE INFORMATION

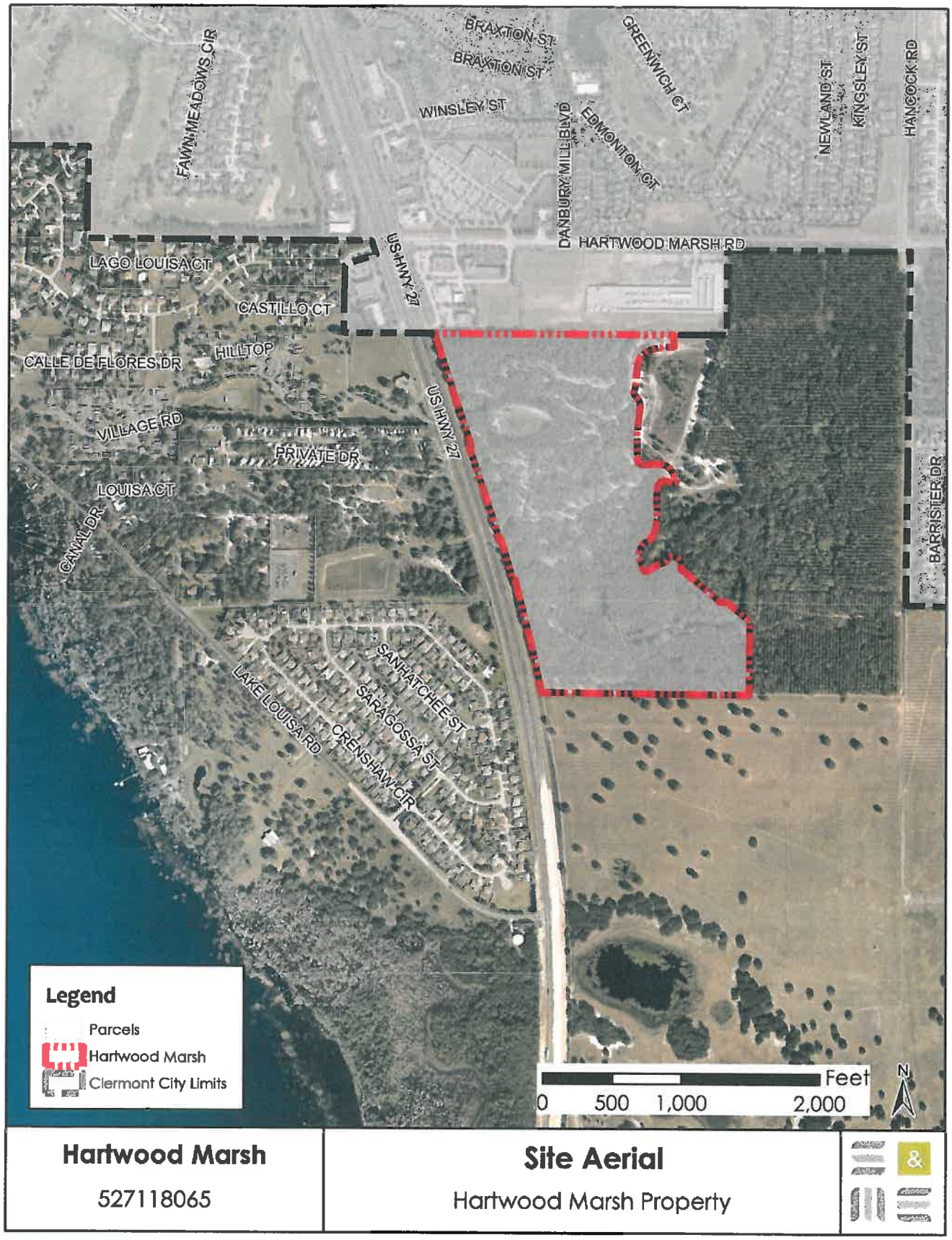
The project site consists of two parcels (09-23-26-000400000600, 16-23-26-000100000800) totaling approximately 80 acres, located at the southern end of Clermont's city limits near the intersection of US-27 and Hartwood Marsh Road, shown in **Figures 1 and 2.** The property is surrounded by mixed commercial development to the north and agricultural/undeveloped land to the east and south. However, the area is changing and expected to grow with a surge of recent development activity proximate to the Hartwood Marsh site.

Figure 1. Vicinity Map of Project Site



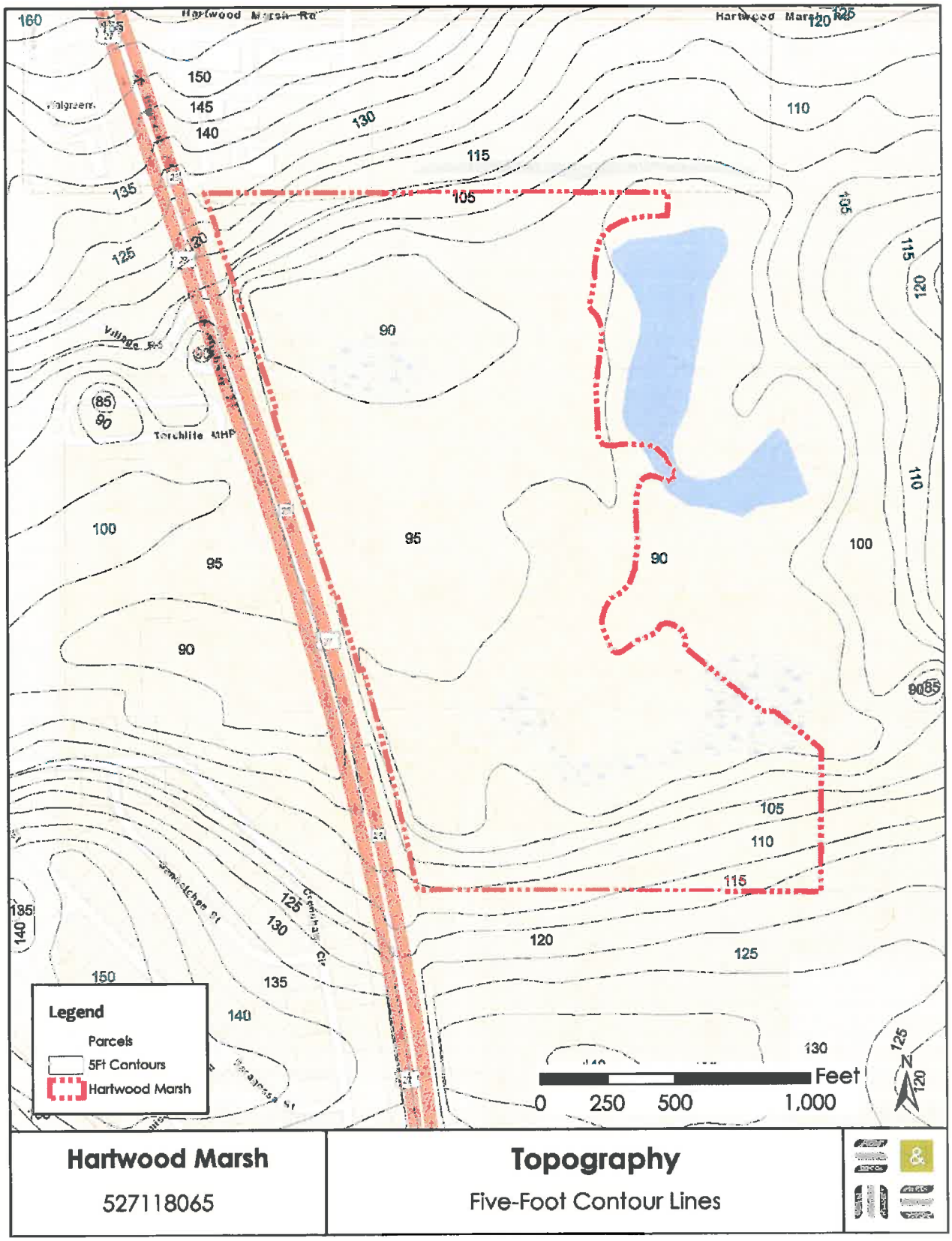
Hartwood Marsh	Vicinity Map	
527118065	Hartwood Marsh property	

Figure 2. Aerial Location Map of Project Site



Hartwood Marsh	Site Aerial
527118065	Hartwood Marsh Property

Figure 3. Topography Map



Below is a map showing the floodplains of the site, based on a Letter of Map Revision (LOMR) from 2011.

Figure 4. Floodplain Map

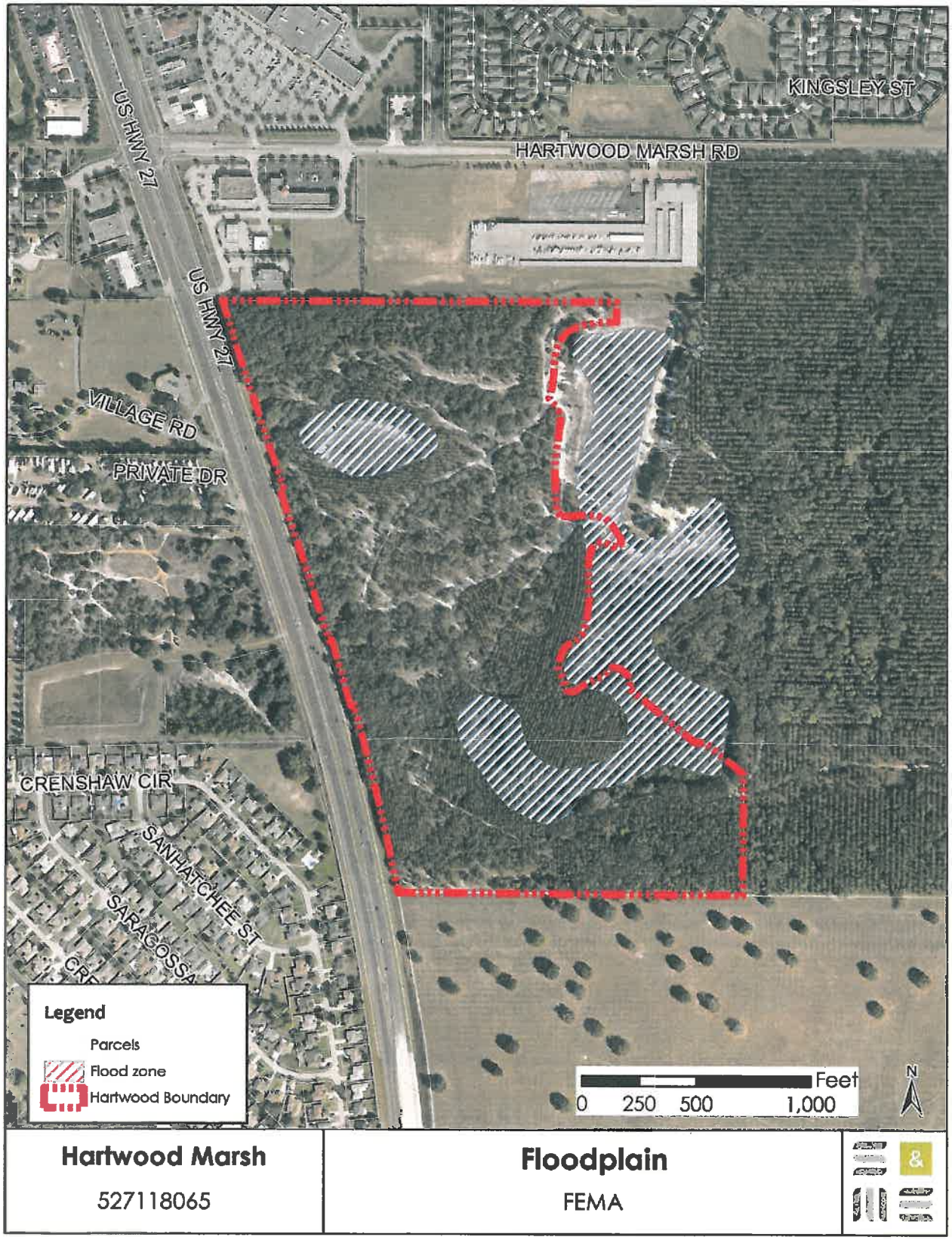


Figure 5. Wetlands Map

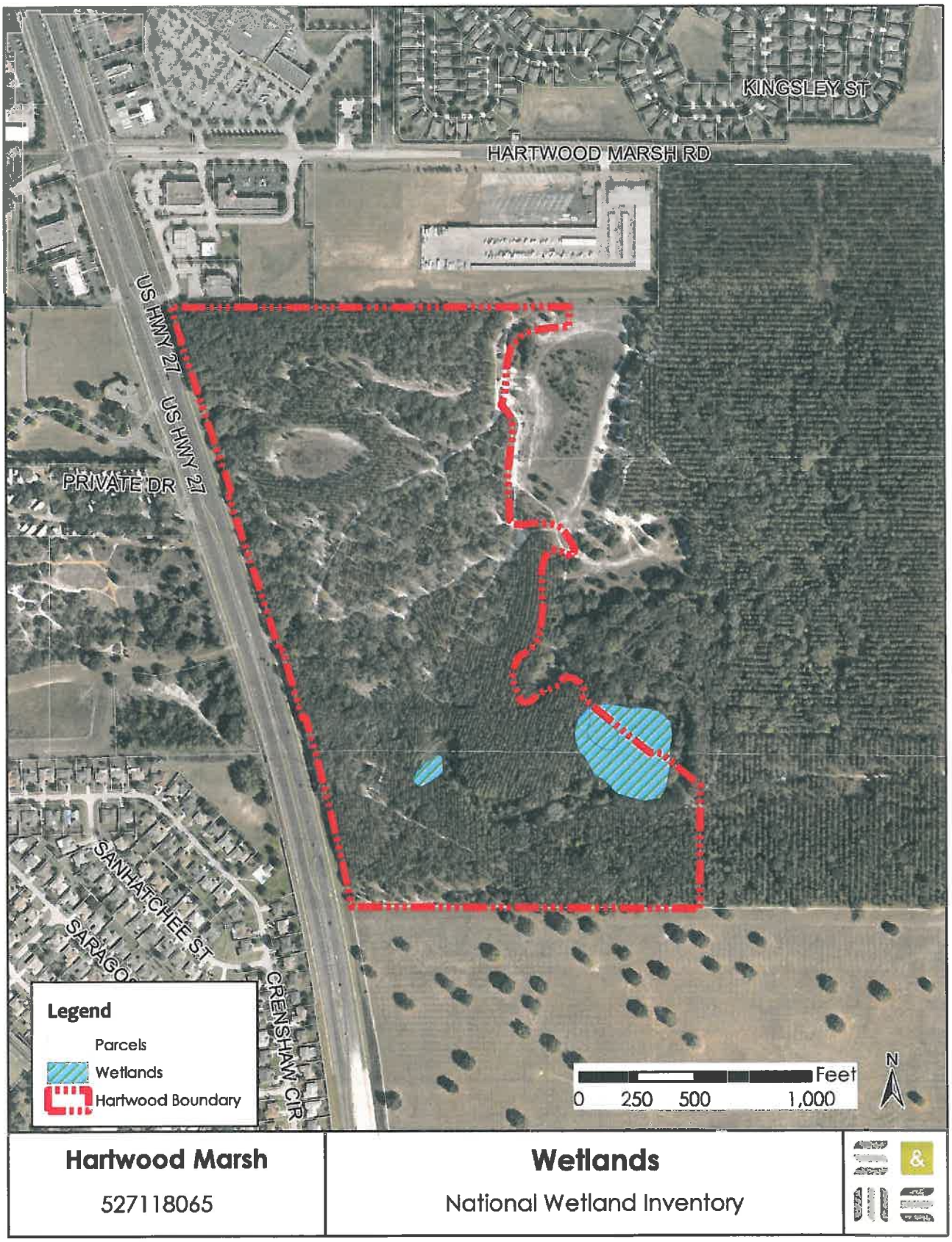
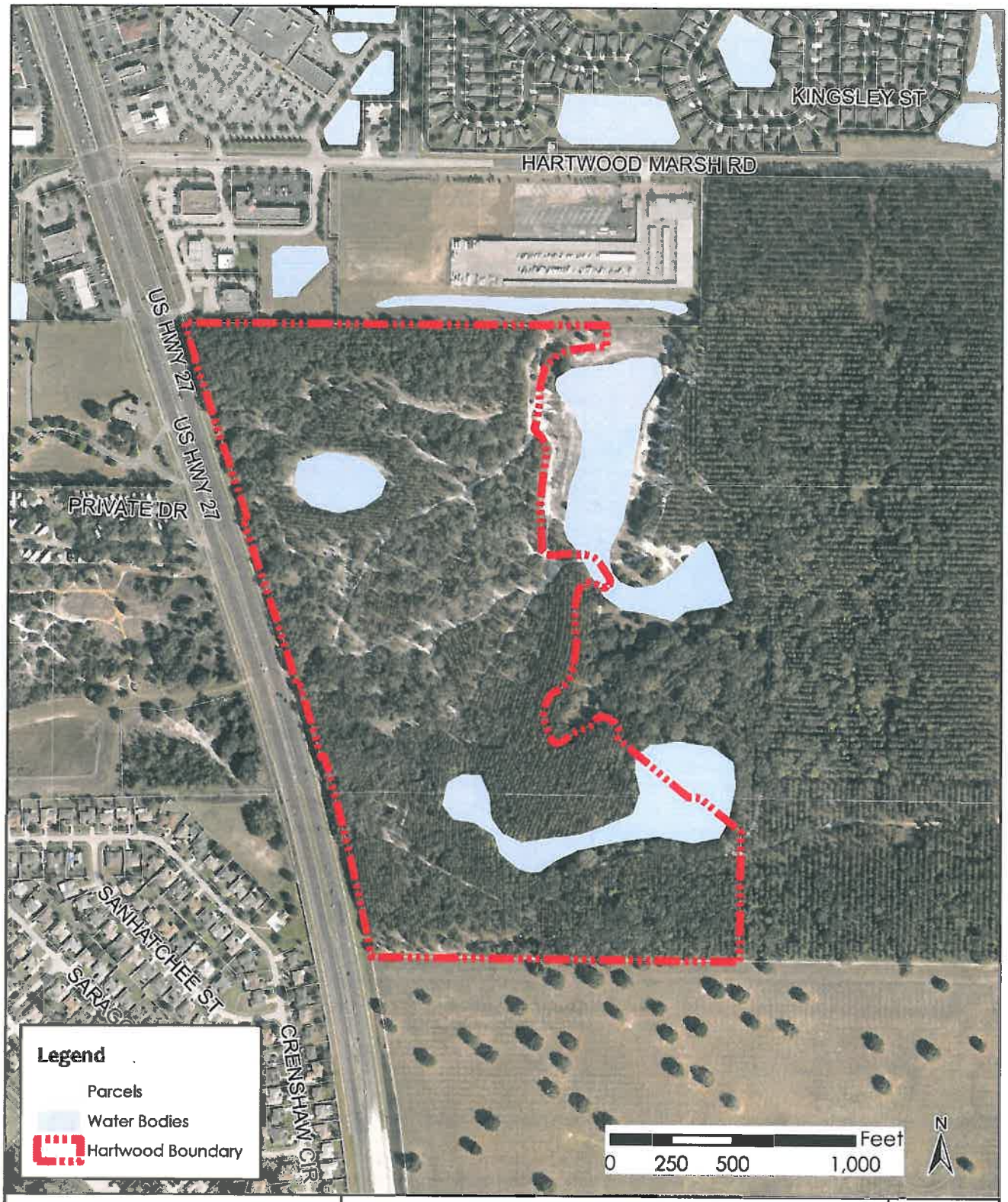
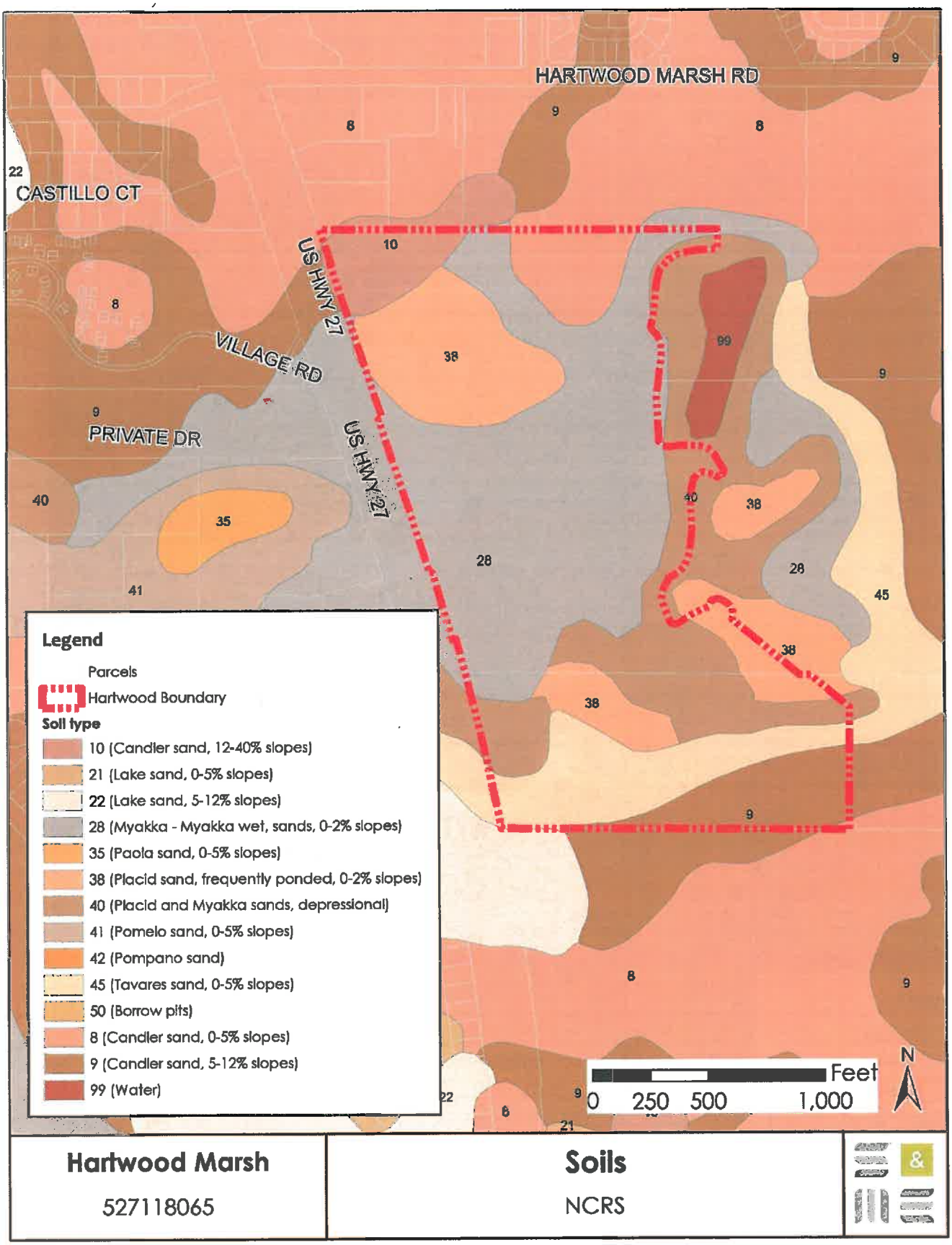


Figure 6. Water Bodies Map



Hartwood Marsh	Water Bodies	
527118065	SJRWMD	

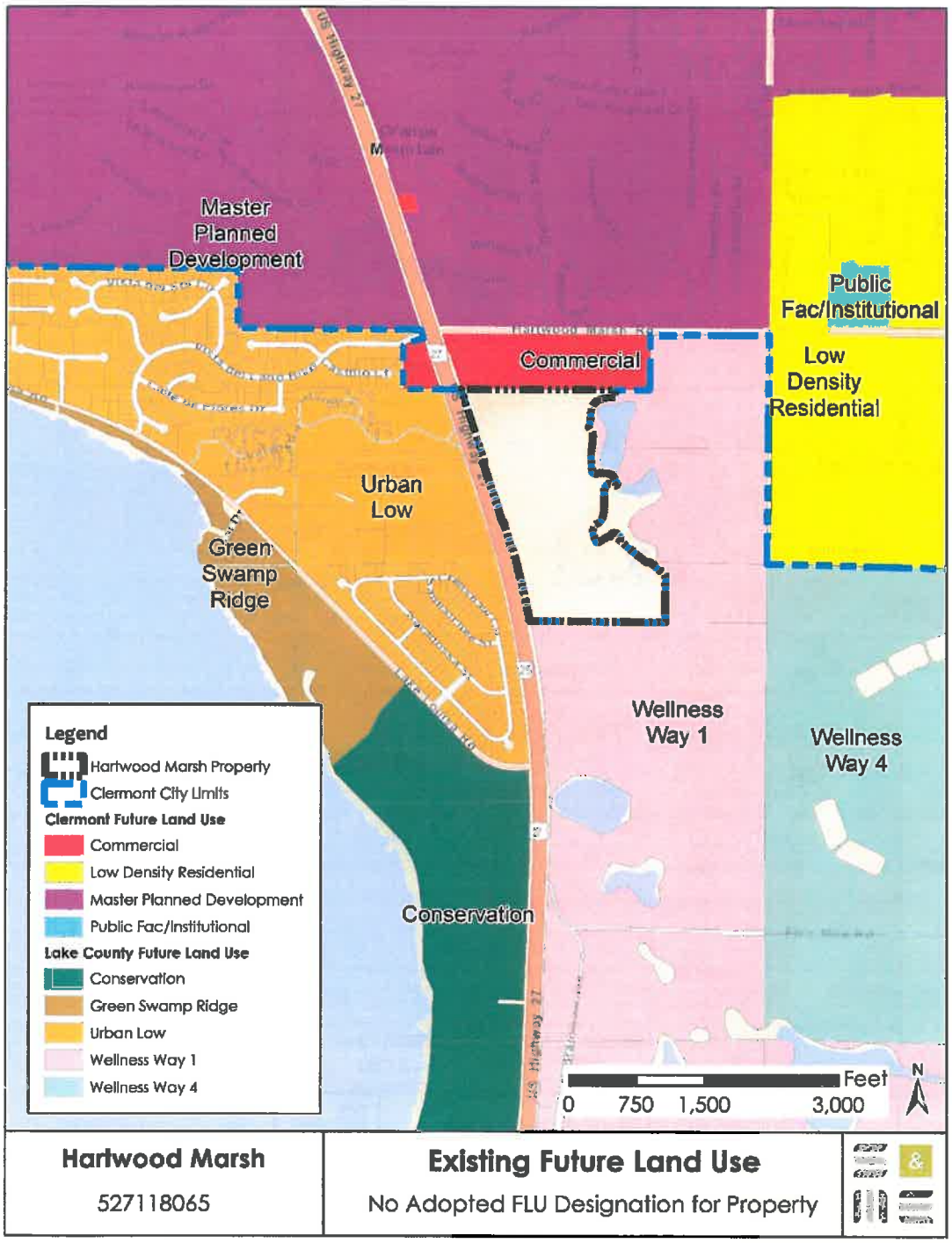
Figure 7. Soils Map



EXISTING FUTURE LAND USE

As shown in **Figure 8**, the parcels have no existing Future Land Use designation, as they were recently annexed in 2013. As stated previously, the parcels were previously designated Regional Office under Lake County and are adjacent to Lake County's Wellness Way Sector Area. The current lack of designation prevents any guided development, especially to meet the mixed-use and smart growth objectives laid out in the comprehensive plan.

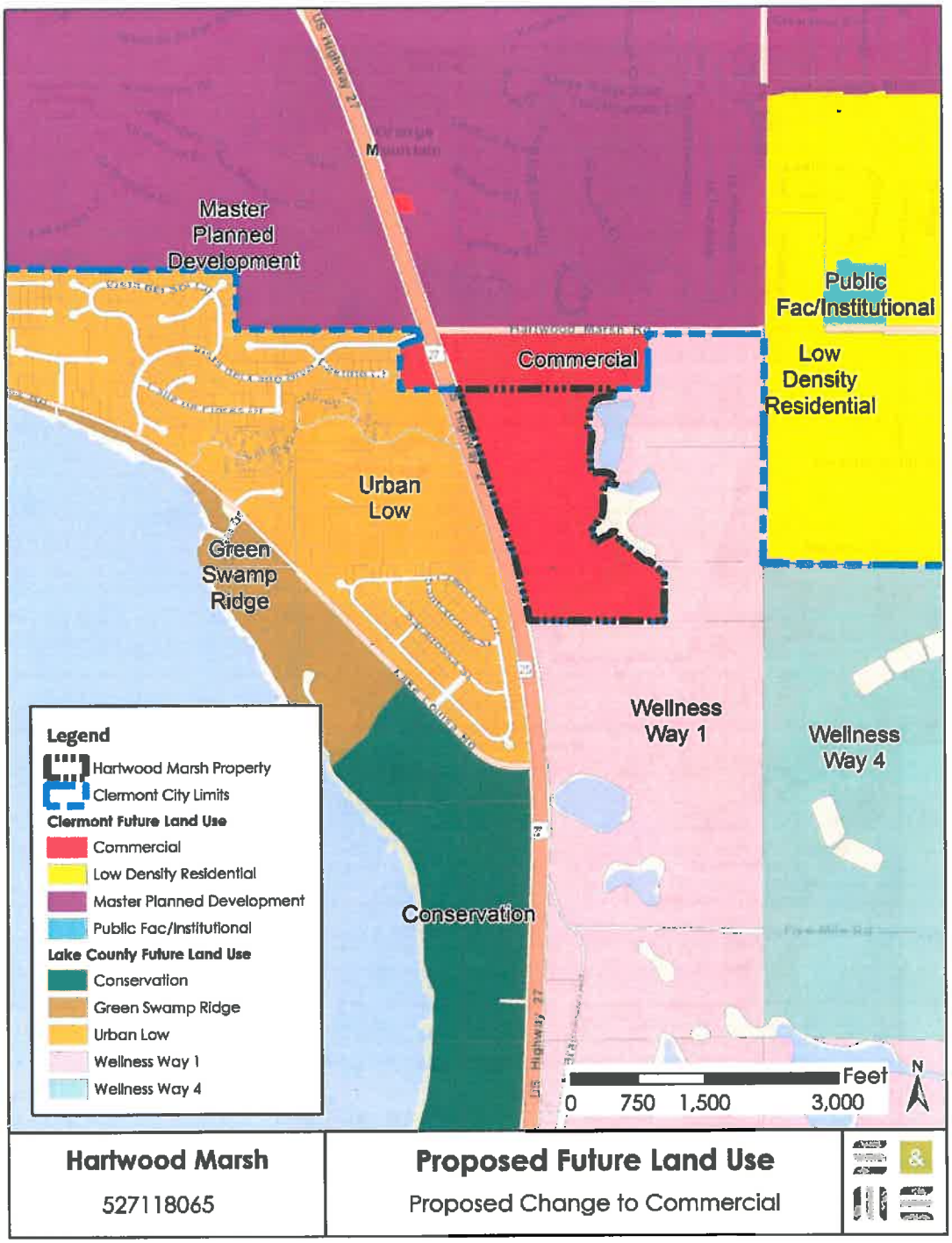
Figure 8. Existing Future Land Use Map



REQUESTED FLUM AMENDMENT

The proposed Future Land Use Map amendment application is to change the future land use designation from no designation to Commercial, which is compatible with Clermont's adjacent Commercial parcels and Lake County's adjacent Wellness Way 1 parcels, as shown in **Figure 9**. This amendment would provide an opportunity for the development of commercial and office buildings, as well as residential units.

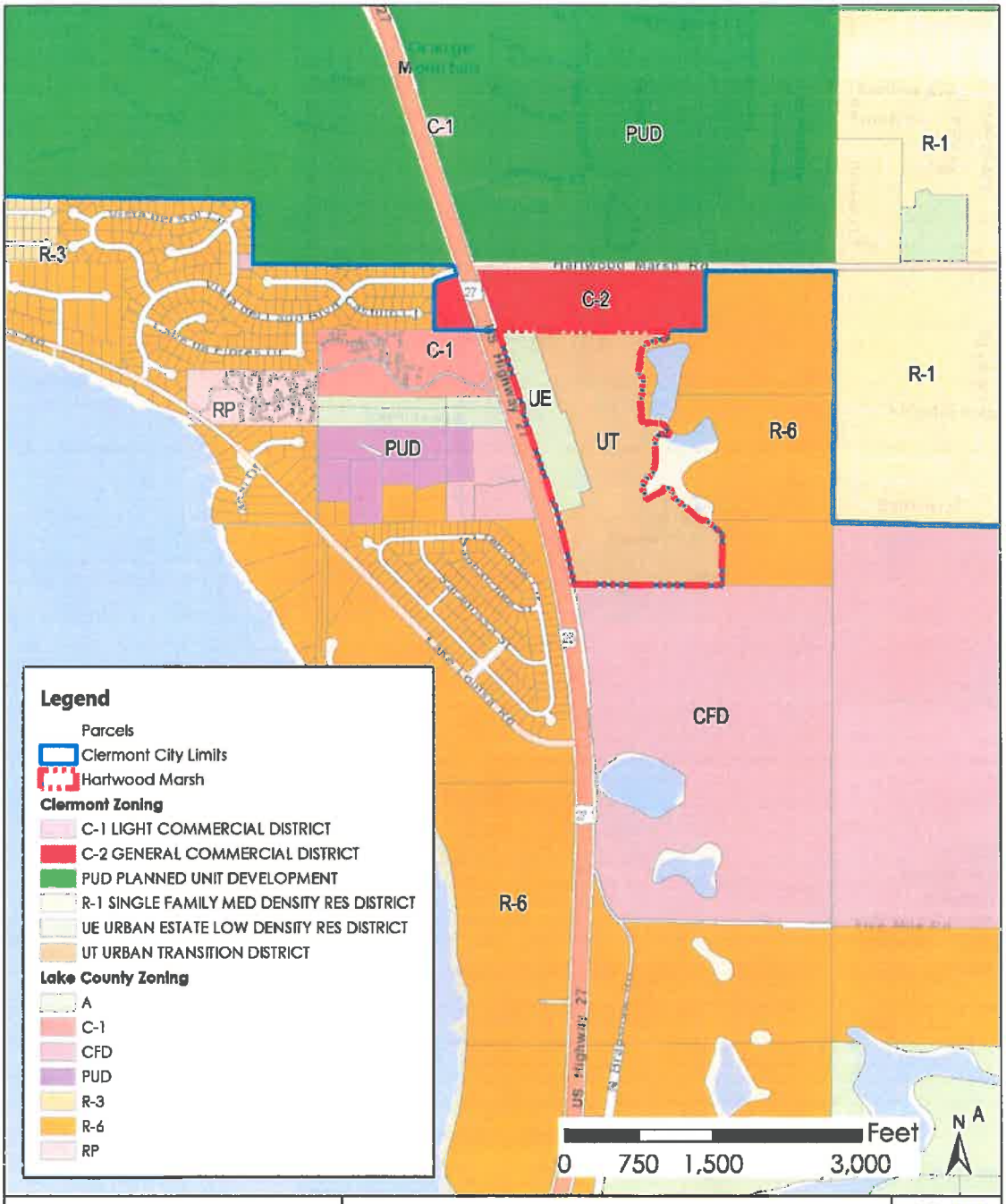
Figure 9. Proposed Future Land Use Map



ZONING

As shown in **Figure 10**, the parcels are currently zoned as Urban Transition District (UT) and Urban Estate Low Density Residential District (UE).

Figure 10. Existing Zoning Map

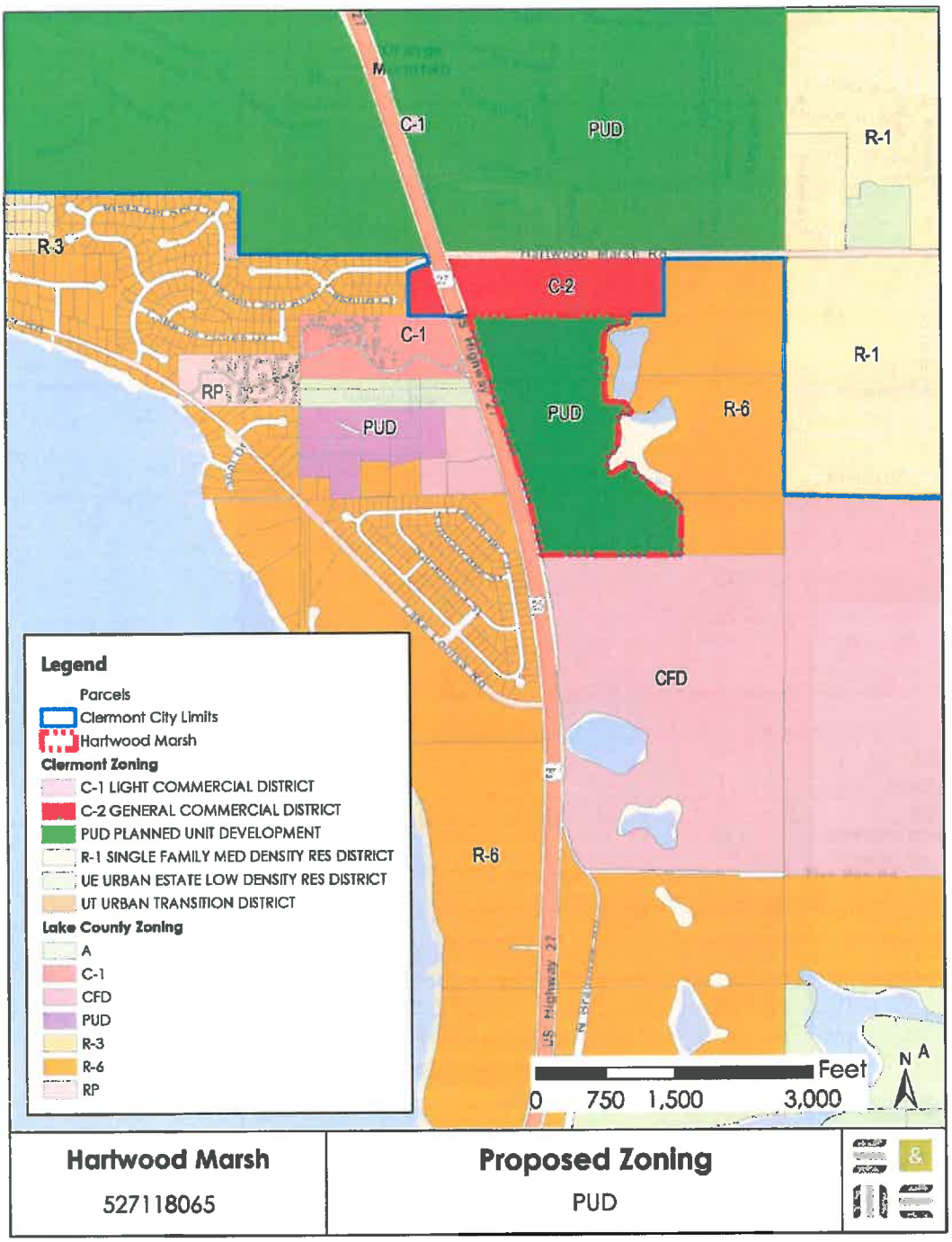


Hartwood Marsh	Existing Zoning
527118065	UE and UT

REQUESTED REZONING

We request that these sites be rezoned to PUD, as such would allow the uses and flexibility needed to develop a mixed-use area. This mixed use development would integrate with both the commercial and residential development in the surrounding area. **Figure 11** includes the proposed amendment to the City's Zoning map.

Figure 11. Proposed Zoning Map



FLUM AMENDMENT IMPACT ASSESSMENTS

As shown in **Table 1**, the previous Future Land Use under Lake County allowed up to 9,671,627 square feet of commercial development given a 3.0 Floor Area Ratio (FAR) and 967 dwelling units. This accounts for the fact that wetlands and water bodies are excluded from net developable acres. The proposed Future Land Use with the City of Clermont, as shown in **Table 2**, would allow up to 12 dwelling units per gross acre and a maximum FAR of 0.25.

Table 1. Existing Future Land Use-None*

Future Land Use	Net Buildable Acres	FAR/Density	Maximum Development
Regional Office [previously under Lake County]	74.01	3.0 FAR 1 Multi-family du/10,000 sf of commercial	9,671,627 sf non-residential 967 dwelling units

*The previous future land use for these parcels was Regional Office under Lake County. It has not received a designation since being annexed into the City of Clermont.

Table 2. Proposed Future Land Use-Commercial

Future Land Use	Gross Acres	FAR/Density	Maximum Development
Commercial	80.41	0.25 12 du/ac	875,665 sf non-residential 965 dwelling units

Table 3 shows the change in development potential between the existing and proposed FLUM amendment. The proposed FLUM amendment would slightly decrease the potential residential development and dramatically decrease the potential non-residential development. Thus, there would be no increased impact from what was previously allowed under the Lake County FLU of Regional Office.

Table 3. Net Maximum Development Potential

Future Land Use	Residential Units	Non-Residential sf
Existing FLUM	967	9,671,627
Proposed FLUM	965	875,665
Net Increase (Decrease)	(2)	(8,795,962)

Transportation

Table 4 below shows current traffic conditions on surrounding road segments within one miles of the site. All segments operate at an adequate level of service (LOS).

Table 4. Level of Service and AADT for Surrounding Roads in 2017 (1 mile radius)

Roadway	Segment	# of Lanes	Area Type	LOS Std.	AADT	Svc. Vol. @ Std.	PM Pk HR Total	PK Hr/Pk Dir	Current LOS
US HWY 27 (SR 25)	Green Cove Blvd to Lake Louisa Rd	4	Urban	E	26,500	1,870	2,385	1,288	C
	Lake Louisa Rd to project site	6	Urban	E	25,500	2,820	2,295	1,239	C
	Project site to Hartwood Marsh Rd	6	Urban	E	25,500	2,820	2,295	1,239	C
	Hartwood Marsh Rd to Johns Lake Rd	6	Urban	E	36,000	2,820	3,240	1,750	C
Hartwood Marsh Rd	US-27 to Hancock Rd	2	Urban	E	14,932	884	1,282	841	E
	Hancock Rd to Flat Lake Rd	2	Urban	E	14,798	884	1,533	853	E
Hancock Rd	Hartwood Marsh Rd to Johns Lake Rd	2	Urban	E	2,281	884	200	110	C
Lake Louisa Rd	E Lake Louisa Rd to US-27	2	Urban	E	13,332	884	1,143	584	D

Using standard ITE generation rates, the maximum amount of total daily and PM peak trips were projected and summarized in **Table 5**, for both the existing and proposed future land uses. **Table 6** compares the projected maximum total trips between the existing and proposed future land uses. With the proposed FLUM amendment, there would be a substantial reduction in potential trips compared to the existing FLU.

Table 5. Trip Generation from Existing and Proposed FLUM Amendments

Future Land Use	Land Use (ITE Code)	Residential (Units)	Non-Res (sf)	Average Daily Trips	PM Peak Hr Trips
Existing FLUM	Commercial (820)	-	9,671,627	134,636	16,010
	Residential: Multifamily (220)	967	-	7,270	445
Proposed FLUM	Commercial (820)	-	875,665	26,291	2,707
	Residential: Multifamily (220)	965	-	7,255	444

Table 6. Existing and Proposed Future Land Use Traffic Impact Comparison

Future Land Use	Average Daily Trips	PM Peak Hour Trips
Existing FLUM	141,906	16,455
Proposed FLUM	33,546	3,151
Net	-108,360	-13,304

Water and Sewer

The proposed FLUM amendment decreases the potential water and sewer demand by approximately 72,650 and 47,148 gallons per day, respectively shown in **Tables 7** and **8**. The City of Clermont provides both water and sewer to the subject property, as shown in **Figure 12,** and the applicant is committed to working with the City to ensure that adequate capacity exists prior to development.

Table 7. Existing and Proposed Water and Sewer Demand

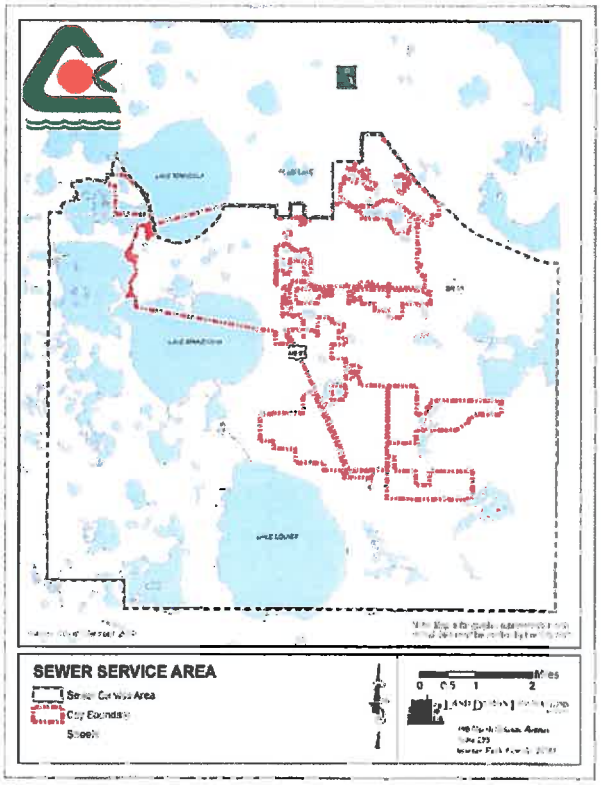
Future Land Use	Service	Adopted LOS gpd/capita	Non-Residential Estimated LOS gpsf	Dwelling Units[1]	Non-Residential SF	Residential Demand	Non-Residential Demand	Total Demand gallons/day
Existing FLUM	Water	185	0.0033	967	9,671,627	492,044	31,916	523,960
	Sewer	70	0.0033	967	9,671,627	186,179	31,916	218,095
Proposed FLUM	Water	185	0.0033	965	875,665	490,842	2,890	493,732
	Sewer	70	0.0033	965	875,665	185,724	2,890	188,614

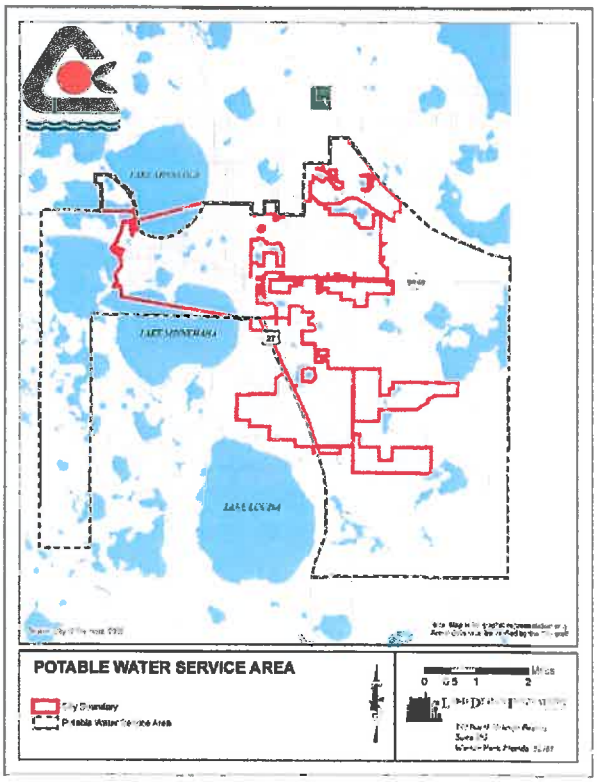
[1]Residential demand calculation based on 2.75 persons per household (Source: US Census Bureau, City of Clermont, 2012-2016)

Table 8. Net Existing and Proposed Water and Sewer Demand

Service	Existing FLUM	Proposed FLUM	Net gallons/day
Potable Water	523,960	493,732	-30,229
Sewer	218,095	188,614	-29,481

Figure 12. Clermont Water Service Area





Schools

Prior to Preliminary Plat approval, the applicant will be required to apply to Lake County Public Schools for a Formal Capacity Determination and address any potential deficits in school capacity. However, this narrative provides preliminary estimates. Because the proposed FLU would reduce the potential dwelling units by 2, the potential student enrollment would drop, albeit marginally. **Table 9** shows the most recent student generation rates, as adopted by the Lake County Public Schools. **Table 10** shows the implication on potential student generation, both for existing and proposed future land uses. **Table 11** compares potential enrollment (PE), for both the current and proposed FLU, to current enrollment and capacity for the elementary, middle, and high school that serve the subject properties. Current enrollment for all three schools exceeds existing capacity. While development under either FLU would add even more students, the growth would be mitigated, albeit marginally, under the proposed FLU. Notably, another K-8 school in Four Corners is already planned to open in 2021, which would provide relief. Nonetheless, the applicant is committed to working with the City of Clermont and the Lake County School Board to assure adequate capacity is in place and/or excess capacity can be mitigated.

Table 9. Student Generation Rates (SGR), 2017

	SGR ES	SGR MS	SGR HS	SGR Total
Single Family	0.152	0.074	0.102	0.328
Multi Family	0.143	0.063	0.077	0.283
Mobile Home	0.097	0.047	0.062	0.206

Source: Lake County Public Schools, 2017 School Concurrency Management Report

Table 10. Existing and Proposed Future Land Use Student Generation Comparison

			Students			
	Use	Units	ES	MS	HS	Total
Existing	Multi-family	967	138.3	60.9	74.5	273.7
Proposed	Multi-family	965	138.0	60.8	74.3	273.1
Net	Multi-family	-2	-0.3	-0.1	-0.2	-0.6

Table 11. Lake County School Capacity, 2017

School	Existing Capacity	Current Enrollment	Existing FLU Potential Enrollment (PE)	Existing FLU PE Percent of Capacity	Proposed FLU Potential Enrollment (PE)	Proposed FLU Potential Enrollment (PE)	Difference in Percents
Lost Lake Elementary	986	1,056	1,194.3	121.17%	1,194.0	121.14%	-0.03%
Windy Hill Middle	1,149	1,397	1,457.9	126.89%	1,457.8	126.88%	-0.01%
East Ridge High	2,242	2,393	2,467.5	110.08%	2,467.3	110.07%	-0.01%
Total	4,376	4,846	5,119.7	116.99%	5,119.1	116.98%	-0.01%

*The 2017 Concurrency Report from the Lake County Public Schools shows the capacity of all three schools. However, the capacity for Lost Lake Elementary and East Ridge High are aggregated with other schools. To estimate the individual school's capacity, the total capacity for its group was divided by the number of schools in its group.

POTENTIAL CONCEPT DESIGN

In order to better illustrate the proposed FLUM amendment and rezoning of this property, a conceptual design displaying the mixed use nature of it is shown in **Figure 13**. This design offers one mixed use development scenario in order to depict potential uses, densities, and intensities of development. It does not reflect an intended development to be constructed.

The concept design shows 100,000 square feet of commercial uses, storm water and greenspace amenities, and 600 multi-family residential dwelling units. Ultimately, this concept design is intended to show that the parcels would be well-suited for a mixed-use development and could accommodate a large amount of commercial and multi-family residential resources.

CONCLUSION

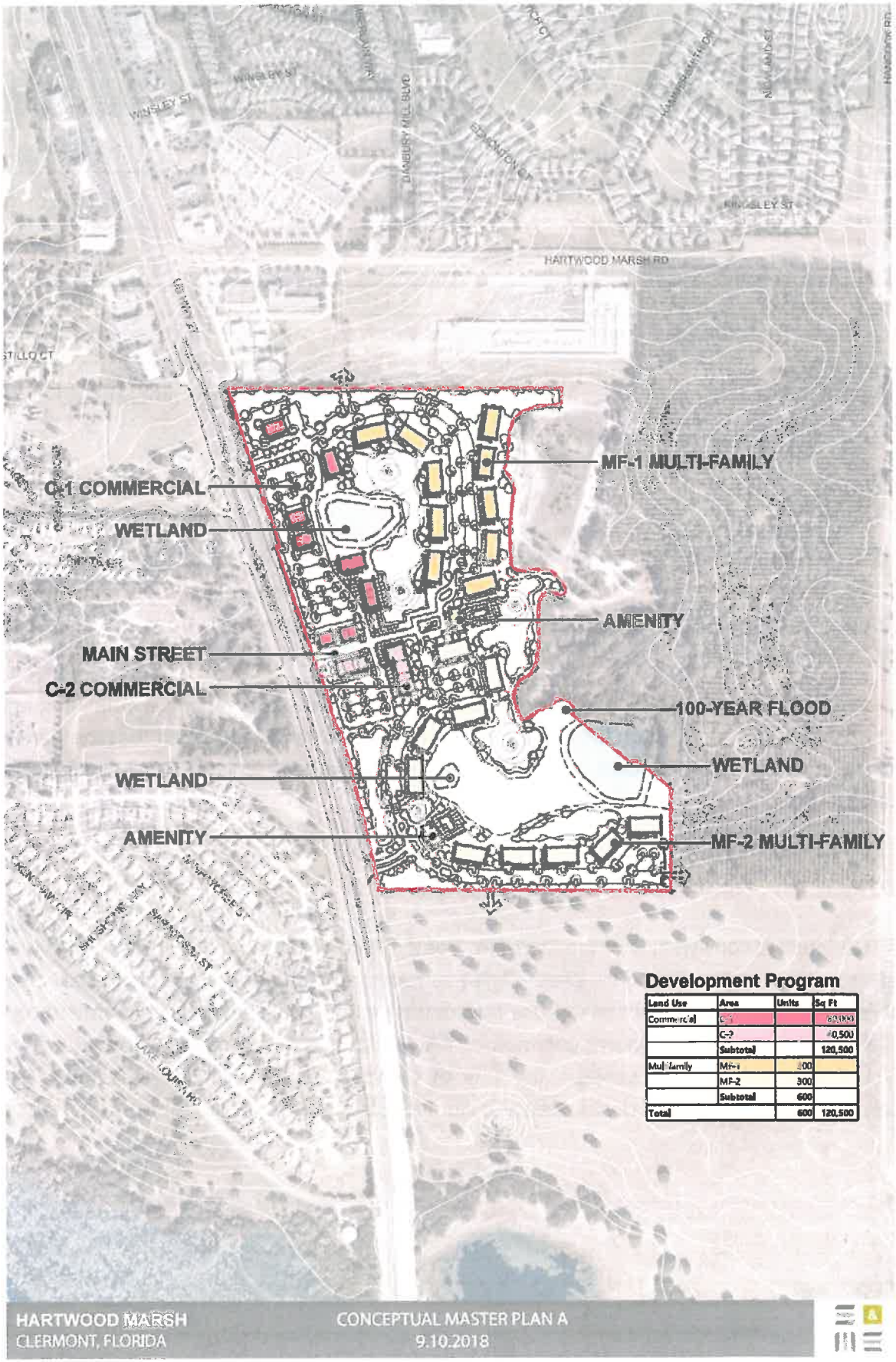
The proposed FLUM amendment is consistent with the Clermont Comprehensive Plan and will advance the vision of high-quality, mixed-use development. The site's proximity to surrounding residential and commercial areas makes this property an ideal location for a vibrant mixed-use community center. The proposed FLUM amendment and rezoning action is also compatible with adjacent commercial, residential, and mixed-use land uses. Rezoning and changing the FLU of this property will position the City of Clermont to achieve desirable mixed-use development, ultimately creating a commercial destination and vibrant community for both visitors and residents of Clermont.

APPENDIX

Wetlands/floodplain/topo map

Soils map

Figure 13. Conceptual Design



Development Program

Land Use	Area	Units	Sq Ft
Commercial	C-1		20,000
	C-2		100,500
	Subtotal		120,500
Multi-family	MF-1	300	
	MF-2	300	
	Subtotal	600	
Total		600	120,500

Lake County School District
School Concurrency Application
& Service Provider Form

Growth Planning Dept.
201 West Burleigh Blvd.
Tavares, FL 32778
(352) 253-6690
Fax: (352) 253-6691

Instructions: Submit one copy of the completed application and applicable fee(s) for each new residential project requiring a concurrency determination of school capacity. A determination will be provided within thirty (30) working days of receipt of a complete application. A determination is not transferable and is valid for one year from date of issuance. Once the Development Order is issued, the concurrency determination shall be valid for the life of the Development Order upon verification of a final development order.

Please check (/) type of application (one only):

[ ] Concurrency Capacity Reservation (site plan, subdivision, plat) [ ] Exemption [ ] Amendment [ ] Equivalency
[x] Adequate School Facilities Determination (Comp Plan, Zoning) [ ] Letter of No Impact [ ] Time Extension

Fees: Concurrency Capacity Reservation ≤ 90 DU ($800) ≥ 91 DU ($1000);
Adequate School Facilities Determination ($500)
Amendment ($500); Adequacy ($500); Time Extension ($300)

PART 1: PROJECT INFORMATION

Include a copy of the site/subdivision plan, last recorded warranty deed and consent form or agent authorization

Project Name: (please include AKA's) Hartwood Marsh
Municipality: City of Clermont
Parcel Identification Number (PIN): 09-23-26-0004-000-00600; 16-23-26-0001-000-00800
Alternate Keys: 1412251; 3853085
Location / Address Of Subject Property: US-27, 700' south of Hartwood Marsh Rd, east edge

DEVELOPMENT REQUEST:

Project Data	Type and Number of Units
Recently Annexed: (Y) or N	Single Family
Project Acreage: 80.41	Multi-Family 600
Total Number of Units: 600	Mobile Home
Will the Project be Phased?[1] (Y/N): Y	Age Restricted (Adults Only)[2]
Concurrency Service Area (CSA): 14	

[1] If applicable, please attach a Phasing Plan showing the number and type of units to receive certificate of occupancy yearly.
[2] A Restrictive Covenant is required for age-restricted communities.

OWNERSHIP/AGENT INFORMATION: NOTE: If an agent, please include an agent authorization/consent form

Owner's Name: Hartwood Properties LLC
Agent's Name: Chris Dougherty, S&ME, Inc.
Mailing Address: 1615 Edgewater Dr. Suite 200, Orlando, FL 32803
Telephone Number: 407-975-1273 Fax Number: 407-975-1278
Contact Email Address: cdougherty@smeinc.com

I hereby certify the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge.

Owner/Agent Signature:	**Date:** 5/2/19

PART 2: TO BE COMPLETED BY LOCAL GOVERNMENT REVIEW

Date Application Filed:	Petition/Project Number:
Reviewed By:	Reviewers Title:

Government Representative Signature:	**Date:**

PART 3: TO BE COMPLETED BY SCHOOL DISTRICT

Date & Time Received:	Case Number:
I verify that the project complies with the adopted Level of Service (LOS) for Schools	I verify that the project will comply with the adopted Level of Service (LOS) for Schools subject to the attached conditions
I cannot verify that the project will comply with the adopted Level of Service (LOS) for Schools	Payment Received:
District Representative:	**Date:**

Form revised 10/2/2017

AGENT AUTHORIZATION

Before me, the undersigned authority, personally appeared Holly Collins, VP

and has authorized S&ME, Inc. to act as its agent to represent them in obtaining the necessary approvals from the Lake County School Board regarding School Concurrency and any other similar items that may arise dealing with property owned by Hartwood Properties, LLC in Lake County, Florida.

Holly Collins Affiant (Owner's Signature)

STATE OF Florida

COUNTY OF Orange

The foregoing instrument was acknowledged before me this 13th day of May, 2019

By Holly Collins who is personally known to me or has produced _____ as identification and who did ___ or did not ____ take an oath.

Gennives Brown
Notary Public (signature)

(SEAL)

My Commission expires:

GENNIVES BROWN
Commission # GG 281409
Expires February 23, 2023
Bonded Thru Budget Notary Services

COMP1905-0002

received 5/17/19 JC

CITY OF CLERMONT
COMPREHENSIVE PLAN AMENDMENT
Application

DATE: May 6, 2019 FEE: $2,325.00

Project Name (if applicable): Hartwood Marsh Mixed Use PD

Applicant: S&ME
Contact Person: Chris Dougherty
Address: 1615 Edgewater Drive, Suite 200
City: Orlando State: FL Zip: 32804
Phone: 407-975-1273 Fax: 407-975-1278
E-Mail: cdougherty@smeinc.com

OWNER: Hartwood Properties LLC
Address: P.O. Box 617138
City: Orlando State: FL Zip: 32861
Phone: 407-370-9100 Fax:
E-Mail:

General Location: Along the east side of US 27, due south of Hartwood Marsh Road by approximately 680 feet.

Legal Description (include copy of survey): See attached

Property size (in acres or square feet):

AH# 1412251

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

Existing (Actual) Land Use: Vacant

Existing Zoning: Urban Transition and Urban Estate

Existing Future Land Use: N/A

Proposed Future Land Use: Commercial

Type of development proposed: Mixed-use with multi-family and general retail/commercial along US 27.

Proposed density (dwelling units/acre) or intensity: FLU density: 12 du/acre. FAR: 0.25

Proposed Zoning District: Planned Unit Development

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

See attached

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

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

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

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

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

CLERMONT
Choice of Champions

APPLICANT'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE:

Before me, the undersigned authority personally appeared

Chris Dougherty, S&ME, Inc., who being

by me first duly sworn on oath, deposes and says:

1. That he (she) affirms and certifies that he (she) understands and will comply with all ordinances, regulations and policies of Lake County, Florida, and that all statements and diagrams submitted herewith are true and accurate to the best of his (her) knowledge and belief, and further, that this application and attachments shall become part of the official records of the City of Clermont, Florida, and are not returnable.

2. That he (she) desires a Future Land Use Amendment from None to Master Planned Development for the property legally described on the attachment of this application.

3. That the submittal requirements for the application have been completed and attached hereto as part of the application.

Chris Dougherty
Affiant - Applicant Name (print)

X
Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

or personally known by me this 6th day of May, 2019.

Amanda Y Vazquez
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG184019
Expires 2/7/2022

X
Notary Public, State of Florida at Large

My Commission Expires: 2/7/2022

CLERMONT
Choice of Champions

OWNER'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF ~~LAKE~~ ORANGE

Before me, the undersigned authority personally appeared Holly Collins, Vice Pres. of Hartwood Properties, LLC, who being

by me first duly sworn on oath, deposes and says:

1. That he (she) is the fee-simple owner of the property legally described on the attachment of this application.

2. That he (she) desires a Future Land Use Amendment from None to Master Planned Development for the property legally described on the attachment of this application.

3. That the owner of said property has appointed S&ME, Inc. to act as agent on his (her) behalf to accomplish the above. The owner is required to complete the APPLICANT'S AFFIDAVIT of this application if no agent is appointed to act in his (her) stead.

Holly Collins
Affiant - Applicant Name (print)

X Holly Collins
Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

or personally known by me this 13th day of May, 2019.

X Gennives Brown
Notary Public, State of Florida at Large

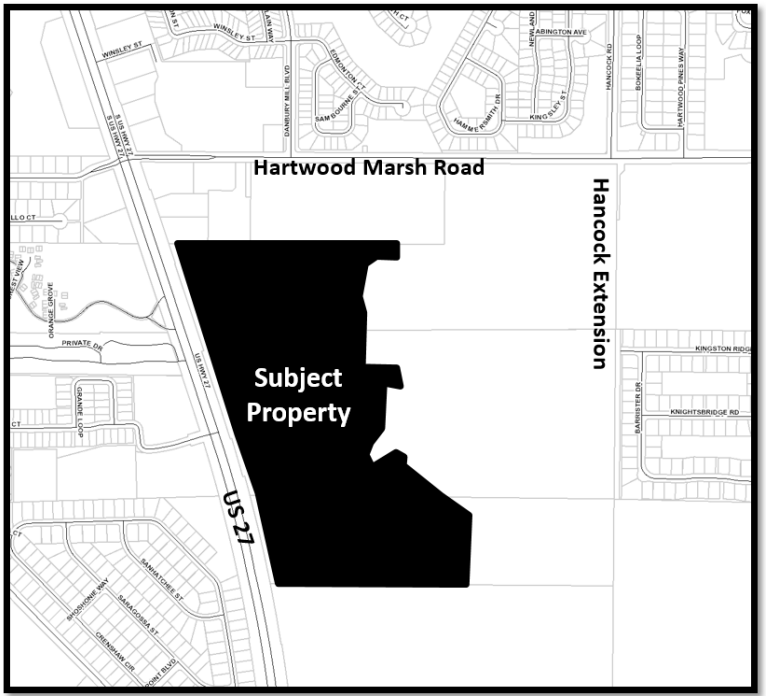
My Commission Expires: _____

NOTARY PUBLIC STATE OF FLORIDA
GENNIVES BROWN
Commission # GG 281409
Expires February 23, 2023
Bonded Thru Budget Notary Services

CITY OF CLERMONT
NOTICE OF PROPOSED AMENDMENT TO COMPREHENSIVE PLAN ORDINANCE NO. 2019-29

The City of Clermont will hold public hearings on Tuesday, August 6, 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, August 13, 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 Regional Office to City of Clermont Master Planned Development.

The City of Clermont will hold a public hearing on Tuesday, October 22, 2019 (final hearing) beginning at 6:30 p.m. before the City Council to consider the adoption of the proposed change to the City's Future Land Use Map.



Location:
1/4 mile south of Hartwood Marsh Road, East of US 27
Alternate Keys 1412251, 3853085
80.4 +/- Acres

Ordinance #2019-29:
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

Daily Commercial
July 22 and October 7, 2019

CITY OF CLERMONT

AGENDA ITEM

Meeting Date	
Tuesday, August 13, 2019	
Agenda Item Name	
Ordinance No. 2019-32 *Transmittal* *Bradshaw North CPA* *Table to August 27, 2019*	
Requested Action	
Recommend transmittal of Ordinance 2019-32.	
Staff Report	

The owner, BLR-Shell Pond/Floribra-Shell Pond, has requested an amendment to the Future Land Use Map to designate the property with a future land use category of Commercial. The subject site is 16.7 +/- acres in size. The property is located northeast of the intersection of US Hwy 27 and Schofield Road. This request is being heard concurrently with requests for annexation and a rezoning to C-2 General Commercial. The property is located within the Interlocal Service Boundary Agreement (ISBA) and the Joint Planning Area (JPA). A portion of the property has been historically used for agricultural purposes.

The current Future Land Use designation in Lake County is Wellness Way 1. The Wellness Way Area Plan allows for the following land use intensities:

Future Land Use Category Summary Table Maximum Density Allocation Table

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

The applicant desires to develop the property for commercial uses, which include a 140-room hotel with up to 32,800 square feet of commercial uses. The City's Commercial Future Land Use allows up to 0.25 Floor Area Ratio (FAR) and up to 12 units per acre, under Policy 1.9.2. This is comparable to what is permissible under Wellness Way 1 in Lake County.

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 Wellness Way 1. Therefore; staff recommends approval of the large-scale comprehensive plan amendment to change the future land use from Lake County Wellness Way 1 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.	2019-32 Bradshaw North CPA	2019-32 Bradshaw North CPA.DOC
2.	Bradshaw North Maps	Bradshaw North Maps.pdf
3.	location map	location map.pdf
4.	transmittal doc	transmittal doc.pdf
5.	App & affidavits	App & affidavits.pdf
6.	Ord 2019-32 Legal Ad Proof	Ord 2019-32 Legal Ad Proof.pdf

CITY OF CLERMONT

ORDINANCE NO. 2019-32

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

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

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

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

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

SECTION 1.

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

LEGAL DESCRIPTION

Parcel 1: That part of land lying between US Hwy 27 & Bradshaw Rd & N of the following described line: from N 1/4 cor of sec run S 01-24-28 E 706.60 ft, S 86-06-56 E 150.17 ft for POB, cont S 86-06-56 E 228.09 ft to the point of terminus ORB 1569 Pgs 1160 1169 ORB 3788 Pg 48.
Parcel ID: 21-23-26-000100000600

Parcel 2: N 1/2 of sec lying E'ly of US Hwy 25 & W'ly of Bradshaw Rd r/w & lying S of following described line: from N 1/4 cor run S 01deg 24min 28sec E 706.60 ft, S 86deg 06min 56sec E 150.17 ft for POB, cont S 86deg 06min 56sec E 228.09 ft to the point of terminus
ORB 2051 Pg 1403.
Parcel ID: 21-23-26-000100000100

Site contains 16.7 +/- acres.

LOCATION
Northeast of the US 27 & Schofield Road Intersection, East of US 27
(Alternate Keys 1594511, 3853224)

CHANGE IN FUTURE LAND USE CLASSIFICATION

FROM LAKE COUNTY: WELLNESS WAY-1
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.

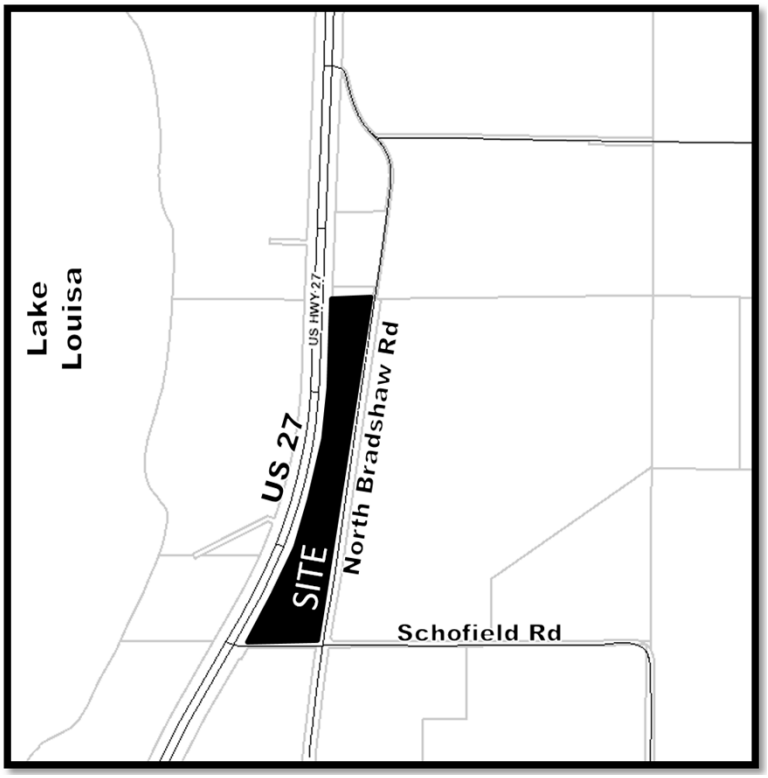
SECTION 3.

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. 2019-32

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida, this 22nd day of October, 2019.

CITY OF CLERMONT

_____
Gail L. Ash, Mayor

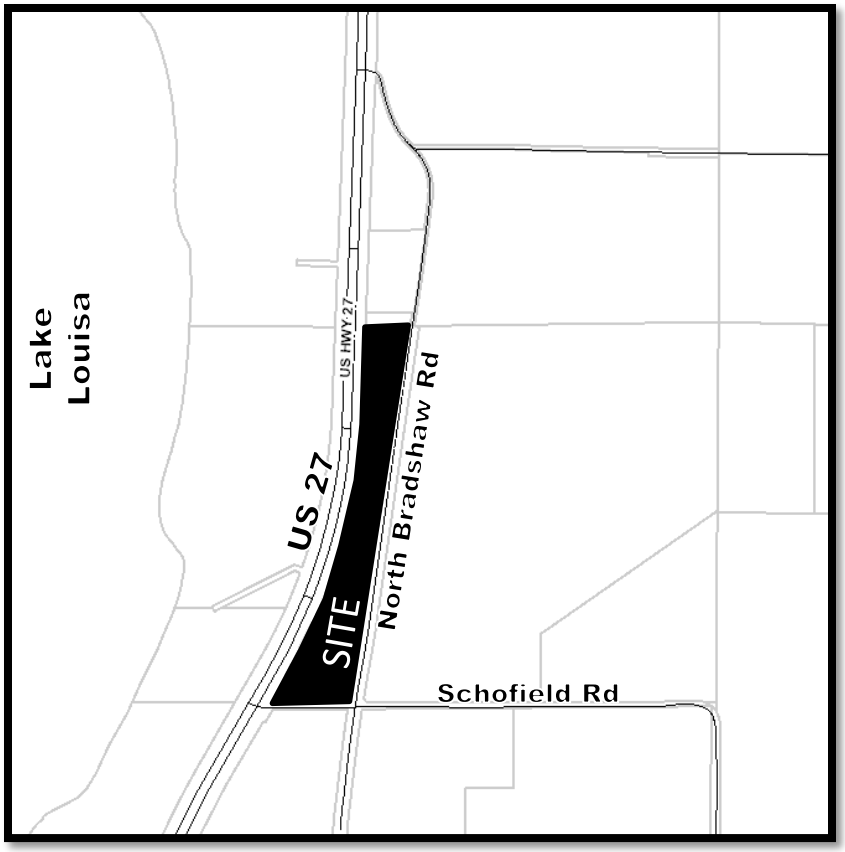
ATTEST:

_____
Tracy Ackroyd Howe, City Clerk

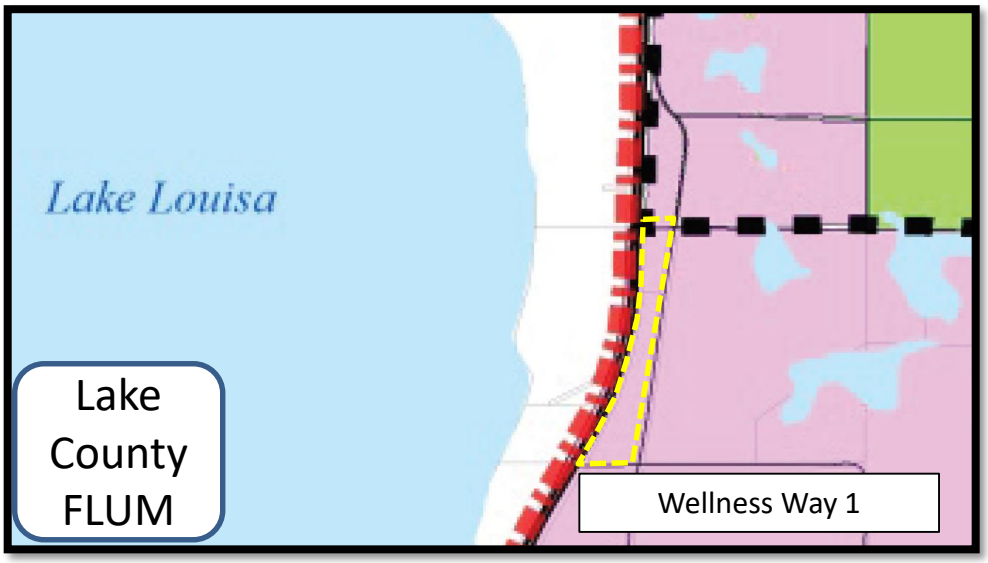
Approved as to form and legality:

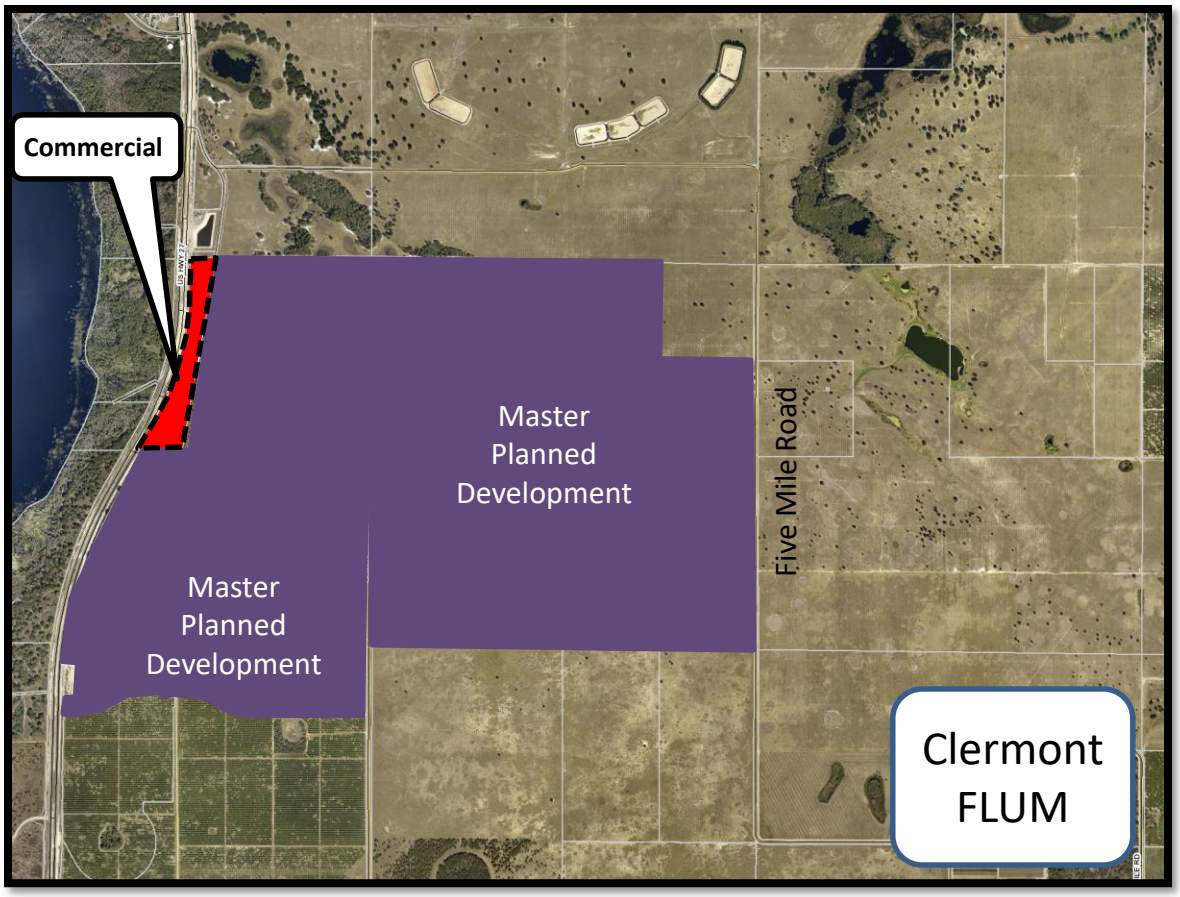
_____
Daniel F. Mantzaris, City Attorney

Exhibit - Location Map – Bradshaw North Property

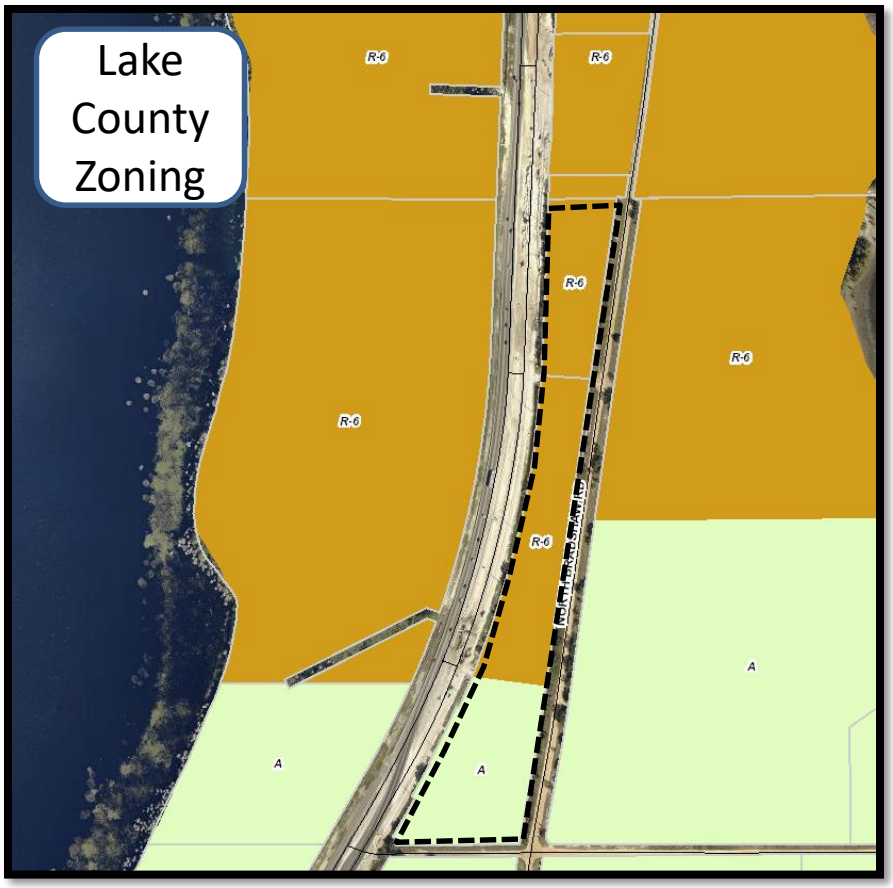


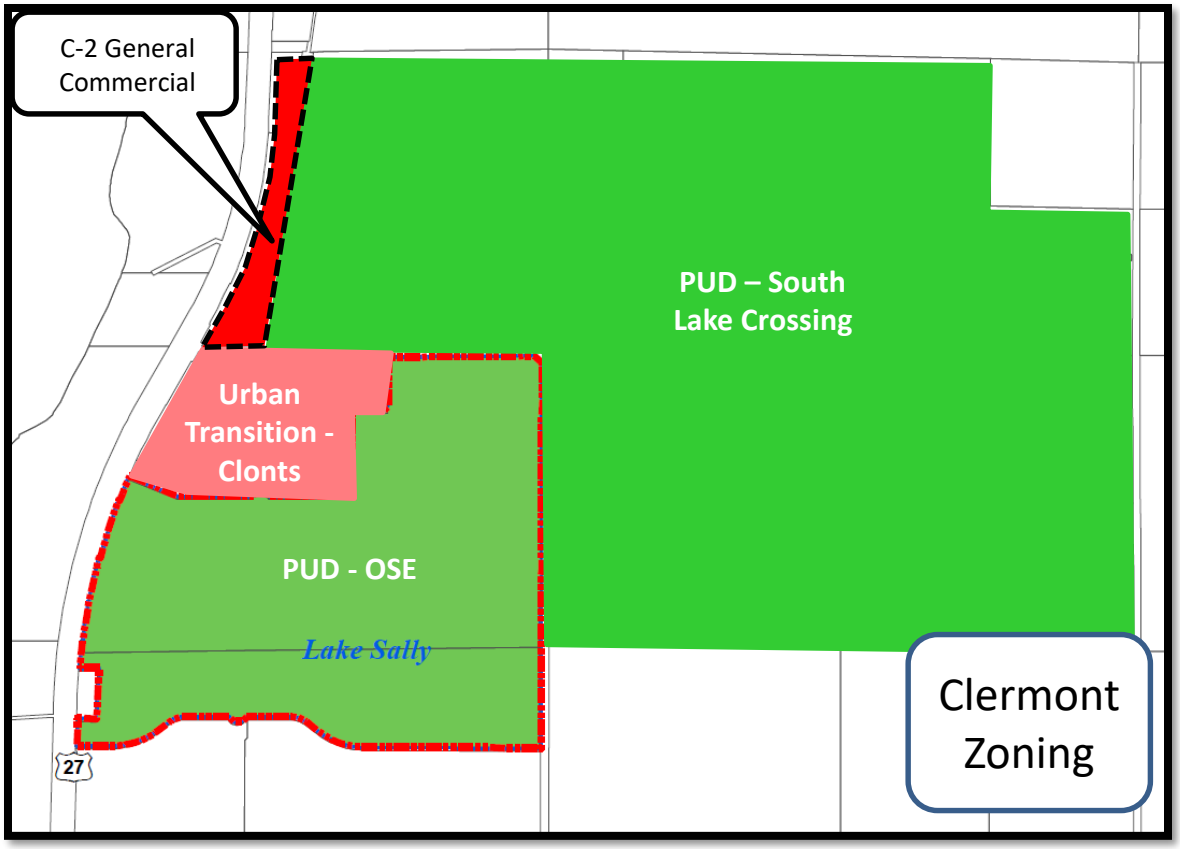
Future Land Use Map–Bradshaw North Property



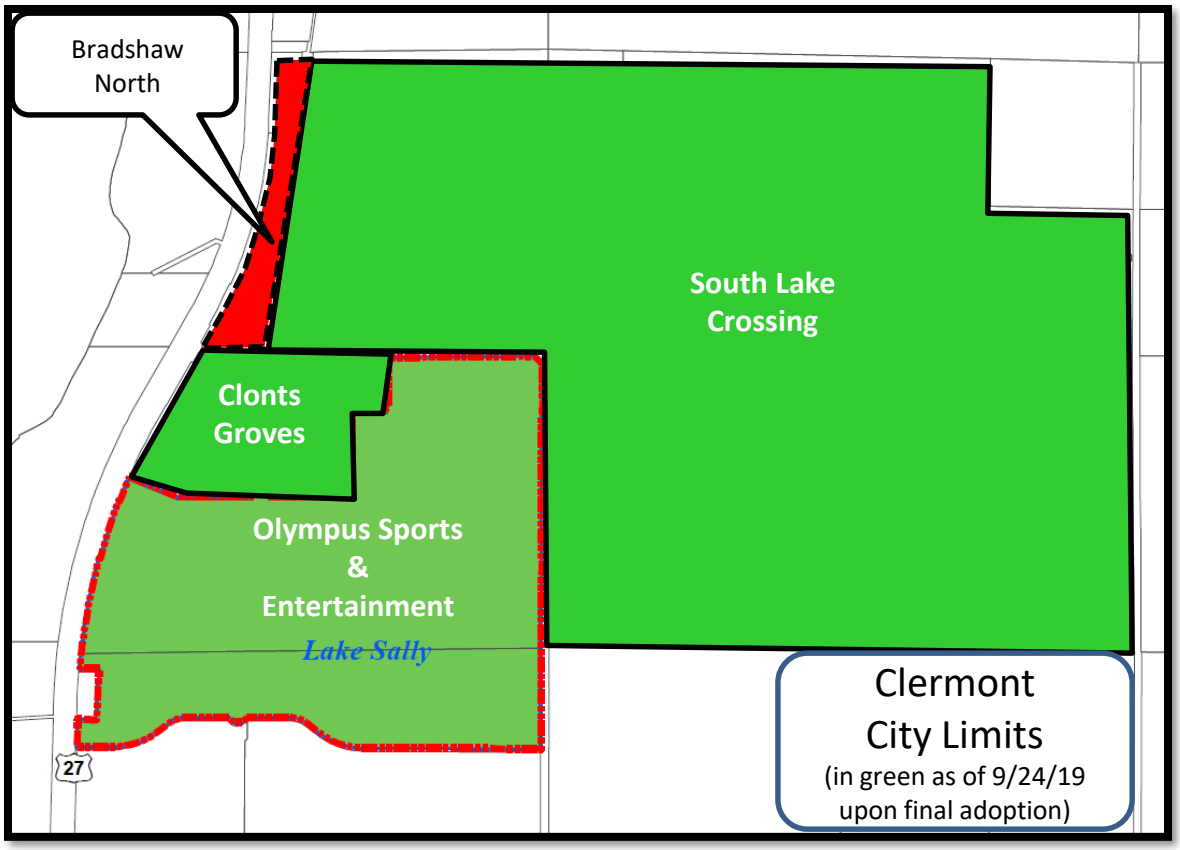


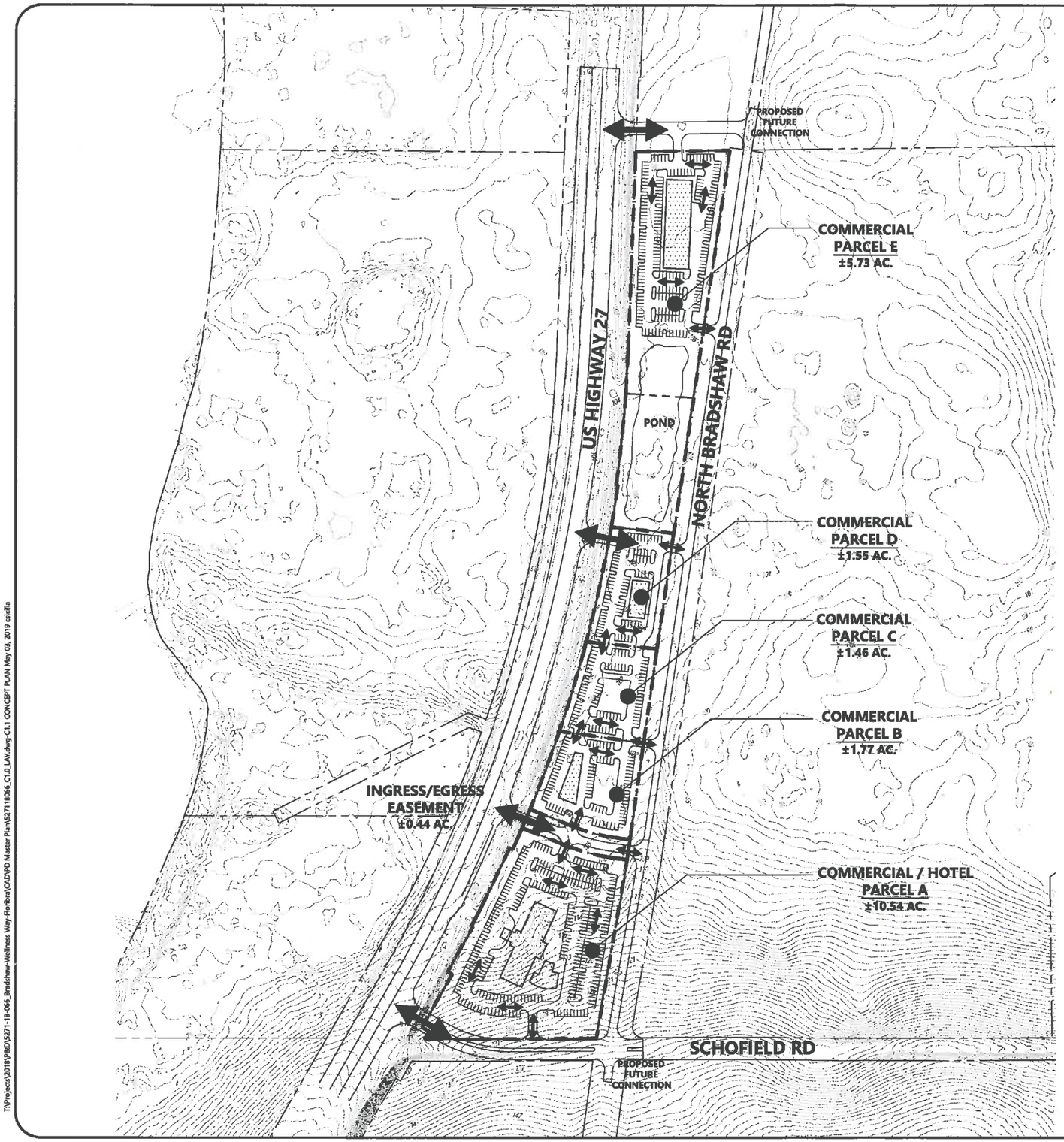
Zoning Map–Bradshaw North Property





City Limits Map – Wellness Way





SITE DATA

PARCEL ID.:	21-23-26-0001-0000-0100 & 21-23-26-0001-0000-0600
SITE ADDRESS:	SOUTH HWY 27 CLERMONT FL 34711
SITE ACREAGE:	16.69 AC. (727,016 FT²)
EXISTING ZONING:	R-6 - URBAN RESIDENTIAL & A - AGRICULTURE DISTRICT
ADJACENT ZONING:	
NORTH:	R-6 - URBAN RESIDENTIAL
SOUTH:	A - AGRICULTURE DISTRICT
EAST:	R-6 - URBAN RESIDENTIAL & A - AGRICULTURE DISTRICT
WEST:	A - AGRICULTURE DISTRICT
PROPOSED FUTURE LAND USE:	COMMERCIAL
PROPOSED USE:	COMMERCIAL / HOTEL
ADJACENT LAND USE:	
NORTH:	WETLAND
EAST:	PASTURE / WETLAND
SOUTH:	WELLNESS WAY 1
WEST:	US HIGHWAY 27 ROW

COMMERCIAL TRACT

MAXIMUM FLOOR AREA RATIO: 0.25

PROFOSED FAR:
IMPERVIOUS SURFACE RATIO (ISR): 80%

OPEN SPACE: 20%

PERMITTED USES: C-1 ZONING DISTRICT

MAXIMUM BUILDING HEIGHT: 55 FEET

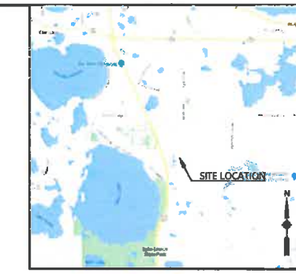
SETBACKS (C-1 ZONING DISTRICT)
FRONT: 50 FEET (FROM US 27)
25 FEET (FROM OTHER STREETS)
SIDE: 50 FEET (FROM US 27)
25 FEET (FROM OTHER STREETS)
12 FEET INTERIOR SIDE YARD
REAR: 50 FEET (FROM US 27)
25 FEET

PROPOSED COMMERCIAL AREA: 32,800 SQ.FT

PROPOSED HOTEL UROOMS: 140 ROOMS

TRIP GENERATION

	ITE		AM Peak Period						PM Peak Period					
			Daily Trip	In		Out			In			Out		
Land Use	Code	Intensity	Ends	%	Trips	%	Trips	Total	%	Trips	%	Trips	Total
Hotel	310	140Rooms	1,154	*59%*	*38*	*41%*	*27*	65	*51%*	*40*	*49%*	*39*	79
Shopping Center	820	32.8KSF	2,817	*62%*	*19*	*38%*	*12*	31	*48%*	*114*	*52%*	*124*	238
Subtotal			**3,971**		***57***		***39***	**96**		***154***		***163***	**317**
Internal Capture													
Pass-By			1,350		19		13	33		52		55	108
Total			**2,621**		***38***		***26***	**63**		***102***		***108***	**209**



LOCATION MAP

N

0 150 300 600
GRAPHIC SCALE (IN FEET)

1615 EDGEWATER DRIVE, STE 200.
ORLANDO, FLORIDA 32804
T 407.975.1273
F 407.975.1278
www.smeinc.com

BRADSHAW NORTH PLANNED DEVELOPMENT

LAKE COUNTY, FLORIDA

NO.	DATE	DESCRIPTION	BY	CHK	APV
△	04/10/2019	PD SUBMITTAL	CFS	CD	CD

PROJECT NUMBER
527118066

DRAWING NUMBER
C1.0

DRAWING NAME
SITE DEVELOPMENT PLAN

T:\Projects\2018\P&D\SZ71-18-066_Bradshaw-Wellness Way-Florida\CAD\PD Master Plan\SZ71 18066_C1.0_LAY.dwg-C1.1 CONCEPT PLAN May 03, 2019 cacilia

Annexation, Future Land Use Amendment, and Rezoning Application

BRADSHAW NORTH

PREPARED FOR | Floribra Properties, LLC

PREPARED BY | S & ME, Inc.

MAY 2019

INTRODUCTION

This narrative supplements applications to annex, change the Future Land Use (FLU) of, and rezone two parcels located in unincorporated Lake County along the east side US 27, which is referred to as the Bradshaw North property.. This property comprises approximately 16.7 acres and is within the City's Interlocal Service Boundary Agreement Area (ISBA). The property is also located in the northwestern section of the Wellness Way Service Area (WWSA) of unincorporated Lake County. However, to maximize the potential of the undeveloped property, we are requesting annexation into the City of Clermont, followed by a Future Land Use Map (FLUM) amendment and rezoning. This change would allow the City of Clermont to further the goals of its comprehensive plan.

The property is currently located within Wellness Way, as shown in **Figure 1**. The following paragraphs describe the objectives and policies laid out in the County's Comprehensive Plan, established in 2015:

> *The South Lake Sector Planning Area, or Wellness Way, has been recognized as an area for significant potential economic development in southeast Lake County. The Area consists of 15,481 acres in Southeast Lake County, south of State Road 50 and East of US-Highway 27.*
>
> *Most of the area was previously zoned for agricultural uses. The Wellness Way Area is intended to encourage economic development, fiscally efficient and well-balanced development patterns, and leverage existing resources.*
>
> *The Sector Area maps show the Wellness Way Area divided into five zones, each decreasing in intensity and density, based on the anticipated development pattern: Town Center, Wellness Way 1, Wellness Way 2, Wellness Way 3, and Wellness Way 4. These zones are intended to depict the desired density and intensity of development, form, and open space networks within the area. Figure 1 shows the Wellness Way Area Plan Map and Future Land Use (FLU) designations.*

This vision is consistent with the goals and objectives of the City of Clermont's Comprehensive Plan, established in 2009. Goal 1 in the Future Land Use Element of this Plan is stated below:

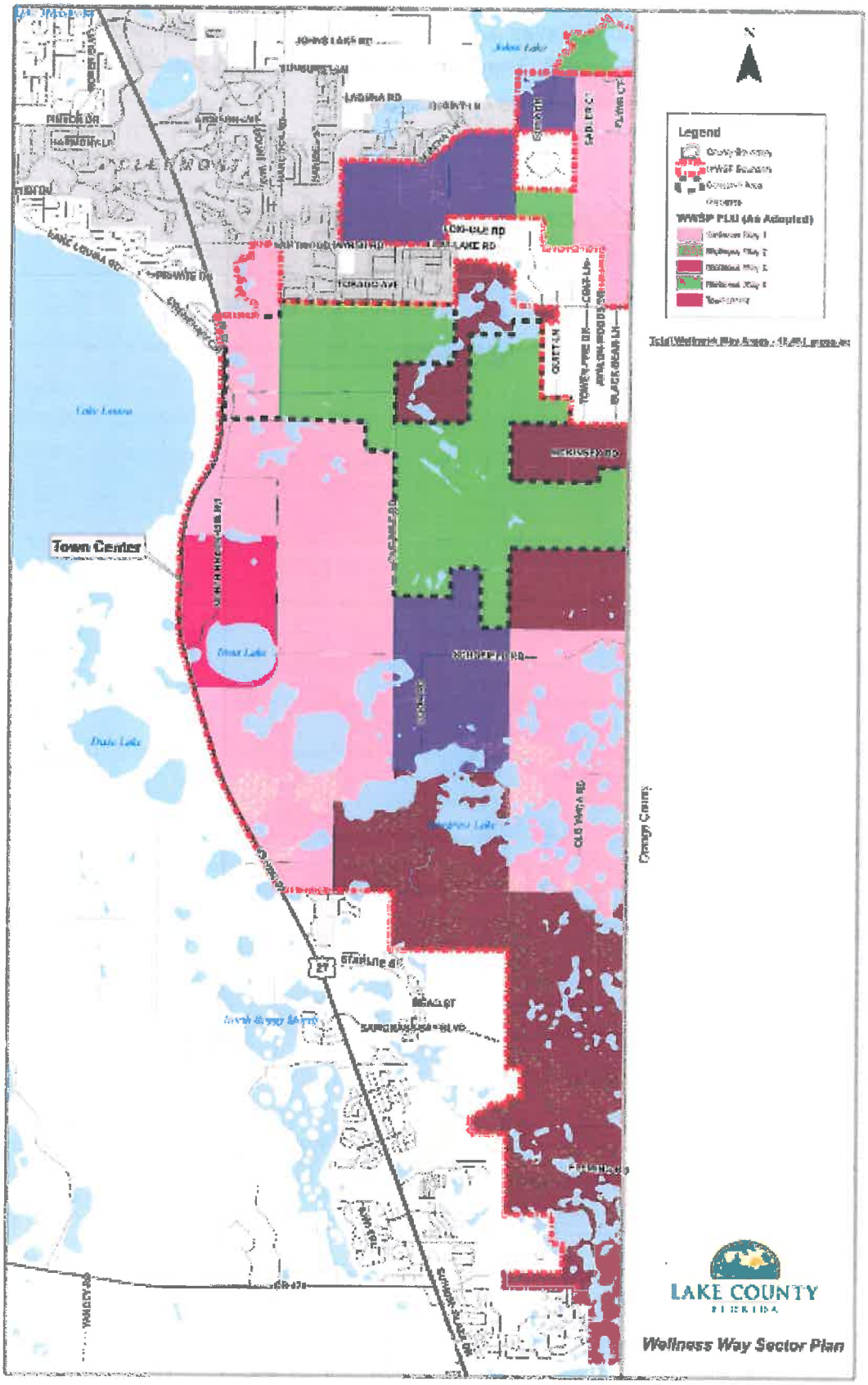
> *Ensure that the character, magnitude and location of all land uses provide a system for orderly growth and development that achieves a balanced natural, physical and economic environment and enhances the quality of life of all residents.*

In consideration of this goal, along with the location and shape of the property, we seek to have the future land use of the property changed to Commercial, as defined by the City of Clermont. Objective 1.9 of the the Future Land Use Element of the City's Comprehensive Plan describes the goal of the Commercial Land Use category as follows:

> *The commercial category is established to assure availability of sufficient office and commercial sites to serve the needs of the existing and projected population. In addition to office and commercial uses, residential uses are allowed, preferably as mixed-use, high-density developments, as well as supportive accessory uses, churches and schools as conditional uses, minor public utilities (i.e., telephone switching stations, lift stations, drainage infrastructure, and similar facilities), parks and open space, municipal facilities and other civic and cultural uses subject to standards and performance criteria set forth in this plan and in the land development regulations.*

Because the Commercial FLU allows a mixture of land uses, it is generally consistent with the goals of the Wellness Way Plan and the City's Comprehensive Plan. Due to the frontage along US 27 and the shape of the property, the Commercial designation

Figure 1. Wellness Way Area Map



SITE INFORMATION

The project site consists of two parcels (21-23-26-000100000100, 21-23-26-000100000600) totaling approximately 16.7 acres, located between US Highway 27 and North Bradshaw Road, and bordered by Schofield Rd to the south, shown in **Figures 2 and 3.** They also are located within the City of Clermont's Interlocal Service Boundary Agreement area (ISBA), as shown in **Figure 4**.

Figure 2. Vicinity Map of Project Site

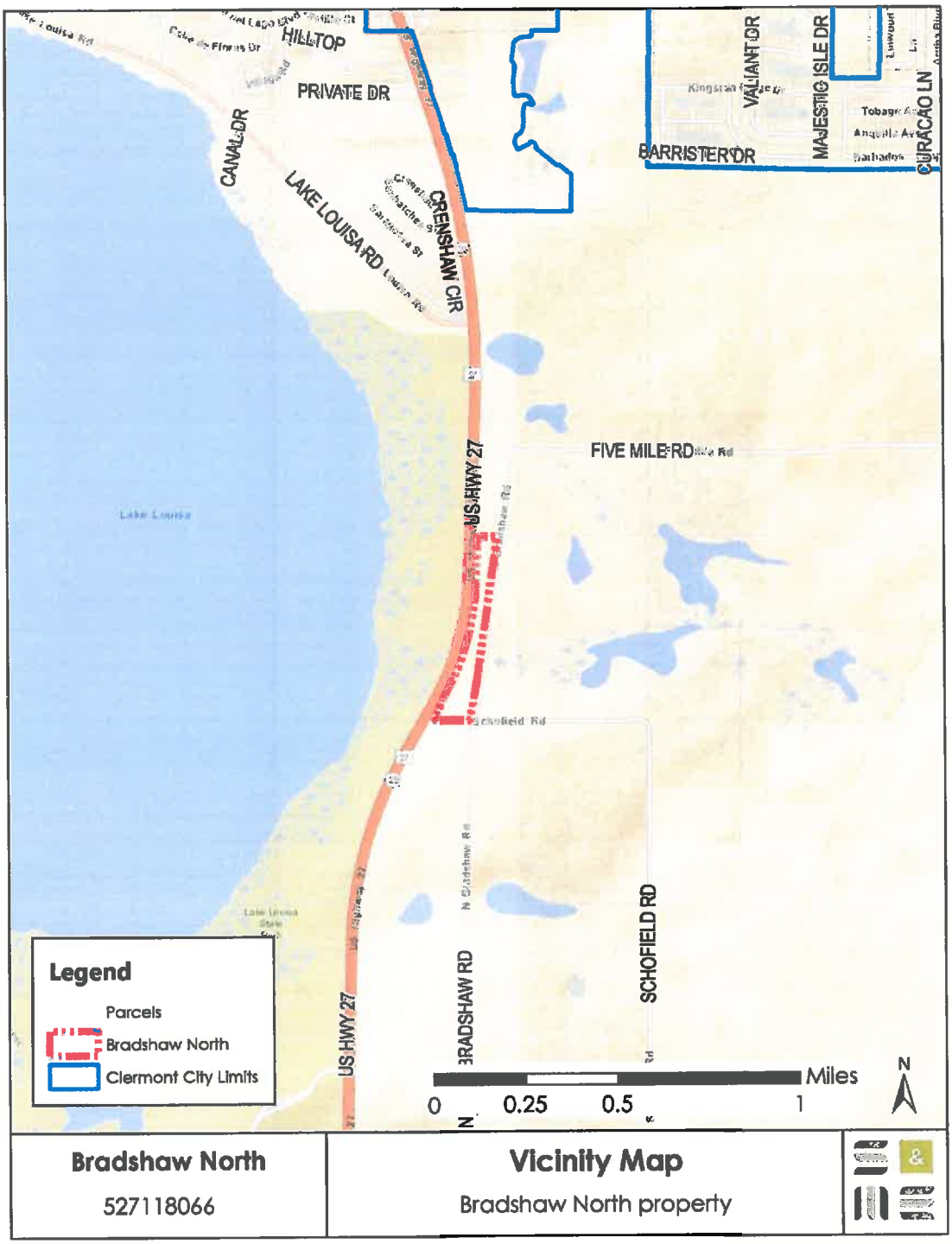


Figure 3. Aerial Location Map of Project Site

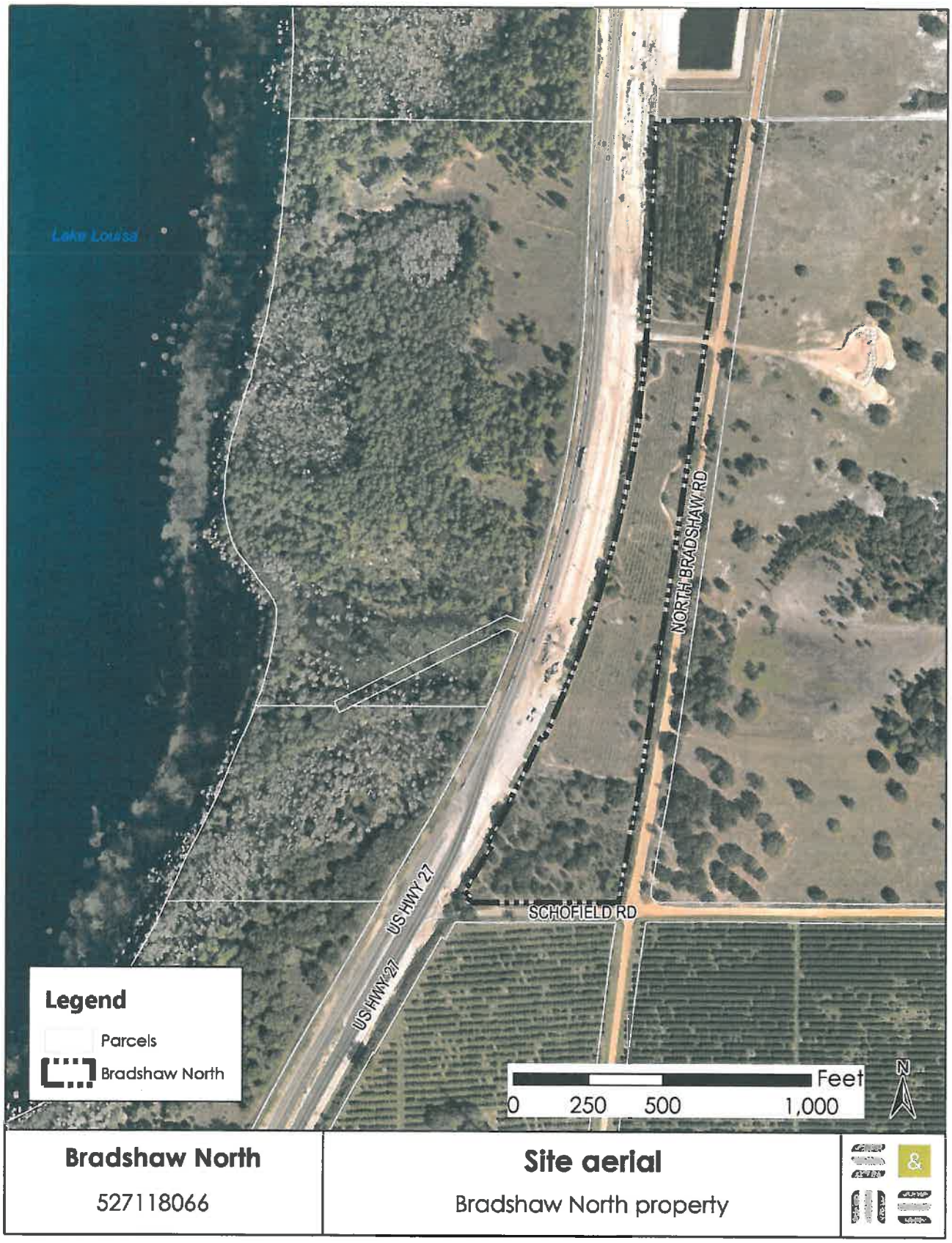


Figure 4. City of Clermont ISBA

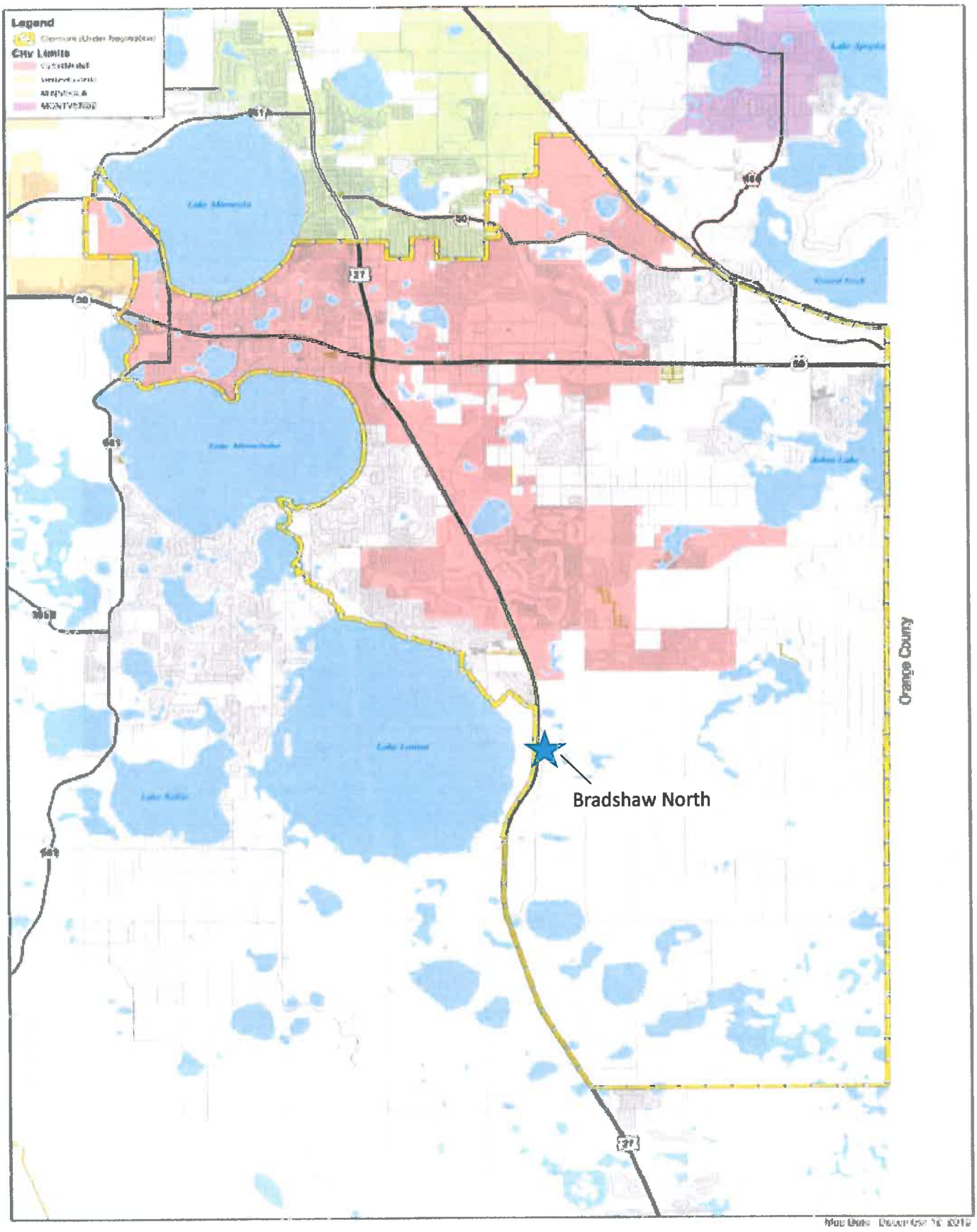


Figure 5. Topography Map

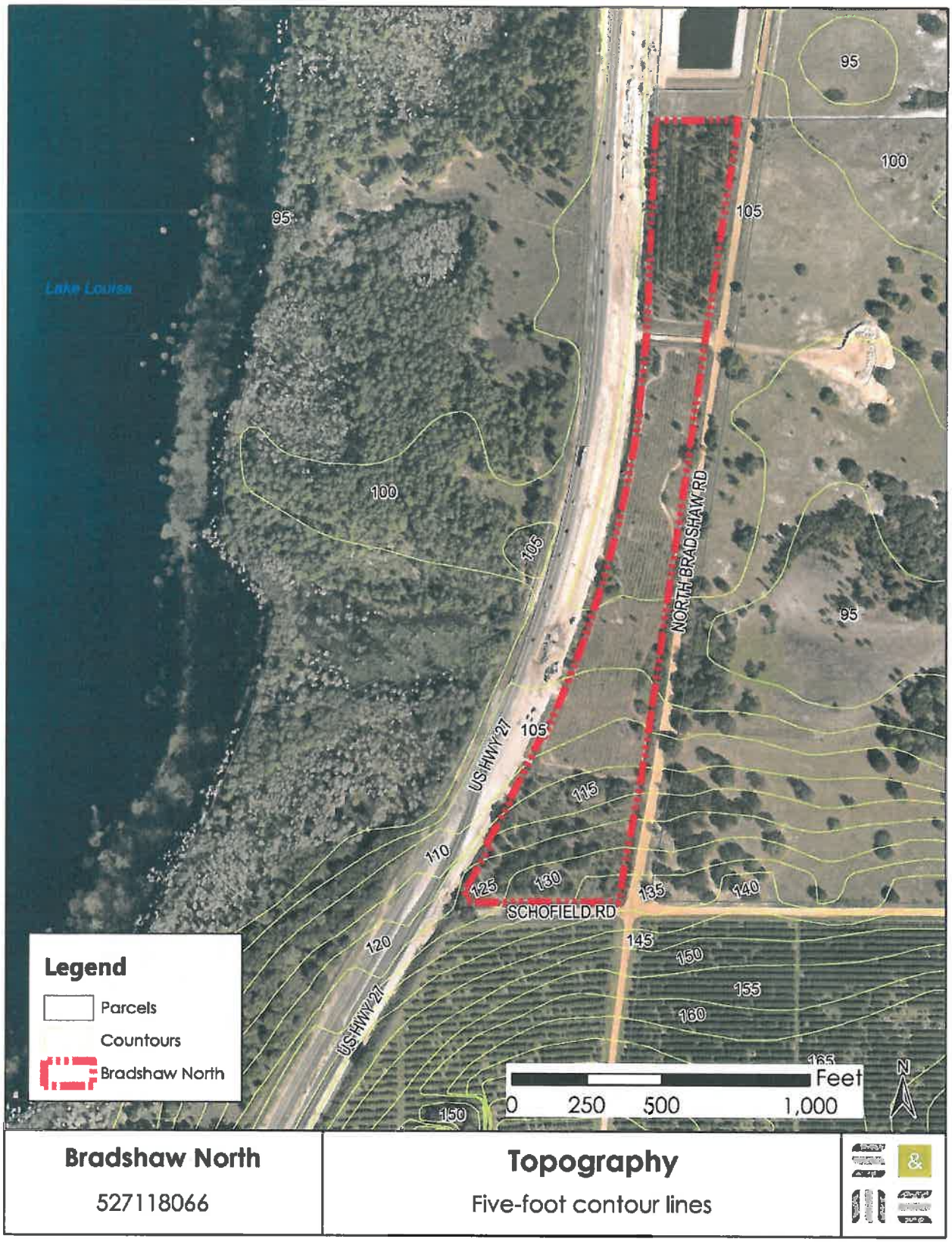


Figure 6. Floodplain Map

While floodplains surround the site on both the east and west sides, no floodplains are present on the site.

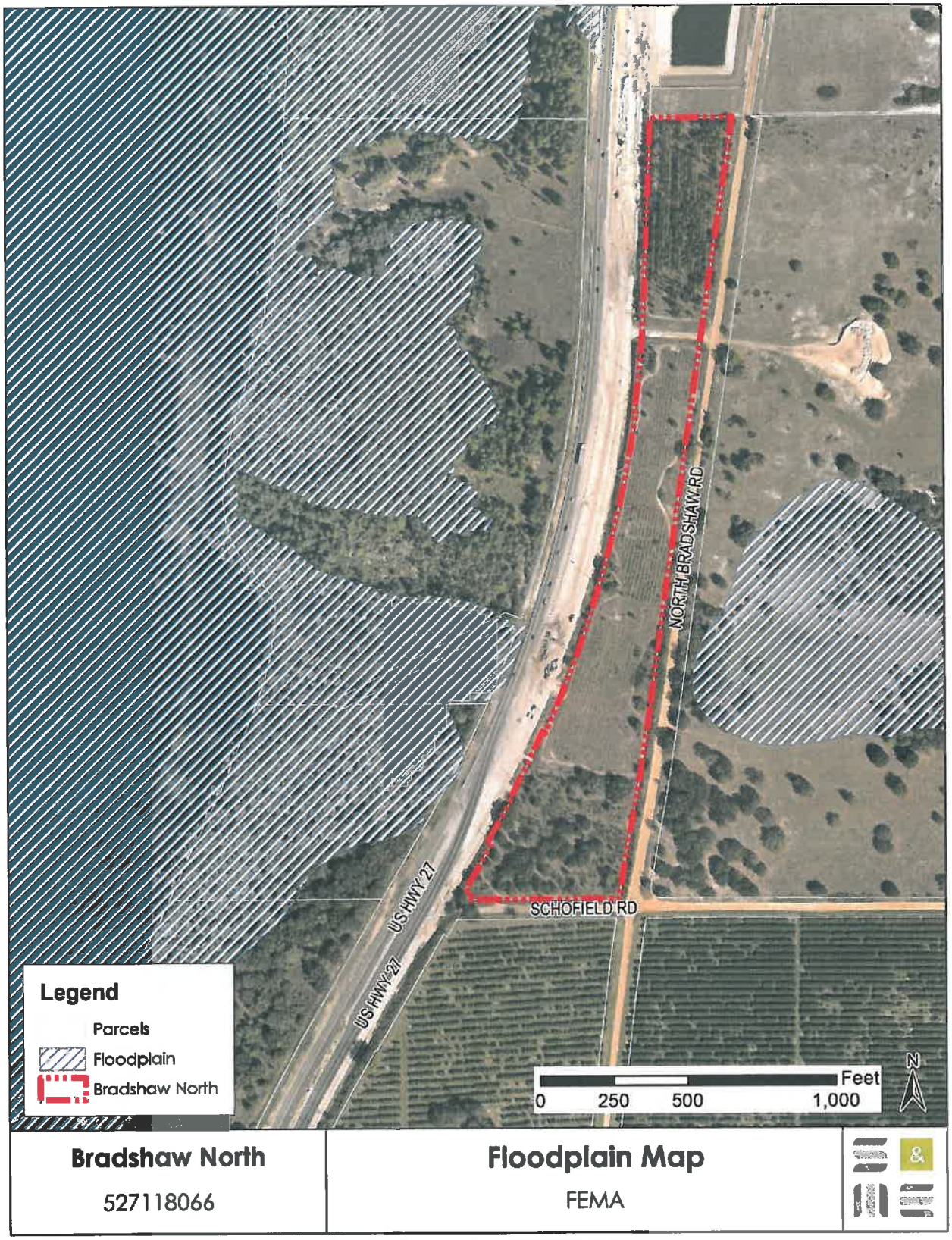


Figure 7. Wetlands Map

While wetlands exist nearby, no wetlands are present on the site.

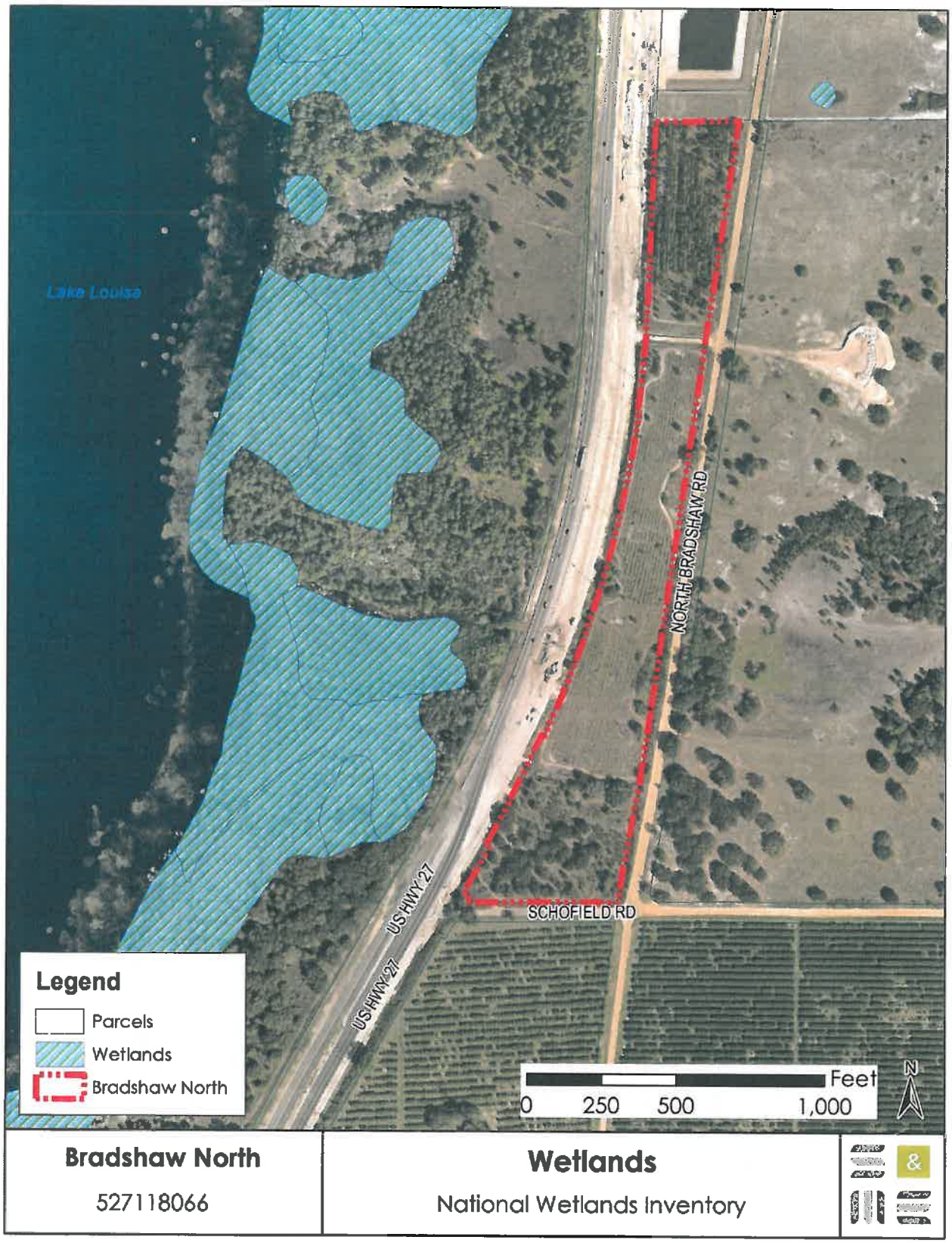


Figure 8. Water Bodies Map

The property is directly east of Lake Louisa, and a swamp marsh exists to the east of the property. However, no water body exists on the site.

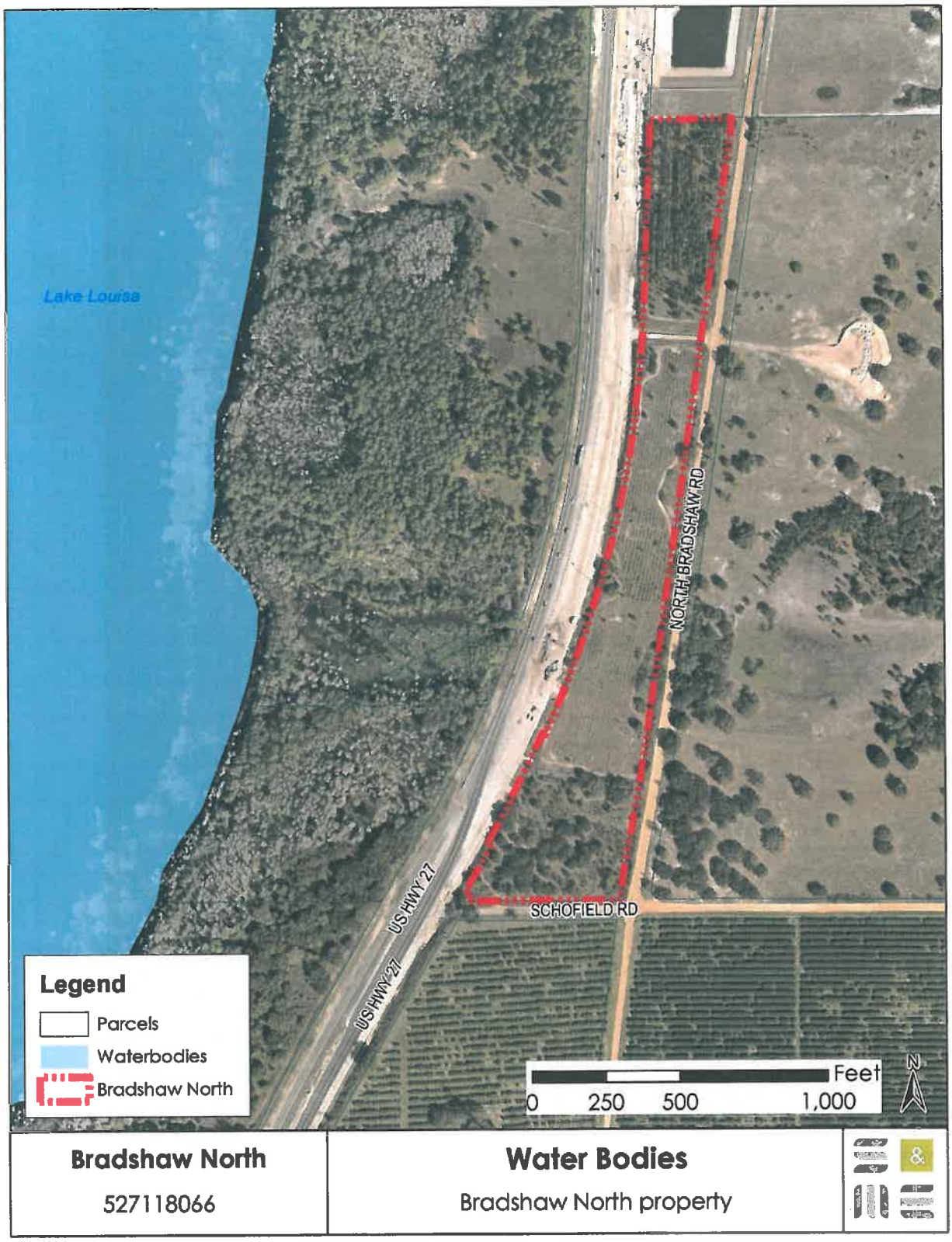
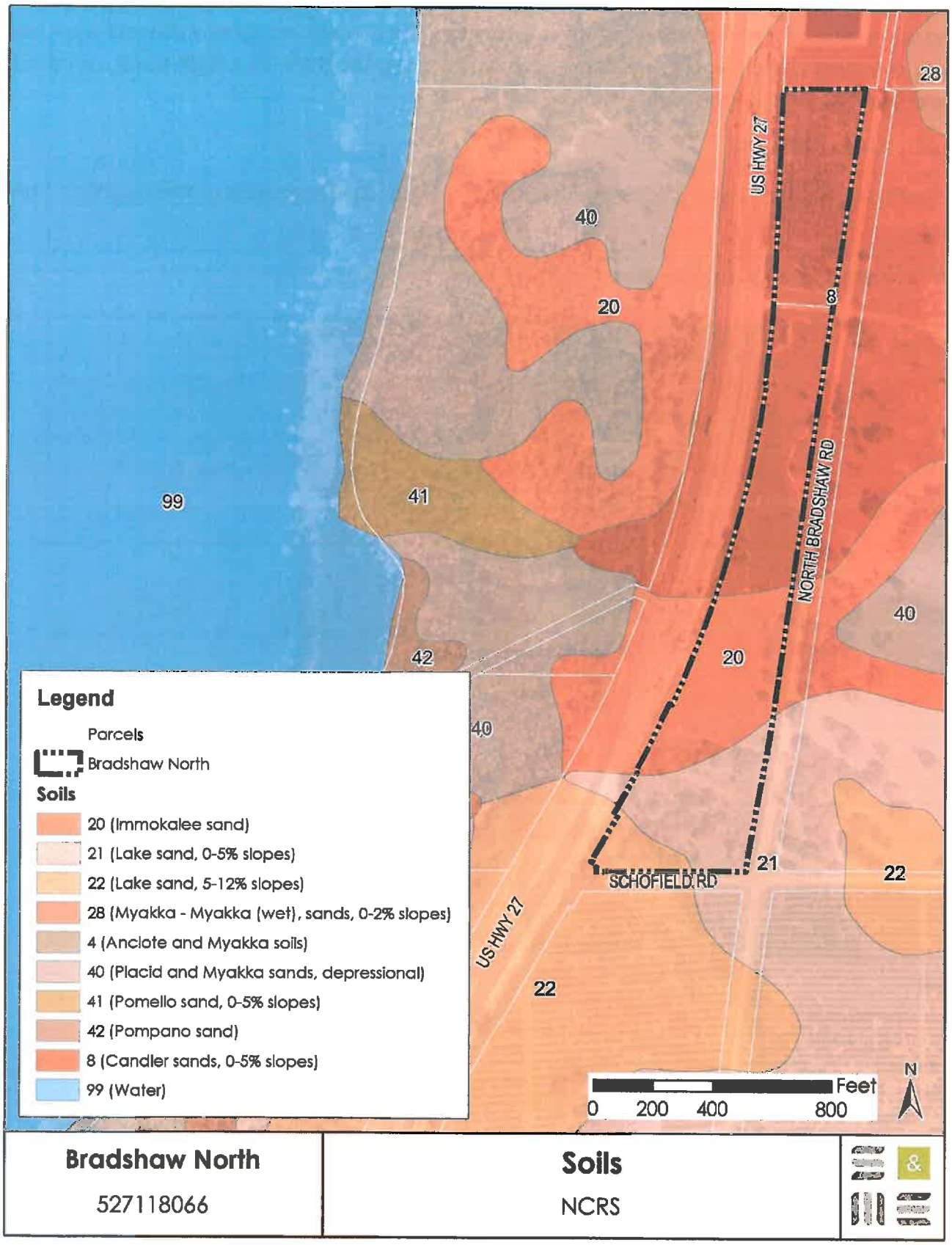


Figure 9. Soils Map



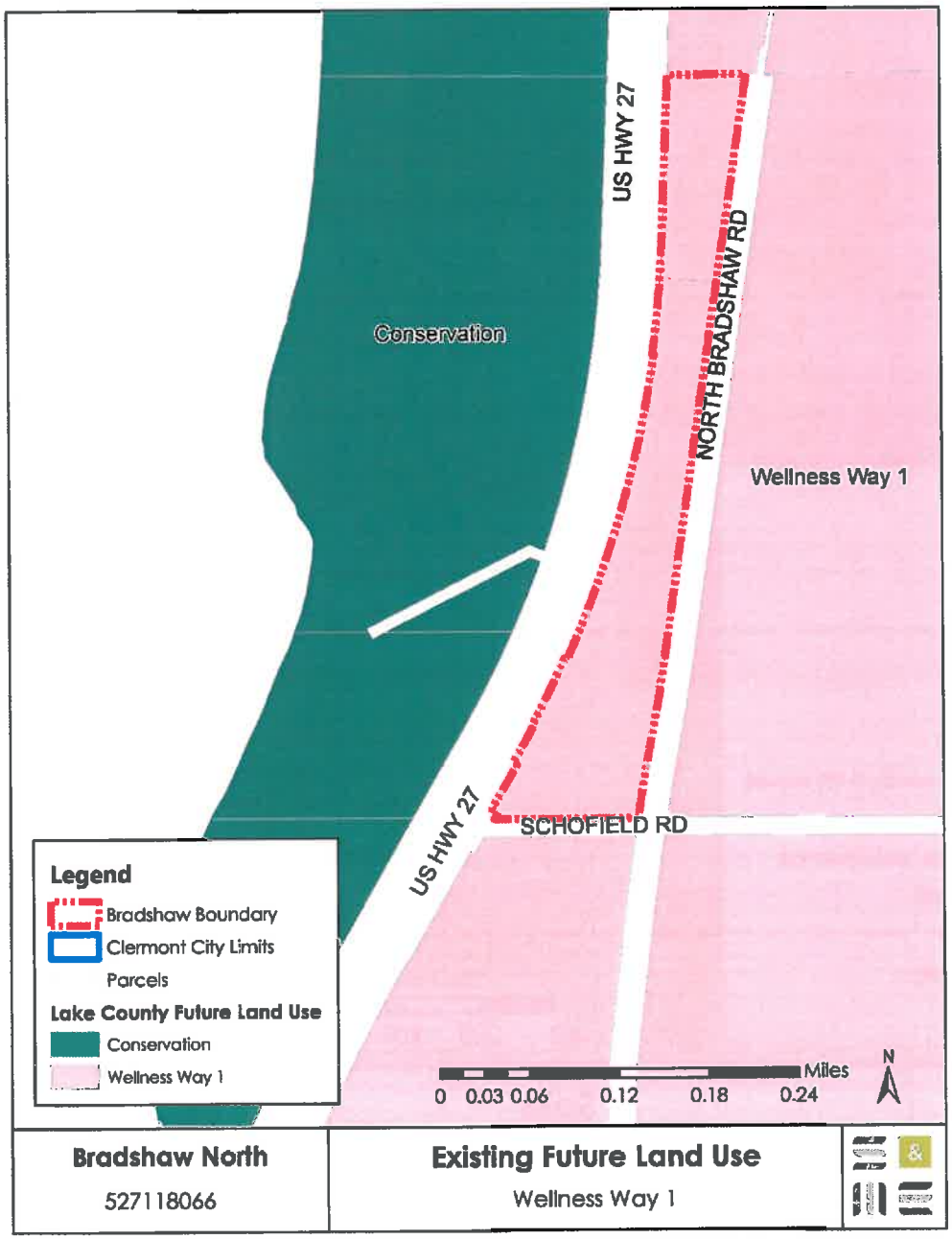
ANNEXATION REQUEST

These parcels are a logical annexation for the City of Clermont because they are located within the ISBA, Water, and Sewer service areas. By annexing these properties, the City of Clermont can benefit from having high-quality commercial and possibly residential properties along US-HWY 27, a high-traffic corridor that can create access to activity in this area.

EXISTING FUTURE LAND USE

As shown in **Figure 10**, these parcels have an existing Future Land Use designation of Wellness Way 1 under Lake County.

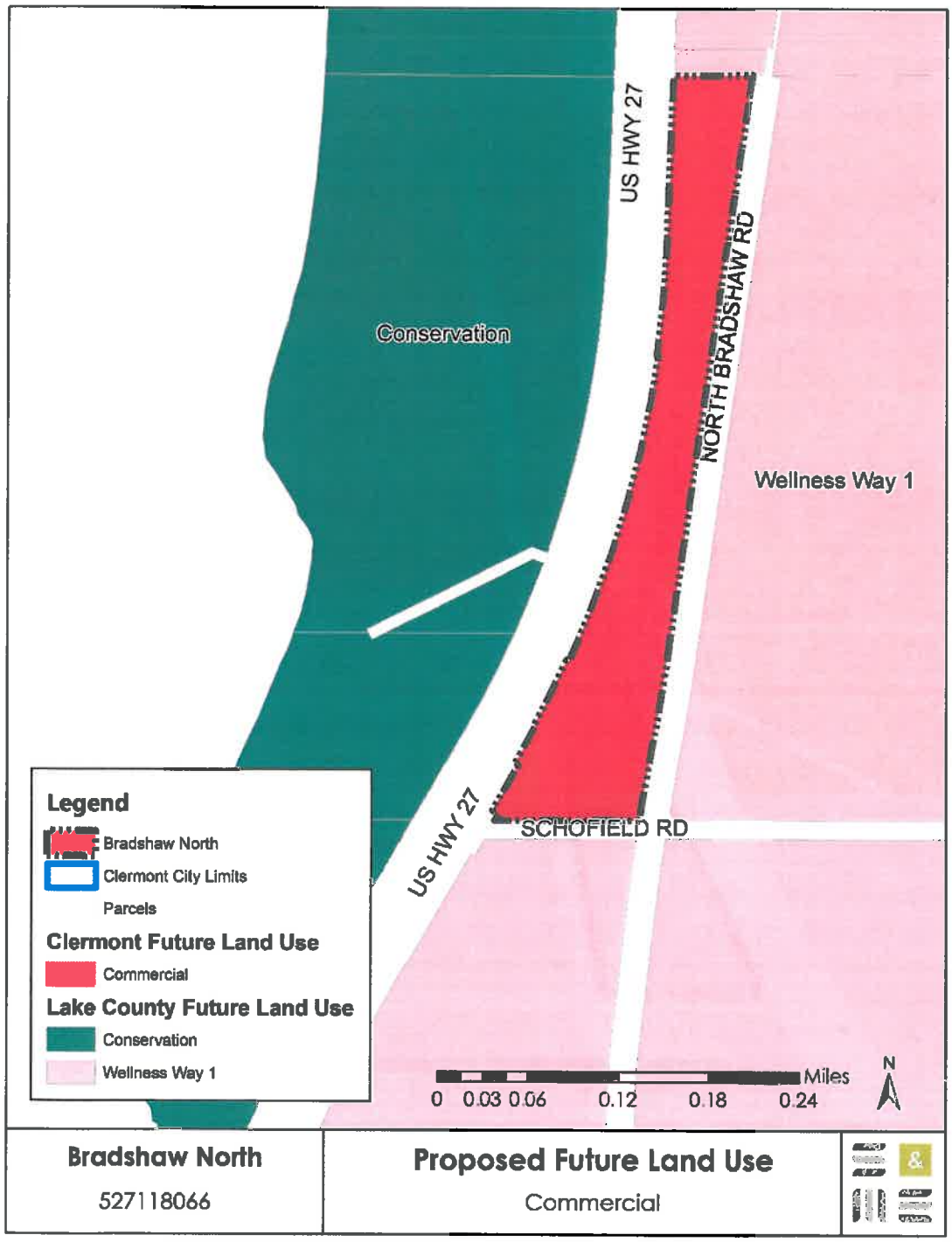
Figure 10. Existing Future Land Use Map



REQUESTED FLUM AMENDMENT

This application recommends the subject parcels be re-designated as Commercial, as shown in **Figure 11.** This amendment would provide the opportunity for the development of medium-intensity commercial buildings that could include retail and residential uses. Because of the mixture of uses, this amendment would be consistent with the City of Clermont's smart growth goals and be compatible with the surrounding mixed-use development that is planned to take place in Wellness Way.

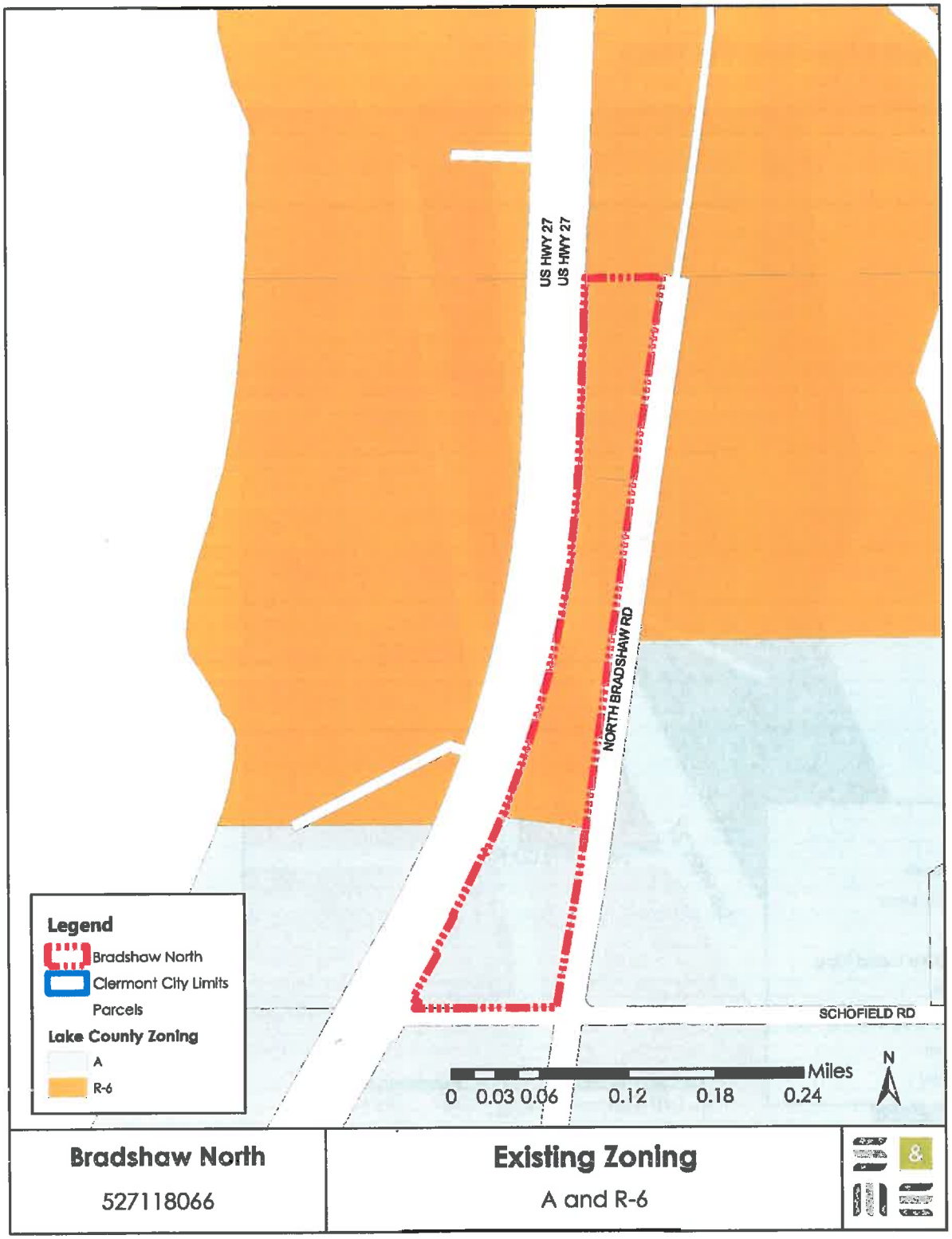
Figure 11. Proposed Future Land Use Map



ZONING

As shown in **Figure 12**, these parcels are currently zoned as Urban Residential District (R-6) and (A) Agriculture under Lake County.

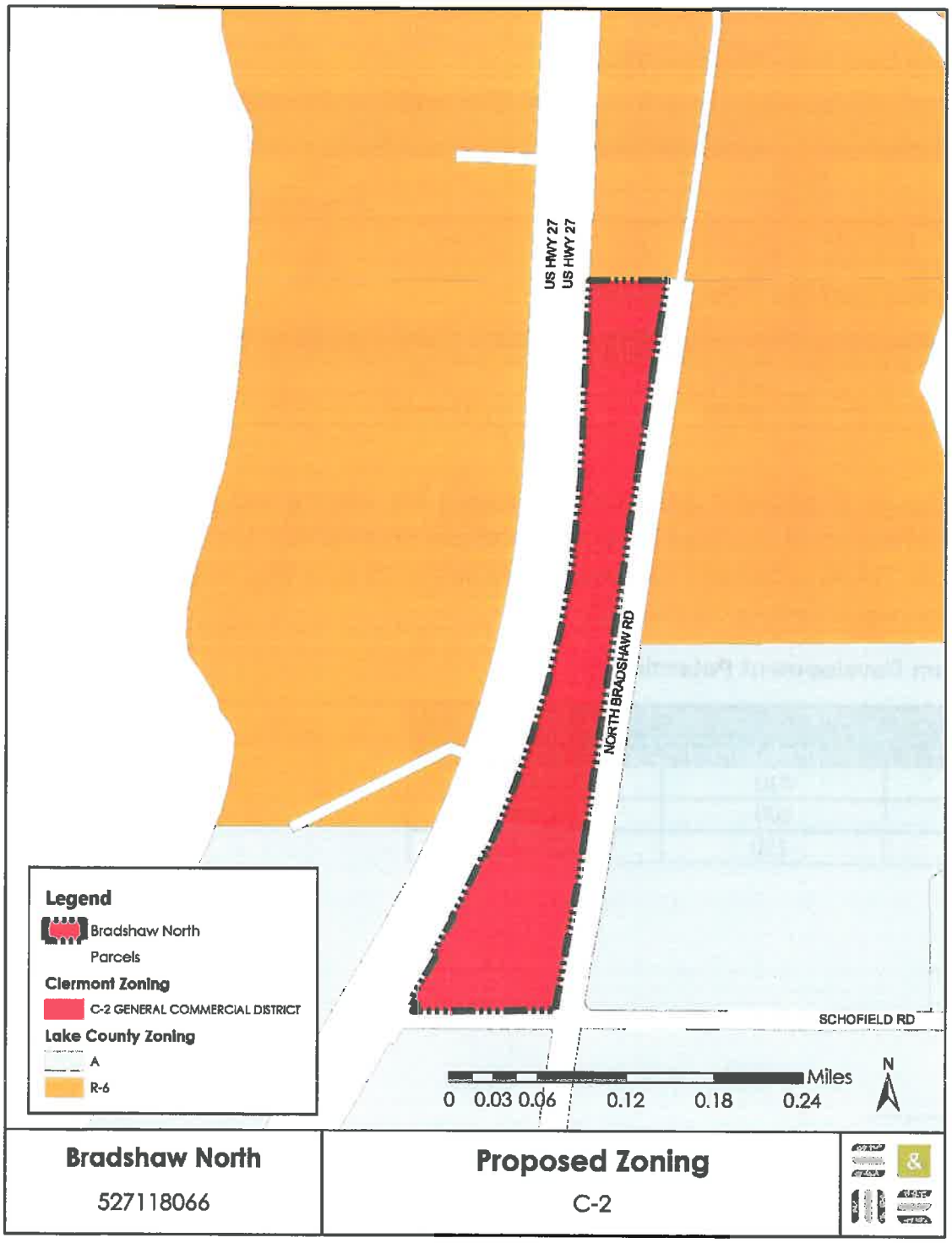
Figure 12. Existing Zoning Map



REQUESTED REZONING

This application recommends these sites be rezoned to C-2, which allows the uses needed to develop a Commercial area. The proposed rezoning to C-2 would position the subject properties to become a commercial hub for the area and integrate into the planned development that will occur in Wellness Way. **Figure 13** includes the proposed amendment to the City's Zoning map.

Figure 13. Proposed Zoning Map



FLUM AMENDMENT IMPACT ASSESSMENTS

The existing Lake County Future Land Use of Wellness Way 1 has a maximum residential density of 20 dwelling units (du) per net buildable acre and a maximum non-residential intensity of a 2.0 floor area ratio (FAR), per Policy 1-8.2.1.2[1]. For Wellness Way, a *net buildable acre* is defined as the gross acreage minus acreage from wetlands, water bodies, and required open space. For the Bradshaw North property, there is only the open space requirement to subtract, which is 30%. . The proposed Clermont Future Land Use would allow up to 12 dwelling units per acre and a maximum FAR of 0.25, all based on gross acreage. Development density and intensity calculations for the existing and proposed FLU's are shown in **Tables 1 and 2**.

Table 1. Existing Future Land Use – Wellness Way 1

Use	Gross Acres	Net Buildable Acres (NBA)	FAR/Density	Max development
Non-Residential	16.70	11.69	2.00	1,018,436 sf
Residential	16.70		20 du/NBA	410 du

Table 2. Proposed Future Land Use – Commercial

Use	Site Acres	FAR/Density	Max development
Non-Residential	16.70	0.25	181,863 sf
Residential	16.70	12 du/ac	200 du

Table 3 shows the change in potential development between the existing and proposed FLU's. The proposed FLUM amendment would significantly decrease potential development both with residential and non-residential land uses. The reduction with residential would be slightly more than half, whereas with non-residential, the reduction would be by more than 80%.

Table 3. Net Maximum Development Potential

Future Land Use	Residential Units	Non-Residential Square Feet
Existing FLU	410	1,018,436
Proposed FLU	200	181,863
Net	-210	-836,573

[1] Its preceding policy, 1-8.2.1.1, lists a maximum residential capacity of 1.85 du per net acre. However, this appears inconsistent with Policy 1-8.2.1.2, which lists the minimum density of 3.0 du per net buildable acre. Notably, the term *net acre* differs from *net buildable acre* in that it includes required open space. However, even when accounting for this denominator difference, the maximum capacity from 1-8.2.1.1 falls below the minimum density in 1-8.2.1.2. Considering this inconsistency, we simply apply the maximum density allowed in Policy 1-8.2.1.2.

Transportation

Table 4 below shows current traffic conditions on surrounding major road segments within 1 mile of the site.

Table 4. Level of Service and AADT for Surrounding Roads in 2017

Roadway	Segment	# of Lanes	Area Type	LOS Std.	AADT	Svc. Vol. @ Std.	PM Pk HR Total	PK Hr/Pk Dir	Current LOS
US HWY 27 (SR 25)	Green Cove Blvd to project site	4	Urban	E	26,500	1,870	2,385	1,288	C
	Project site to Lake Louisa Rd.	4	Urban	E	26,500	1,870	2,385	1,288	C
	Lake Louisa Rd to Hartwood Marsh Rd	6	Urban	E	25,500	2,820	2,295	1,239	C
Lake Louisa Rd	Hammock Ridge Rd to US-27	2	Urban	E	3,775	884	325	180	C

Using standard ITE generation rates, the maximum amount of total daily and PM peak trips were projected and summarized in **Table 5**, for both the existing and proposed future land uses. The current Lake County FLU of Wellness Way 1 encourages a mixture of land uses. Thus, the maximum non-residential square footage was divided evenly between four uses, and the maximum dwelling units was divided evenly between single family and multi-family. **Table** 6 then compares the projected maximum total trips between the existing and proposed future land uses. With the proposed FLUM amendment, both daily and PM peak hour trips would be reduced by more than half.

Table 5. Existing and Proposed Future Land Use Traffic Impacts

Future Land Use	Land Use (ITE Code)	Residential (Units)	Non-Res (sf)	Average Daily Trips	PM Peak Hr Trips
Existing FLUM	Commercial (820)	-	254,609*	11,350	1,085
	Office (710)	-	254,609*	2,627	277
	Industrial (110)	-	254,609*	1,263	160
	Public/Institutional (520)	-	254,609*	4,970	349
	Residential: Single Family (210)	205	-	2,013	150
	Residential: Multifamily (220)	205	-	1,509	94
Proposed FLUM	Commercial (820)	-	181,863	9,029	846
	Residential: Multifamily (220)	200	-	1,471	109

Table 6. Existing and Proposed Future Land Use Traffic Impact Comparison

Future Land Use	Average Daily Trips	PM Peak Hour Trips
Existing FLUM	23,732	2,115
Proposed FLUM	10,500	955
Net	-13,232	-1,160

Water and Sewer

The proposed FLUM amendment may increase potential water and sewer demand by approximately 100,622 and 38,222 gallons per day, respectively shown in **Tables 7** and **8**. The City of Clermont provides both water and sewer to the subject property, as shown in **Figure 14**, and the applicant is committed to working with the City to ensure that adequate capacity exists prior to development.

Table 7. Existing and Proposed Water and Sewer Demand

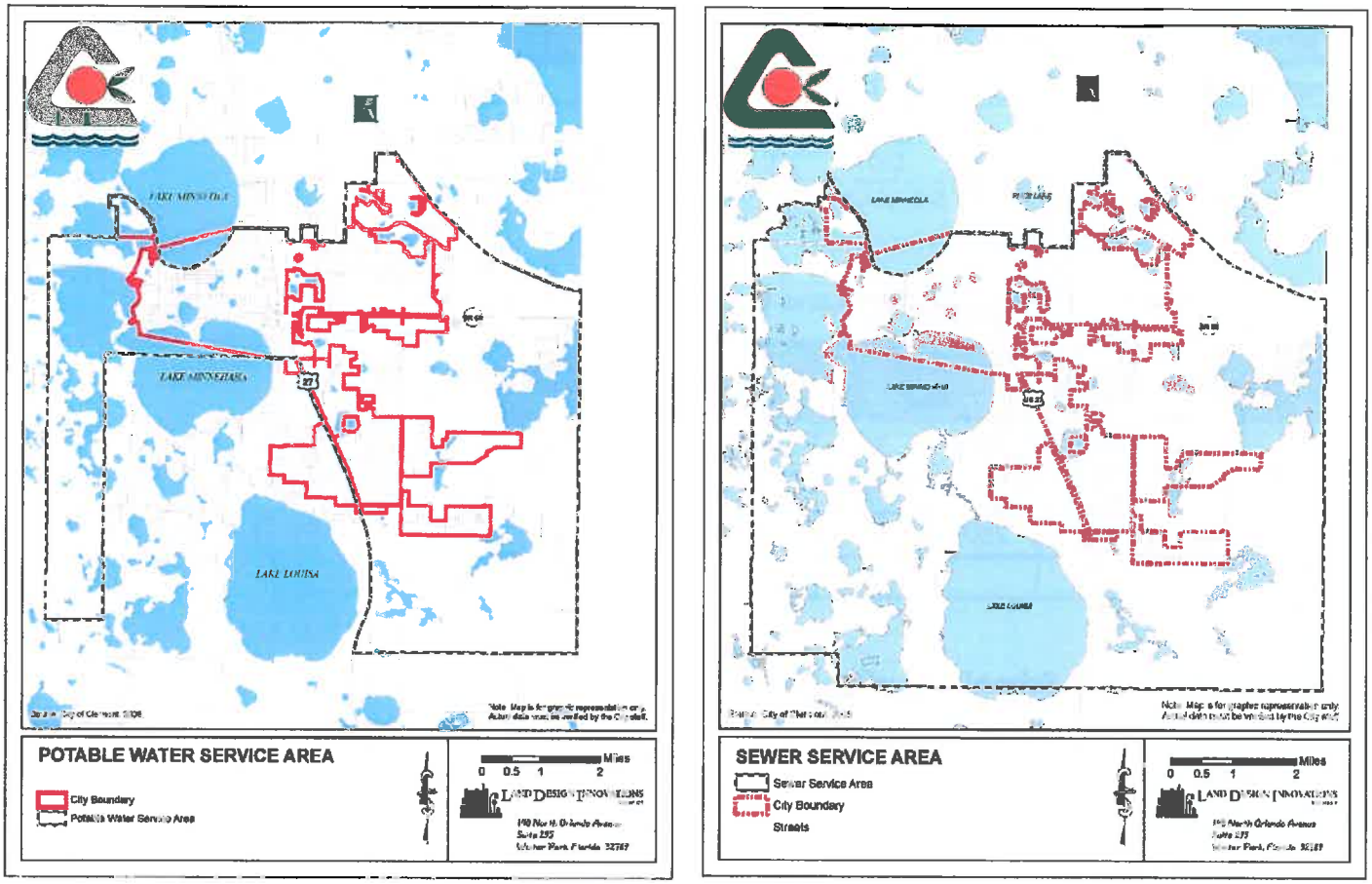
Future Land Use	Service	Adopted LOS gpd/capita	Non-Residential Estimated LOS gpsf	Dwelling Units[1]	Non-Residential SF	Residential Demand	Non-Residential Demand	Total Demand gallons/day
Existing FLUM	Water	185	0.0033	410	1,018,436	208,573	3,361	211,934
	Sewer	70	0.0033	410	1,018,436	78,919	3,361	82,280
Proposed FLUM	Water	185	0.0033	200	181,863	101,954	600	102,554
	Sewer	70	0.0033	200	181,863	38,577	600	39,117

[1]Residential demand calculation based on 2.75 persons per household (Source: US Census Bureau, City of Clermont, 2012-2016)

Table 8. Net Existing and Proposed Water and Sewer Demand

Service	Existing FLUM	Proposed FLUM	Net gallons/day
Potable Water	211,934	102,554	-109,380
Sewer	82,280	39,177	-43,103

Figure 14. Clermont Water and Sewer Service Area



Schools

Prior to Preliminary Development Plat approval, the applicant will be required to apply to Lake County Public Schools for a Formal Capacity Determination and address any potential deficits in school capacity. However, this narrative provides preliminary estimates. Because the proposed future land use would reduce the potential developed units by more than half, the resulting potential school enrollment would reduce by almost 70. **Table 9** shows the most recent student generation rates, as adopted by the Lake County Public Schools. **Table 10** shows the implication on potential student generation, both for existing and proposed future land uses. **Table 11** compares potential enrollment (PE), for both the current and proposed FLU, to current enrollment and capacity for the elementary, middle, and high school that serve the subject properties. Current enrollment for all three schools exceeds existing capacity. While development under either FLU would add even more students, the growth would be mitigated under the proposed FLU. Notably, another K-8 school in Four Corners is already planned to open in 2021, which would provide relief. Nonetheless, the applicant is committed to working with the City of Clermont and the Lake County School Board to assure adequate capacity is in place and/or excess capacity can be mitigated.

Table 9. Student Generation Rates (SGR), 2017

	SGR Total	SGR ES	SGR MS	SGR HS
Single Family	0.328	0.152	0.074	0.102
Multi Family	0.283	0.143	0.063	0.077
Mobile Home	0.206	0.097	0.047	0.062

Source: Lake County Public Schools, 2017 School Concurrency Management Report

Table 10. Existing and Proposed Future Land Use Student Generation

			Students			
	Use	Units	ES	MS	HS	Total
Existing	Single Family	205	31	15	21	67
	Multi-family	205	29	13	16	58
Proposed	Multi-family	200	29	13	15	57
Net			-32	-15	-21	-69

Table 11. Lake County School Capacity, 2017

School	Existing Capacity	Current Enrollment	Existing FLU PE	Existing FLU PE Percent of Capacity	Proposed FLU PE	Proposed FLU PE Percent of Capacity	Difference in Percents
Lost Lake Elementary	986*	1,056	1,116	113%	1,085	110%	-3%
Windy Hill Middle	1,149	1,397	1,425	124%	1,410	123%	-1%
East Ridge High	2,242*	2,393	2,430	108%	2,408	107%	-1%
Total	4,376	4,846	4,971	114%	4,903	112%	-2%

*The 2017 Concurrency Report from the Lake County Public Schools shows the capacity of all three schools. However, the capacity for Lost Lake Elementary and East Ridge High are aggregated with other schools. To estimate the individual school's capacity, the total capacity for its group was divided by the number of schools in its group.

POTENTIAL CONCEPT DESIGN

In order to illustrate the effects of the proposed FLUM amendment and rezoning of these parcels, the applicant has prepared a purely conceptual design of the potential of this site under the proposed Future Land Use designation and zoning, shown in **Figure 10**. This design simply offers one development scenario in order to depict potential uses, densities, and intensities of development. It does not reflect an intended development to be constructed.

The concept design shows 32,800 square feet of commercial uses, a storm water retention pond onsite, as well as a potential hotel with 140 units. In the C-2 zone, a hotel would only be allowed with a conditional use permit. Ultimately, this concept design is intended to show that the parcels would be well-suited for commercial development and could accommodate a relatively large amount of space for commercial resources, even on a narrow parcel.

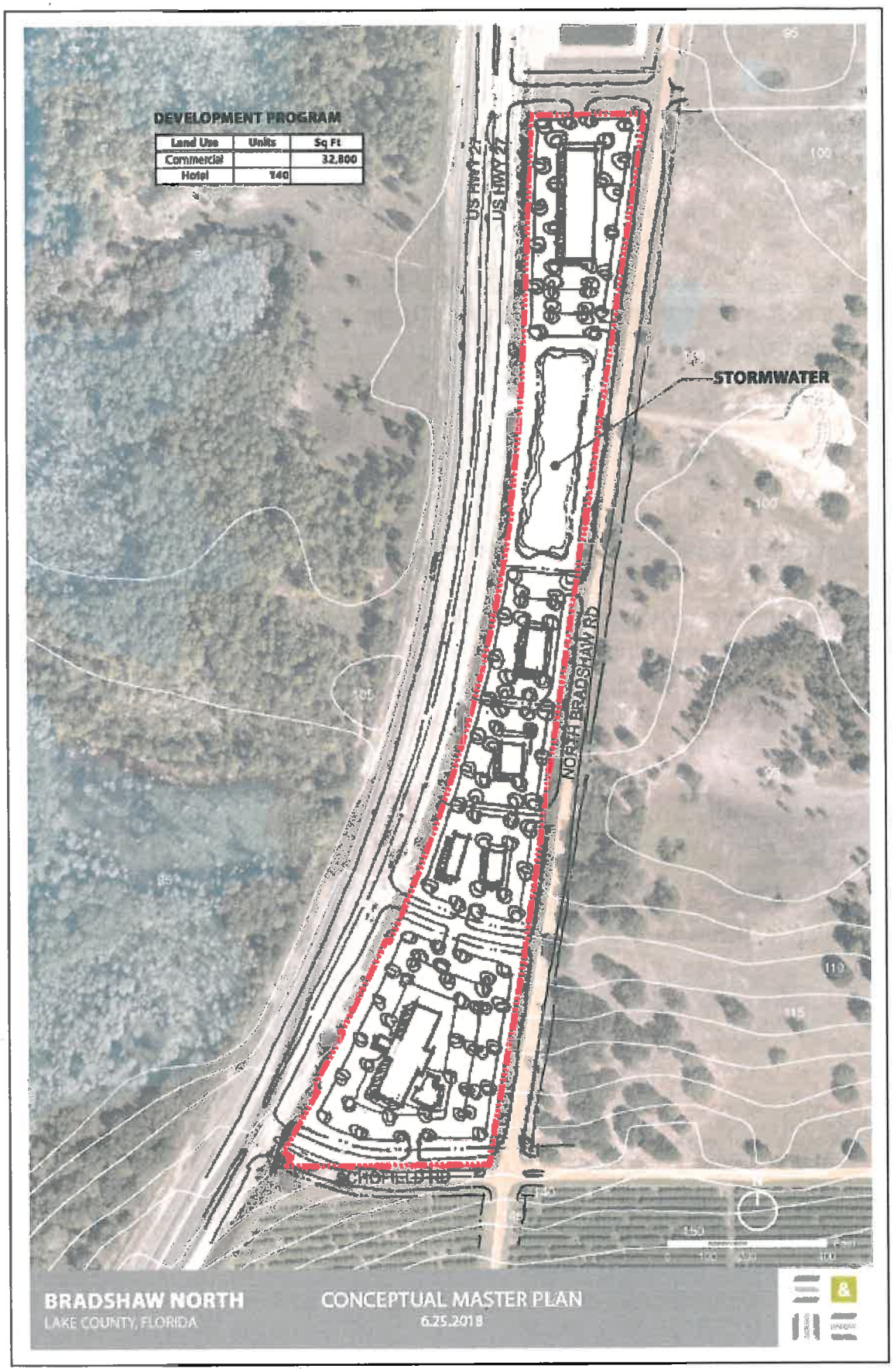
CONCLUSION

The proposed FLUM amendment is consistent with the Clermont Comprehensive Plan and will advance the vision of smart growth and commercial growth along US HWY 27. The site's proximity to surrounding residential areas makes this property an ideal location for a vibrant commercial hub. The proposed FLUM amendment and rezoning action is also compatible with the adjacent mixed-use land uses. Annexing, rezoning and changing the FLU of this property will position the City to achieve desirable commercial development, ultimately creating a commercial destination for visitors and residents from Clermont and throughout Central Florida.

APPENDIX MAPS

Soils; topo; utility; wetlands; roads; schools; floodplain

Figure 10. Conceptual Design



CITY OF CLERMONT
COMPREHENSIVE PLAN AMENDMENT
Application

DATE: May 6, 2019 FEE: $2,325.00

Project Name (if applicable): Bradshaw North

Applicant: S&ME
Contact Person: Chris Dougherty
Address: 1615 Edgewater Drive, Suite 200
City: Orlando State: FL Zip: 32804
Phone: 407-975-1273 Fax: 407-975-1278
E-Mail: cdougherty@smeinc.com

OWNER: BLR - Shell Pond LLC
Address: P.O. Box 617138
City: Orlando State: FL Zip: 32861
Phone: 407-370-9100 Fax:
E-Mail:

General Location: 8635 U.S. Highway 27, Clermont, FL 34711
Bordered by N Bradshaw Rd to the east and Schofield Rd to the south.

Legal Description (include copy of survey): See attached

Property size (in acres or square feet): 16.7 acres

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

Existing (Actual) Land Use: Vacant

Existing Zoning: R-6; A

Existing Future Land Use: Wellness Way 1

Proposed Future Land Use: Commercial

Type of development proposed: Commercial retail; hotel

Proposed density (dwelling units/acre) or intensity: 12 du/acre and FAR 0.25

Proposed Zoning District: C-2

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

See attached

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

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

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

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

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

CLERMONT
Choice of Champions

APPLICANT'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE:

Before me, the undersigned authority personally appeared

Chris Dougherty, S&ME, Inc., who being

by me first duly sworn on oath, deposes and says:

1. That he (she) affirms and certifies that he (she) understands and will comply with all ordinances, regulations and policies of Lake County, Florida, and that all statements and diagrams submitted herewith are true and accurate to the best of his (her) knowledge and belief, and further, that this application and attachments shall become part of the official records of the City of Clermont, Florida, and are not returnable.

2. That he (she) desires a Future Land Use Amendment from None to Master Planned Development for the property legally described on the attachment of this application.

3. That the submittal requirements for the application have been completed and attached hereto as part of the application.

Chris Dougherty
Affiant - Applicant Name (print)

X
Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

or personally known by me this 16th day of May, 2019.

X Amanda Y. Vazquez
Notary Public, State of Florida at Large

Amanda Y Vazquez
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG184019
Expires 2/7/2022

My Commission Expires: 2/7/2022

CLERMONT
Choice of Champions

OWNER'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF ~~LAKE:~~ ORANGE

Before me, the undersigned authority personally appeared

Holly Collins, Vice President of Floribra-Shell Pond, LLC and BLR-Shell Pond, LLC, who being by me first duly sworn on oath, deposes and says:

1. That he (she) is the fee-simple owner of the property legally described on the attachment of this application.

2. That he (she) desires a Future Land Use Amendment from None to Master Planned Development for the property legally described on the attachment of this application.

3. That the owner of said property has appointed S&ME, Inc. to act as agent on his (her) behalf to accomplish the above. The owner is required to complete the APPLICANT'S AFFIDAVIT of this application if no agent is appointed to act in his (her) stead.

Holly Collins
Affiant - Applicant Name (print)

X Holly Collins
Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

or personally known by me this 13th day of May, 2019.

X Gennives Brown
Notary Public, State of Florida at Large

My Commission Expires: _____

NOTARY PUBLIC STATE OF FLORIDA

GENNIVES BROWN
Commission # GG 281409
Expires February 23, 2023
Bonded Thru Budget Notary Services

CITY OF CLERMONT

NOTICE OF PROPOSED AMENDMENT TO COMPREHENSIVE PLAN ORDINANCE NO. 2019-32

The City of Clermont will hold public hearings on Tuesday, August 6, 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, August 13, 2019 at 6:30 p.m. before the City Council to consider introduction of the ordinance and transmittal of the proposed amendment. The map amendment would change the Future Land Use designation for the parcel below from Lake County Wellness Way 1 to City of Clermont Commercial.

The City of Clermont will hold a public hearing on Tuesday, October 22, 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:
Northeast of the US 27 & Schofield Road Intersection, East of US 27
Alternate Keys 1594511, 3853224
16.7 +/- Acres

Ordinance #2019-32:
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

D0????? - July 22 & October 7, 2019

CITY OF CLERMONT

AGENDA ITEM

Meeting Date
Tuesday, August 13, 2019
Agenda Item Name
Council Member Appointment
Requested Action
Staff Report
Council Member Goodgame passed away on July 28, 2019. He served on the Clermont City Council since November 2004. His term was set to expire in November 2019 for Seat No. 2. If a vacancy occurs within a six-month period prior to a general election, the Council shall appoint a qualified person to fill the vacancy at which time the seat will be up for election, in accordance with Section 11 (c) of the City Charter.
Additional Analysis
Fiscal Impact Summary

Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)	
1. Charter - Vacancies	Charter - Vacancies.pdf

Sec. 10. Prohibitions.

(a) *Holding other office.* Except where authorized by law, no councilman shall hold any other city office or employment during the term for which he was elected to the Council, and no former councilman shall hold any compensated appointive city office or employment until one year after the expiration of the term for which he was elected to Council.

(b) *Appointments and removals.* Neither the Council or any of its members shall in any manner dictate the appointment or removal of any city administrative officers or employees whom the manager or any of his subordinates are empowered to appoint, but the Council may express its views and fully and freely discuss with the manager anything pertaining to appointment and removal of such officers and employees.

(c) *Interference with administration.* Except for purposes of inquiry, the Council or its members shall deal with city officers and employees who are subject to the direction and supervision of the City Manager solely through the City Manager, and neither the Council nor its members shall give orders to any such officer or employee, either publicly or privately.

(d) *Reserved.*

(Laws of Fla., ch. 69-959, § 4; Ord. No. 140-C, § 1(i)—(k), 10-28-1975/12-2-1975; Ord. No. 224-C, § 1, 11-9-1982/12-7-1982)

Sec. 11. Vacancies; forfeiture of office; filling of vacancies.

(a) *Vacancies.* The office of a councilman shall become vacant upon his death, resignation, removal from office in any manner authorized by law or forfeiture of his office.

(b) *Forfeiture of office.* A councilman shall forfeit his office if he:

(1) Lacks at any time during his term of office any qualification for the office prescribed by this Charter or by law,

(2) Willfully violates any express prohibition of this Charter,

(3) Is convicted of a crime involving moral turpitude, or

(4) Fails to attend three consecutive regular meetings of the Council without being excused by the Council.

(c) *Filling of vacancies.*

(1) If a vacancy for Seats 1, 2, 4 or 5 occurs within a six-month period prior to a general election, the Council shall appoint a qualified person to fill the vacancy until the general election at which time the seat will be up for election.

(2) If a vacancy in Seats 1, 2, 4, or 5 occurs more than six (6) months prior to the next general election, the Council shall declare a special election to fill the vacancy for the balance of the term.

(3) If a vacancy in Seat 3 occurs within a six-month period prior to a general election, the Mayor pro tem shall serve as Acting Mayor until the next general election, at which time a Mayor shall be elected for the unexpired portion of the existing term or to a full term, whichever is applicable. The Council shall elect an acting temporary Mayor pro tem from their number who shall act only so long as the Mayor pro tem is serving as Mayor. The Council shall appoint a qualified person to fill the vacant seat. That person so appointed shall serve as temporary councilman only until a Mayor is elected.

(4) If a vacancy in Seat 3 occurs more than six (6) months prior to the next general election, the Council shall declare a special election to fill the vacancy to serve for the balance of the term. The Mayor pro tem shall serve as Acting Mayor until a mayor is elected and then will resume his duties as Mayor pro tem.

(Ord. No. 140-C, § 1(l), (m), 10-28-1975/12-2-1975)

Sec. 12. Resign to run.

No individual may qualify as a candidate for public office who holds another elective or appointive office, the term of which or any part thereof runs concurrently with the term of office for which he seeks to qualify without resigning from such office not less than ten (10) days prior to the