



CITY OF CLERMONT
PLANNING AND ZONING COMMISSION AGENDA
6:30 PM, Tuesday, October 1, 2019
City Hall – 685 W. Montrose Street, Clermont, FL

PLEDGE OF ALLEGIANCE

MINUTES

REPORTS

NEW BUSINESS

Item 1 - Ordinance 2019-06
South Lake Crossings PUD
Table to November 5, 2019

The applicant is requesting a rezoning to a Planned Unit Development (PUD) for a mixed use project on 743 +/- acres located east of the US Hwy 27 and Schofield Road intersection.

Item 2 - Ordinance 2019-30
Hartwood Properties Rezoning

Consider an ordinance to rezone 80+/- acres located 1/4 mile south of Hartwood Marsh Road, east of US Hwy 27 for a Planned Unit Development consisting of C-2 General Commercial uses.

Item 3 - Ordinance No. 2019-33
Bradshaw North Rezoning

Consider ordinance to rezone 16 +/- acres located northeast of the US Hwy 27 and Schofield Road intersection from Urban Transition to C-2 General Commercial.

Item 4 - Clonts Groves Development Agreement

The owner is requesting a development agreement for 55.08 +/- acres located southeast of the US Hwy 27 and Schofield Road intersection.

Item 5 - Ordinance 2019-43
Rocky Mount Commercial Ph 2 CPA

Consider an ordinance for a large-scale Comprehensive Plan Amendment for 10.8 +/- acres from Lake County Regional Commercial to City Commercial for vacant property located along Hooks Street between Ford of Clermont and Dicks Sporting Good.

Item 6 - Resolution No. 2019-22R
Iglesia Evangelica Emanuel, Inc.

Consider Conditional Use Permit to allow a church use in the C-2 General Commercial zoning district for property located at 638 State Road 50.

Item 7 - Resolution No 2019-26R
Highland Ranch Conditional Use Permit

Consider amendment to Conditional Use Permit to allow a designated commercial parcel be converted to residential use for development of single family lots for property located north of Old Highway 50 and southwest of the Florida Turnpike.

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Item 8 - Ordinance No. 2019-40
*Hartwood Marsh Senior Facility Comp Plan
Amendment*

Consider ordinance to change the future land use from Low Density Residential to High Density Residential for vacant parcel located at the northeast corner of Hartwood Marsh Road and Hancock Road.

Item 9 - Ordinance No. 2019-41
Hartwood Marsh Senior Facility Rezoning

Consider ordinance to change zoning from R-1 Single Family Medium Density Residential to (PUD) Planned Unit Development for vacant parcel located at the northeast corner of Hartwood Marsh Road and Hancock Road.

Item 10 - Ordinance No. 2019-45
Clermont Auto Center Rezoning

Consider ordinance to change the zoning from C-1 Light Commercial to (PUD) Planned Unit Development for property located at 789 West Highway 50.

Discussion of Non-Agenda Items

ADJOURN

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

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

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



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date			
Tuesday, October 1, 2019			
Agenda Item Name			
Ordinance 2019-06 South Lake Crossings PUD Table to November 5, 2019			
Requested Action			
Table to date certain to November 5, 2019.			
Staff Report			
Staff and the applicant are working on finalizing the PUD ordinance and more time is needed to complete this task.			
Additional Analysis			
Fiscal Impact Summary			
Fiscal Impact	Fund Number and Description	Available Budget Amount	
Exhibits Attached (copies of original agreements)			
1. SL Crossing Legal Ad			SL Crossing Legal Ad.pdf

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: 10089822
Phone: (352) 241-7331
Date: 08/09/19
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	08/19/2019	09/09/2019	\$1,899.24

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. 2019-06

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

LOCATION

1.75 miles south of Hartwood Marsh Road, East of US 27
Approx. 743 +/- Acres

LEGAL DESCRIPTION

Parcel 1:

Parcel A

All those portions of sections 21, 22 and 23, township 23 south, range 26 east, Lake County, Florida, described as follows:

Commence at a 1-1/4" iron pipe found at the northwest corner of the northeast 1/4 of the aforesaid section 21, said northwest corner according to certified corner record #48105; thence N89°16'46"E, 2653.20 feet along the north line of said northeast 1/4 to a 2" iron pipe found at the northeast corner of said northeast 1/4 of said section 21, said northeast corner according to certified corner record #48106; thence S88°49'23"E along the north line of the northwest 1/4 of the aforesaid section 22, 670.44 feet to the point of beginning;

thence continue S88°49'23"E along said north line, 1976.14 feet; thence S88°49'23"E along the north line of the northwest 1/4 of the northeast 1/4 of said section 22, 1323.29 feet; thence S00°20'55"W along the west line of the northeast 1/4 of said northeast 1/4 of said section 22, 1314.56 feet; thence S89°00'54"E along the south line of said northeast 1/4 of the northeast 1/4 of said section 22, 1290.91 feet to the west right-of-way line of Five Mile Road (a 66' wide right-of-way as recorded in Official Records Book 357, page 21, of the Public Records of Lake County, Florida); thence S00°19'09"W along said west right-of-way line, distant 33.00 feet westerly, by perpendicular measure, from the east line of said northeast 1/4 of section 22, 1310.25 feet to a point in the north line of the southeast 1/4 of said section 22, distant 33.00 feet on a bearing of N89°12'24"W, from a 5/8" iron rod and cap #PLS4779 found at the east 1/4 corner of said section 22, said east 1/4 corner according to certified corner record #084030; thence S00°27'16"W along said west right-of-way line, distant 33.00 feet westerly, by perpendicular measure, from the east line of the southeast 1/4 of said section 22, 2681.30 feet to a point in the north line of the northeast 1/4 of section 27, township 23 south, range 26 east, said point being distant 33.00 feet on a bearing of N89°12'03"W from a 4"x4" concrete monument #RLSL993 found at the northeast corner of said northeast 1/4 of section 27, thence N89°12'03"W along said north line, 2612.60 feet to a 4"x4" concrete monument found at the northeast corner of the northwest 1/4 of said section 27; thence N89°32'30"W along the north line of said northwest 1/4, 2614.54 feet to a 4"x4" concrete monument found in the east right-of-way line of Shell Pond Road, and being distant 33.00

feet on a bearing of S89°32'30"E from a 4"x4" concrete monument found at the northwest corner of said northwest 1/4 of section 27; thence N00°23'38"E along said east right-of-way line, distant 33.00 feet easterly, by perpendicular measure, from the west line of the southwest 1/4 of the aforesaid section 22, 2696.34 feet; thence N89°12'24"W, 33.00 feet to a 1-1/2" iron pipe found at the northwest corner of said southwest 1/4 of section 22, said northwest corner according to certified corner record #48107; thence S89°38'30"W along the east-west center section line of the aforesaid section 21, 1287.60 feet; thence, departing said east-west center section line, N00°00'00"E, 456.14 feet; thence N55°49'12"E, 1567.27 feet to an iron rod with cap #L868 set at the northwest corner of the southwest 1/4 of the northwest 1/4 of the aforesaid section 22; thence S89°00'54"E along the north line of said southwest 1/4 of the northwest 1/4, 679.40 feet; thence, departing said north line, N00°00'00"W, 1325.72 feet to the point of beginning.

Less and except therefrom: those parcels described in Official Records Book #49, page 2162; Parcel 122 (fee simple); the northerly 50.00 feet of the southerly 80.00 feet of the easterly 35.00 feet of the westerly 2892.00 feet of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Parcel 123 (fee simple): the northerly 50.00 feet of the southerly 80.00 feet of the easterly 35.00 feet of the westerly 118.00 feet of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Parcel 124 (fee simple): the northerly 20.00 feet of the southerly 50.00 feet of the easterly 30.00 feet of the

westerly 83.00 feet of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Also less from said section 22, that parcel described in Official Records Book 845, page 567;

Parcel 129 (fee simple): the westerly 35.00 feet of the easterly 523.26 feet of the northerly 50.00 feet of the southerly 80.00 feet of the southeast 1/4 of the southeast 1/4 of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Also less from said section 22, that parcel described in Official Records Book 851, page 145E;

Parcel 130 (fee simple): the northerly 50.00 feet of the southerly 900.00 feet of the westerly 35.00 feet of the easterly 93.00 feet of the southeast 1/4 of the northeast 1/4 of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

and:

Parcel b

That part of sections 21 and 22, township 23 south, range 26 east, Lake County, Florida described as follows:

Commence at a 1-1/4" iron pipe found at the northwest corner of the northeast 1/4 of the aforesaid section 21, said northwest corner according to certified corner record #48105; thence N89°16'46"E along the north line of said northeast 1/4, 518.50 feet to the east right-of-way line of Bradshaw Road as maintained by Lake County, said east right-of-way line as filed surveyed by Donald W. McIntosh associates, Inc. and shown on a "specific purpose survey" prepared by

Payment Info	
Ad Price	\$1,899.24
Tax	\$0.00
Sub Total	\$1,899.24
Prepaid Amount	\$0.00
Balance Due	\$1,899.24

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LEGAL NOTICE Notice is hereby given that the City Council of the City of Cler	08/19/2019	09/09/2019	\$1,899.24

Donald W. McIntosh associates, Inc., drawing number cs#02-203, survey date 02/27/02, and to the point of beginning; thence, departing said north line of said northeast ¼, run the following fourteen (14) courses and distances along said east right-of-way line: s09°07'38" w, 226.88 feet; s08°14'05" w, 483.61 feet; s08°51'03" w, 111.11 feet; s08°15'58" w, 235.08 feet; s07°40'42" w, 73.87 feet; s08°15'45" w, 120.18 feet; s08°15'35" w, 293.65 feet; s07°52'00" w, 391.90 feet; s08°15'41" w, 126.07 feet; s09°13'52" w, 181.39 feet; s09°21'18" w, 192.16 feet; s08°48'22" w, 191.95 feet; s10°07'14" w, 16.87 feet to the point of curvature of a curve concave easterly having a radius of 36.00 feet and a chord bearing of s15°39'01" e; thence southerly along the arc of said curve through a central angle of 51°32'31" for a distance of 32.38 feet to a non-tangent line being the east-west center of section line of aforesaid section 21; thence, departing said east right-of-way line, n89°36'30" e along said east-west center of section line 1210.47 feet; thence, departing said east-west center of section line, n00°00'00" e, 458.14 feet; thence n88°49'12" e, 1587.27 feet to the northwest corner of the southwest ¼ of the northwest ¼ of the aforesaid section 22; thence s89°00'54" e along the north line of said southwest ¼ of the northwest ¼, 679.40 feet; thence, departing said north line, n00°00'00" w, 1325.72 feet to the north line of the northwest ¼ of the northwest ¼ of said section 22; thence n88°49'23" w along said north line, 670.44 feet to a 2" iron pipe found at the northeast corner of the northeast ¼ of the aforesaid section 21, said northeast corner according to certified corner record #48106; thence s89°16'46" w along the north

line of said northeast ¼, 2134.70 feet to the point of beginning.

Less and except

North Parcel (Cut Out Parcel)

That part of sections 21 and 22, township 23 south, range 26 east, Lake County, Florida described as follows:

Commence at a 1-1/4" iron pipe found at the northwest corner of the northeast ¼ of the aforesaid section 21, said northwest corner according to certified corner record #48106; thence n89°16'46" e along the north line of said northeast ¼, 518.50 feet to the east right-of-way line of Bradshaw Road as maintained by Lake County, said east right-of-way line as filed surveyed by Donald W. McIntosh associates, Inc. and shown on a "specific purpose survey" prepared by Donald W. McIntosh associates, Inc., drawing number cs#02-203, survey date 02/27/02, and to the point of beginning; thence, departing said north line of said northeast ¼, run the following fourteen (14) courses and distances along said east right-of-way line: s09°07'38" w, 226.88 feet; s08°14'05" w, 483.61 feet; s08°51'03" w, 111.11 feet; s08°15'58" w, 235.08 feet; s07°40'42" w, 73.87 feet; s08°15'45" w, 120.18 feet; s08°15'35" w, 293.65 feet; s07°52'00" w, 391.90 feet; s08°15'41" w, 126.07 feet; s09°13'52" w, 181.39 feet; s09°21'18" w, 192.16 feet; s08°48'22" w, 191.95 feet; s10°07'14" w, 16.87 feet to the point of curvature of a curve concave easterly having a radius of 36.00 feet and a chord bearing of s15°39'01" e; thence southerly along the arc of said curve through a central angle of 51°32'31" for a distance of 32.38 feet to a non-tangent line being the

east-west center of section line of aforesaid section 21; thence, departing said east right-of-way line, n89°36'30" e along said east-west center of section line 2498.07 feet to the northwest corner of the southwest ¼ of aforesaid section 22; thence, departing said east-west center of section line, n00°23'17" e along the west line of the southwest ¼ of the northwest ¼ of said section 22, 1327.85 feet to the northwest corner of said southwest ¼ of the northwest ¼ of section 22; thence departing said west line run s89°00'54" e along the north line of said southwest ¼ of the northwest ¼, 679.40 feet; thence, departing said north line, n00°00'00" w, 1325.72 feet to the north line of the northwest ¼ of the northwest ¼ of said section 22; thence n88°49'23" w along said north line, 670.44 feet to a 2" iron pipe found at the northeast corner of the northeast ¼ of the aforesaid section 21, said northeast corner according to certified corner record #48106; thence s89°16'46" w along the north line of said northeast ¼, 2134.70 feet to the point of beginning.

Being more particularly described as:

All those portions of sections 21, 22 and 23, township 23 south, range 26 east, Lake County, Florida, described as follows:

Commence at a 1-1/4" iron pipe found at the northwest corner of the northeast ¼ of the aforesaid section 21, said northwest corner according to certified corner record #48106; thence n89°16'46" e, 2653.20 feet along the north line of said northeast ¼ to a 2" iron pipe found at the northeast corner of said northeast ¼ of said section 21, said northeast corner according to certified corner record #48106; thence s88°49'23" e along the north line of the northwest

¼ of the aforesaid section 22, 670.44 feet to the point of beginning; thence continue s88°49'23" e along said north line, 1976.14 feet; thence s88°49'23" e along the north line of the northwest ¼ of the northeast ¼ of said section 22, 1323.29 feet; thence s00°20'55" w along the west line of the northeast ¼ of said northeast ¼ of said section 22, 1314.86 feet; thence s89°00'54" e along the south line of said northeast ¼ of the northeast ¼ of said section 22, 1290.81 feet to the west right-of-way line of Five Mile Road (a 66' wide right-of-way as recorded in Official Records Book 357, page 21, of the Public Records of Lake County, Florida); thence s00°19'09" w along said west right-of-way line, distant 33.00 feet westerly, by perpendicular measure, from the east line of said northeast ¼ of section 22, 1310.25 feet to a point in the north line of the southeast ¼ of said section 22, distant 33.00 feet on a bearing of n89°12'24" w, from a 5/8" iron rod and cap #pls4779 found at the east ¼ corner of said section 22, said east ¼ corner according to certified corner record #084030; thence s00°27'16" w along said west right-of-way line, distant 33.00 feet westerly, by perpendicular measure, from the east line of the southeast ¼ of said section 22, 2681.30 feet to a point in the north line of the northeast ¼ of section 27, township 23 south, range 26 east, said point being distant 33.00 feet on a bearing of n89°12'03" w from a 4"x4" concrete monument #ris1993 found at the northeast corner of said northeast ¼ of section 27, thence n89°12'03" w along said north line, 2612.50 feet to a 4"x4" concrete monument found at the northeast corner of the northwest ¼ of said section 27; thence n89°32'30" w along the north line of said northwest ¼, 2614.54 feet to a 4"x4" concrete monument found in

Payment Info	
Ad Price	\$1,899.24
Tax	\$0.00
Sub Total	\$1,899.24
Prepaid Amount	\$0.00
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Account Number: 7101866
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Ad Classification: LEGAL NOTICES

Description	Start	End	Total
LEGAL NOTICE Notice is hereby given that the City Council of the City of Cler	08/19/2019	09/09/2019	\$1,899.24

the east right-of-way line of Shell Pond Road, and being distant 33.00 feet on a bearing of S89°32'30"E from a 4"x4" concrete monument found at the northwest corner of said northwest ¼ of section 27; thence N00°23'38"E along said east right-of-way line, distant 33.00 feet easterly, by perpendicular measure, from the west line of the southwest ¼ of the aforesaid section 22, 2696.34 feet; thence N89°12'24"W, 33.00 feet to a 1-1/2" iron pipe found at the northwest corner of said southwest ¼ of said section 22, said northwest corner according to certified corner record #48107; thence N00°23'17"E along the west line of the southwest ¼ of the northwest ¼ of the aforesaid section 22, 1327.85 feet to an iron rod with cap #1668 set at the northwest corner of said southwest ¼ of the northwest ¼ of section 22; thence S89°00'54"E along the north line of said southwest ¼ of the northwest ¼, 679.40 feet; thence, departing said north line, N00°00'00"W, 1325.72 feet to the point of beginning.

Less and except therefrom;

Those parcels described in Official Records Book 848, page 2162;

Parcel 122 (fee simple):

The northerly 50.00 feet of the southerly 80.00 feet of the easterly 35.00 feet of the westerly 2832.00 feet of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Parcel 123 (fee simple):

The northerly 50.00 feet of the southerly 80.00 feet of the easterly 35.00 feet of the westerly 118.00 feet of section 22, township 23 south, range 26 east, in the County of Lake, state

of Florida.

Parcel 124 (fee simple):

The northerly 20.00 feet of the southerly 50.00 feet of the easterly 30.00 feet of the westerly 83.00 feet of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Also less from said section 22, that parcel described in Official Records Book 845, page 567:

Parcel 129 (fee simple):

The westerly 35.00 feet of the easterly 523.26 feet of the northerly 50.00 feet of the southerly 80.00 feet of the southeast ¼ of the southeast ¼ of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Also less from said section 22, that Parcel described in Official Records Book 861, page 1458:

Parcel 130 (fee simple):

The northerly 50.00 feet of the southerly 900.00 feet of the westerly 35.00 feet of the easterly 93.00 feet of the southeast ¼ of the northeast ¼ of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Together with the beneficial easements contained in that certain declaration of easement and agreement regarding road and utility improvements dated May 25, 2006 and which is recorded on June 2, 2006 in Official Records Book 3175, page 997, all in the Public Records of Lake County, Florida.

Parcel 2:

The land referred to herein below is situated in the County of Lake, state of Florida, and is described as follows:

That part of sections 21 and 22, township 23 south, range 26 east, Lake County, Florida described as follows:

Commence at a 1-1/4" iron pipe found at the northwest corner of the northeast ¼ of the aforesaid section 21, said northwest corner according to certified corner record #48106; thence N89°16'46"E along the north line of said northeast 518.50 feet to the east right-of-way line of Bradshaw Road as maintained by Lake County, said east right-of-way line as filed surveyed by Donald W. McIntosh associates, Inc. and shown on a "specific purpose survey" prepared by Donald W. McIntosh associates, Inc., drawing number 02-203, survey date 02/27/02, and to the point of beginning; thence, departing said north line of said northeast ¼, run the following fourteen (14) courses and distances along said east right-of-way line; S09°07'38"W, 226.88 feet; S08°14'05"W, 483.61 feet; S08°51'03"W, 111.11 feet; S08°15'58"W, 235.08 feet; S07°40'42"W, 73.97 feet; S08°15'45"W, 120.18 feet; S08°15'35"W, 293.65 feet; S07°52'00"W, 391.90 feet; S08°15'41"W, 126.07 feet; S08°15'52"W, 181.39 feet; S08°21'18"W, 192.16 feet; S08°45'22"W, 191.95 feet; S10°07'14"W, 16.87 feet to the point of curvature of a curve concave easterly having a radius of 36.00 feet and a chord bearing of S15°39'01"E; thence southerly along the arc of said curve through a central angle of 51°32'31" for a distance of 32.38 feet to a non-tangent line being the east-west center of section line of

aforesaid section 21; thence, departing said east right-of-way line, N89°26'30"E along said east-west center of section line 2498.07 feet to the northwest corner of the southwest ¼ of aforesaid section 22; thence, departing said east-west center of section line, N00°23'17"E along the west line of the southwest ¼ of the northwest ¼ of said section 22, 1327.85 feet to the northwest corner of said southwest ¼ of the northwest ¼ of the aforesaid section 22; thence departing said west line run S89°00'54"E along the north line of said southwest ¼ of the northwest ¼, 679.40 feet; thence, departing said north line, N00°00'00"W, 1325.72 feet to the north line of the northwest ¼ of the northwest ¼ of said section 22; thence N88°49'23"W along said north line, 670.44 feet to a 2" iron pipe found at the northeast corner of the northeast ¼ of the aforesaid section 21, said northeast corner according to certified corner record #48106; thence S89°16'46"W along the north line of said northeast ¼, 2134.70 feet to the point of beginning.

Together with the beneficial easements contained in that certain declaration of easement and agreement regarding road and utility improvements dated May 25, 2006 and which is recorded on June 2, 2006 in Official Records Book 3175, page 997, and that certain declaration of easement and agreement regarding Road and utility improvements dated May 25, 2006 and which is recorded on June 2, 2006 in Official Records Book 3175, page 1023, all in the Public Records of Lake County, Florida.

Contains 743.00 acres more or less.

From: Urban Transition UT
To: Planned Unit Development PUD

Payment Info	
Ad Price	\$1,899.24
Tax	\$0.00
Sub Total	\$1,899.24
Prepaid Amount	\$0.00
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Account Number: 7101866
Order Number: 10089822
Phone: (352) 241-7331
Date: 08/09/19
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	08/19/2019	09/09/2019	\$1,899.24

This request will be considered by the Planning & Zoning Commission on Tuesday, September 3, 2019 at 6:30 p.m. and a public meeting to consider the request will be held before the City Council on Tuesday, September 24, 2019 at 6:30 p.m. for final enactment.

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

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

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

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

Tracy Ackroyd Howe, MMC
City Clerk

Ad No: 10089822
August 19, 2019 &
September 09, 2019

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CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date

Tuesday, October 1, 2019

Agenda Item Name

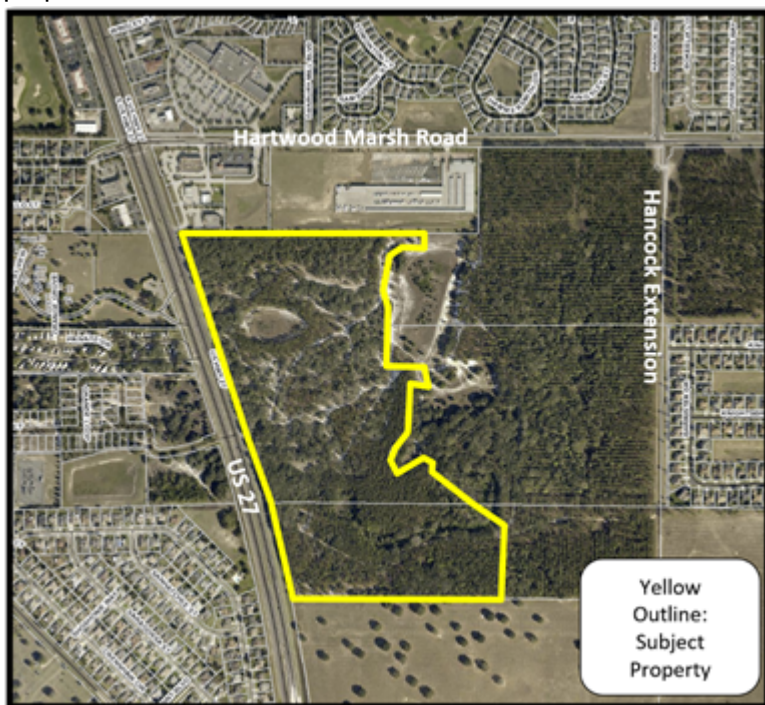
Ordinance 2019-30
Hartwood Properties Rezoning

Requested Action

Recommend approval of Ordinance No. 2019-30.

Staff Report

The owner, Hartwood Properties LLC, has requested a rezoning to a Planned Unit Development with C-2 General Commercial uses and Residential uses. 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 applicant desires to develop the property for commercial and residential uses in the future, which may include up to 600 multi-family dwelling units and up to 120,500 square feet of commercial uses. A conceptual site plan has been submitted to show what could be placed on the property in respect to uses, intensities and densities. Due to the City's recent multi-family moratorium and the applicant not having site specific plans, staff is recommending C-2 General Commercial uses until such time the multi-family is ready to move forward with detailed site plans. The applicant has agreed to amend the PUD once this becomes a reality. If approved, the zoning would permit C-2 General Commercial uses on the site. Any residential (single-family or multi-family) uses or conditional uses, such as buildings over 20,000 square feet, would require the applicant to come back before the Planning and Zoning Commission and City Council for approval. A more detailed site plan with specific uses would be submitted at the time the site is ready for development.

The PUD with C-2 General Commercial zoning is compatible with the Master Planned Development Future Land Use. The property fronts a major Federal Highway and these types of uses would be compatible in the area.

Staff has reviewed the applicant's proposal and finds the proposed zoning at this location is compatible with the uses in the area. Staff is able to support the request for the rezoning change since 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 Regional office designation. Therefore; staff recommends approval of the rezoning to the Planned Unit Development to include C-2 General Commercial uses.

Additional Analysis

Fiscal Impact Summary

Fiscal Impact

Fund Number and Description

Available Budget Amount

Exhibits Attached (copies of original agreements)

- | | | |
|----|--|--|
| 1. | 2019-30 Hartwood Properties REZ | 2019-30 Hartwood Properties REZ.doc |
| 2. | Hartwood Properties Map | Hartwood Properties Map.pdf |
| 3. | site plan | site plan.pdf |
| 4. | App | App.pdf |
| 5. | ORDINANCE NO 2019-30 Hartwood Properties PUD | ORDINANCE NO 2019-30 Hartwood Properties PUD |
| | Legal Ad Proof | Legal Ad Proof.pdf |



CITY OF CLERMONT
ORDINANCE NO. 2019-30

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

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'ly 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



CITY OF CLERMONT
ORDINANCE NO. 2019-30

N 1/2 of N 1/2 of NE 1/4, run E'y 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

FROM: Urban Estate (UE) and Urban Transition (UT)
TO: Planned Unit Development (PUD)

SECTION 2.

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

SECTION 3.

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

SECTION 4.

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

SECTION 5.

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 6. General Conditions

This application for a Planned Unit Development to allow for a multi-tenant commercial development with C-2 General Commercial 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 may be developed under the City's C-2 General Commercial District, Division 11 of the Land Development Code. Any multi-family or conditional uses under the C-2 General Commercial District will require the developer to amended the Planned Unit Development ordinance.



CITY OF CLERMONT
ORDINANCE NO. 2019-30

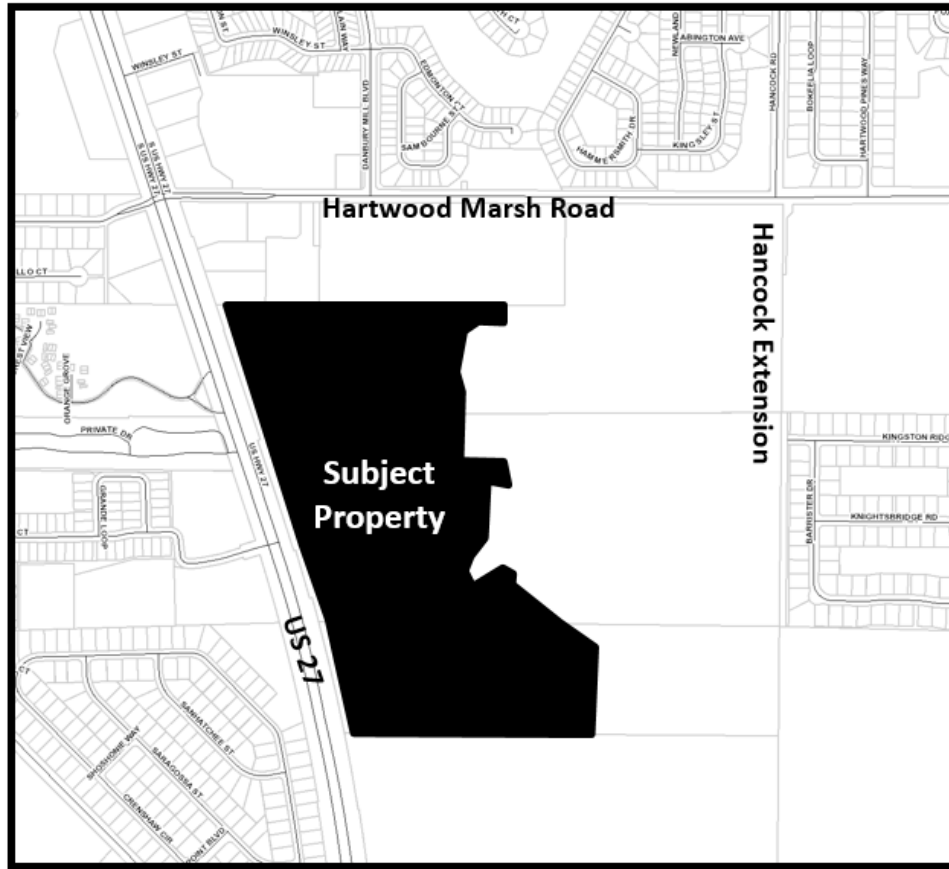
3. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, 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.

SECTION 7. Land Uses and Specific Conditions

1. The development shall comply with all applicable County and Florida Department of Transportation access management requirements.
2. A Tier 2 Traffic Impact Study shall be completed at the time of site plan review. 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.
3. The project shall be developed according to the C-2 General Commercial zoning designation in the Land Development Code, unless expressly stated above.

CITY OF CLERMONT
ORDINANCE NO. 2019-30

Location map:





CITY OF CLERMONT
ORDINANCE NO. 2019-30

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this ____ day of _____, 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

Exhibit - Location Map –Hartwood Properties

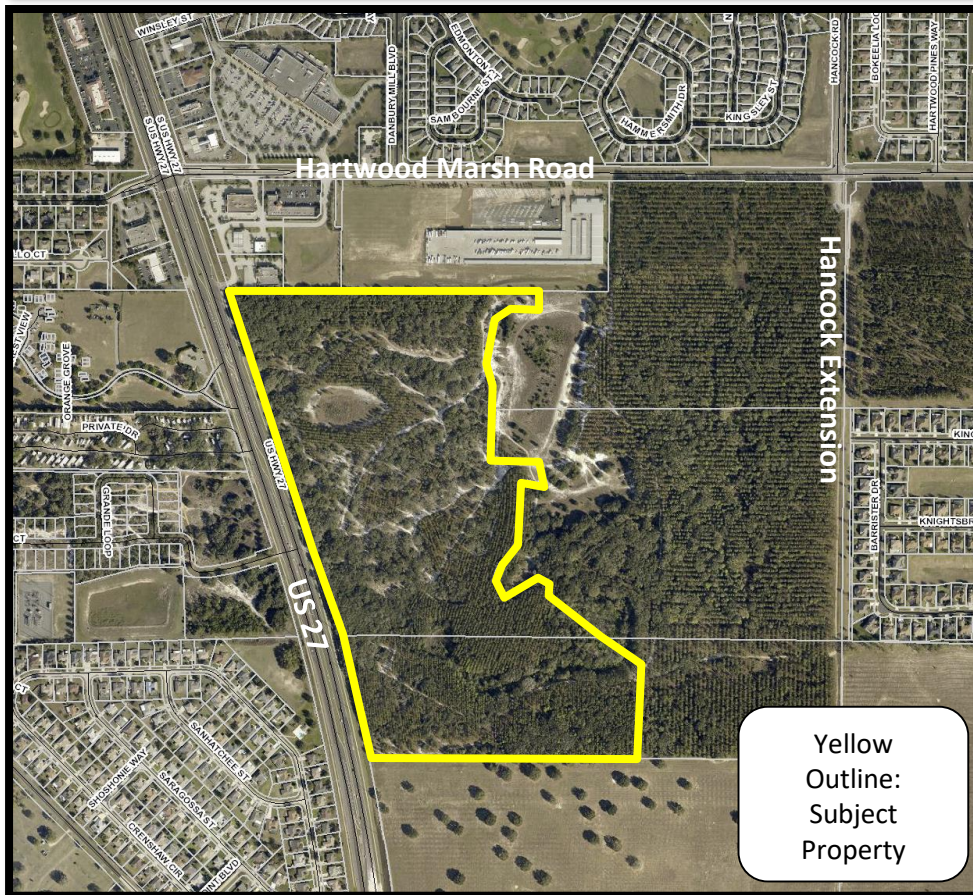


Exhibit – Future Land Use –Hartwood Properties

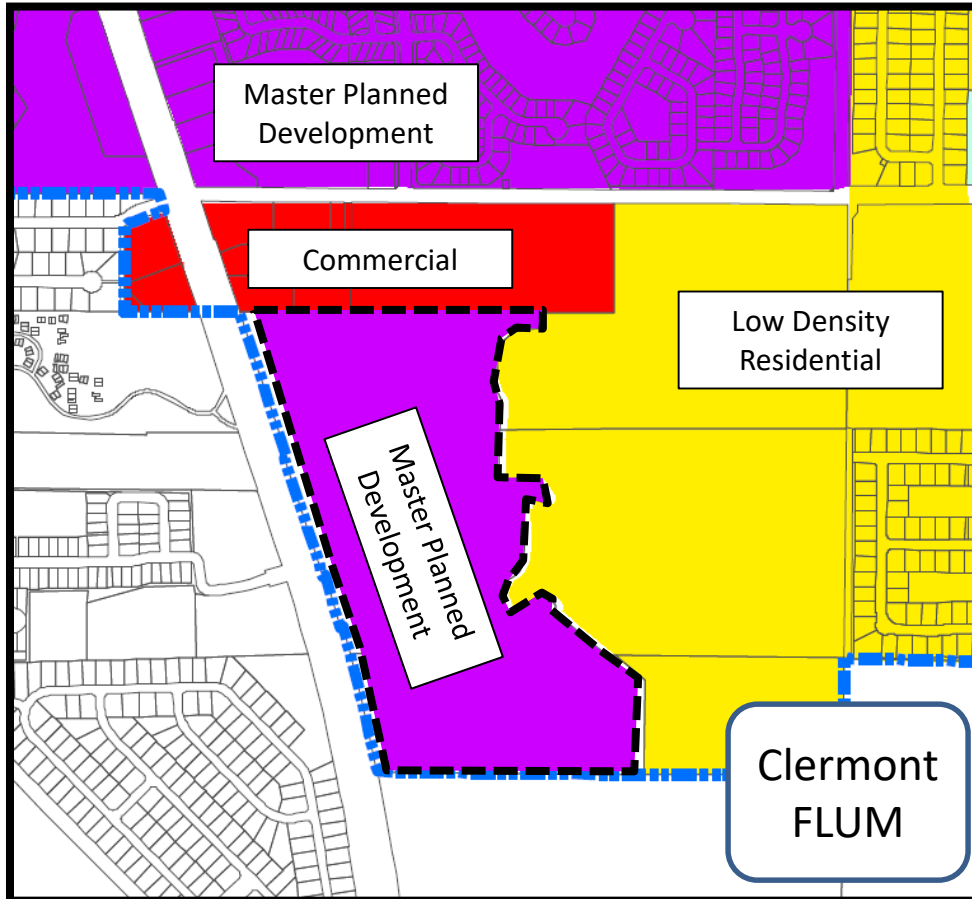
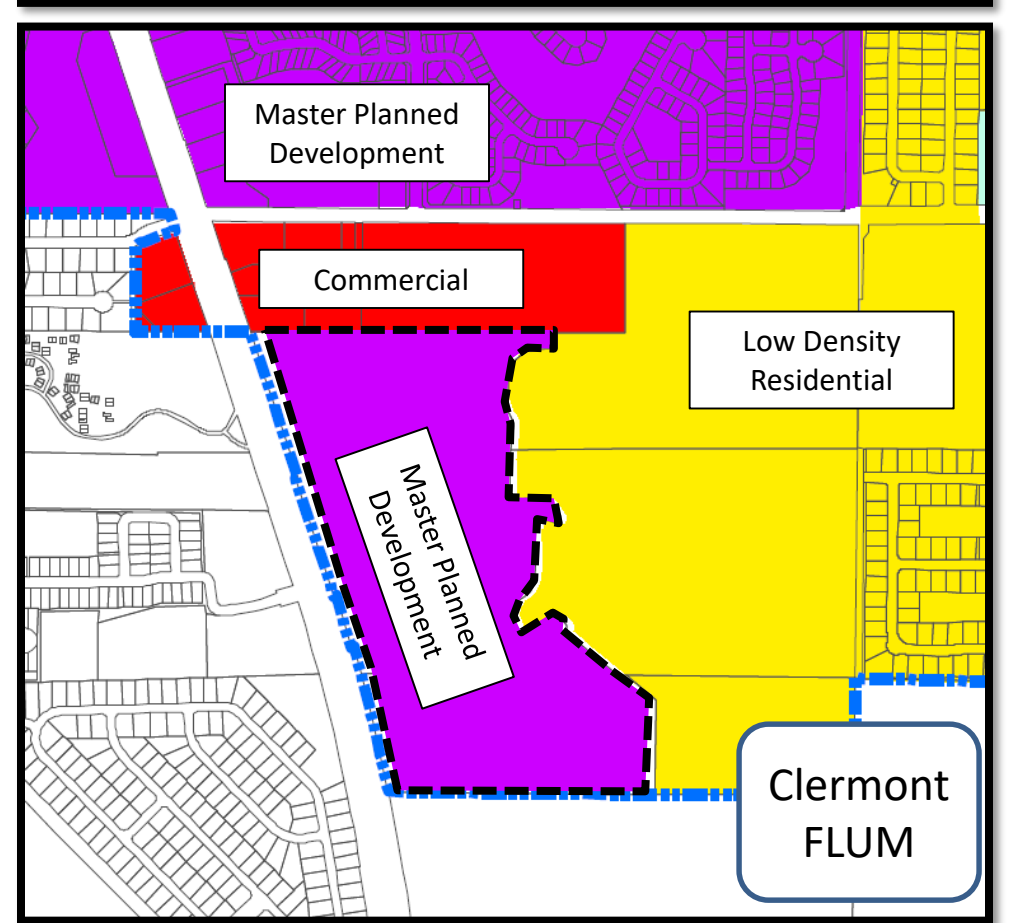
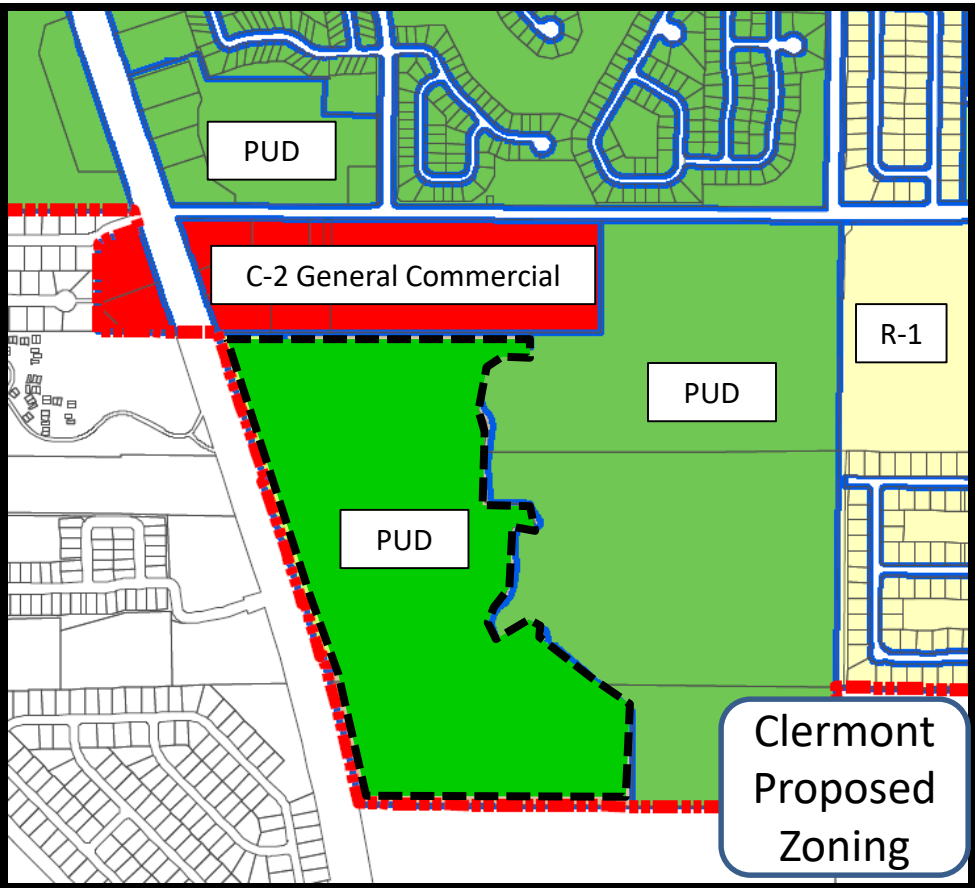
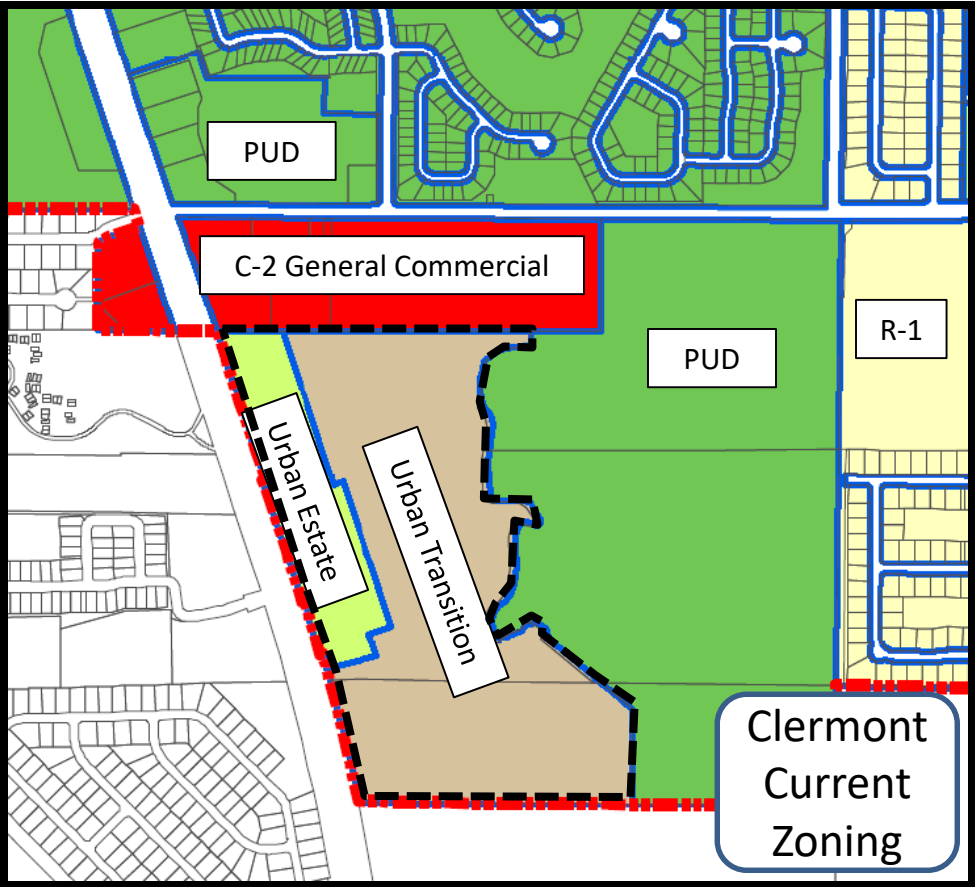


Exhibit - Zoning Map –Hartwood Properties



The map shows a geographical area with a north arrow pointing upwards. A scale bar at the bottom indicates distances from 0 to 1000 meters. A label 'SITE LOCATION' with an arrow points to a specific spot on the map. Another label 'Lakeside (km 1000)' is located at the bottom right. The map features various colored regions representing different land uses or water bodies.



1615 EDGEWATER DRIVE, STE 200.
ORLANDO, FLORIDA 32804
T 407.975.1273
F 407.975.1278
www.smeinc.com

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 MARK
MINIMUM REQUIRED PARKING PER SECTION 98-14 OF THE LDC.

TRIP GENERATION

TRIP GENERATION				AM Peak Period				PM Peak Period					
Land Use	ITE Code	Intensity	Daily Trip Ends	In		Out		In			Out		
				%	Trips	%	Trips	Total	%	Trips	%	Trips	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



A horizontal graphic scale bar with tick marks at 0, 150, 300, and 600 feet. The bar is divided into four equal segments, each representing 150 feet. The text "GRAPHIC SCALE" is centered below the bar, and "(IN FEET)" is centered below the 600-foot mark.

HARTWOOD MARSH PLANNED DEVELOPMENT LAKE COUNTY, FLORIDA

[illegible]

PROJECT NUMBER
527118065

DRAWING NUMBER
C1.1

DRAWING NAME

SITE DEVELOPMENT
PLAN



REZ1905-0002

**CITY OF CLERMONT
REZONING
APPLICATION**

DATE: May 6, 2019

FEE: \$542.⁰⁰
+ cost of advertisement

PROJECT NAME (if applicable): Hartwood Marsh

APPLICANT: S&ME

CONTACT PERSON: Chris Dougherty

Address: 1615 Edgewater Dr

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: _____

Address of Subject Property: Along east side of US-27, due south of Hartwood Marsh Rd by approx. 680 ft.

Legal Description (include copy of survey): See attached

Acreage: 80.41 Land Use: Vacant
(City verification required)

Present Zoning: UT and UE Proposed Zoning: Planned Unit Development
(City verification required)



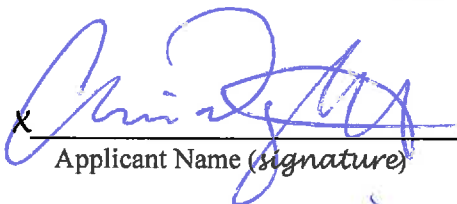
CITY OF CLERMONT
REZONING
APPLICATION
Page 2

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

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

See narrative

Chris Dougherty
Applicant Name (print)

x 
Applicant Name (signature)

Holly Collins
Owner Name (print)

x 
Owner Name (signature)

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

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: 10090668
Phone: (352) 241-7331
Date: 09/13/19
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	09/16/2019	10/28/2019	\$434.64

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. 2019-30

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:

1/4 mile south of Hartwood Marsh Road, East of US 27
(Alternate Keys 141.2251, 3853085)

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 7.2 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'ly 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.

From: Urban Estate and
Urban Transition
To: Planned Unit Development

This request will be considered by the Planning & Zoning Commission on Tuesday, October 1, 2019 at 6:30 p.m.

A public meeting to consider the request will be held before the City Council on Tuesday, November 12, 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: 10090668
September 16, 2019 &
October 28, 2019

Payment Info	
Ad Price	\$434.64
Tax	\$0.00
Sub Total	\$434.64
Prepaid Amount	\$0.00
Balance Due	\$434.64



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date

Tuesday, October 1, 2019

Agenda Item Name

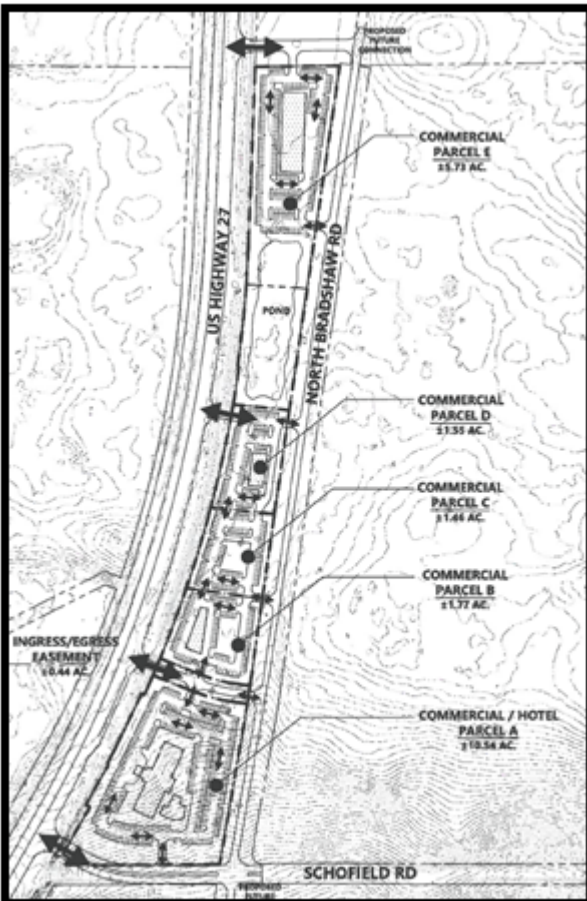
Ordinance No. 2019-33
Bradshaw North Rezoning

Requested Action

Recommend approval of Ordinance 2019-33.

Staff Report

The owner, BLR-Shell Pond/Floribra-Shell Pond, has requested a rezoning to C-2 General Commercial. The subject site is 16.7 +/- acres in size and is located in the Wellness Way Area Plan. 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 Comprehensive Plan Amendment to the City's Commercial Future Land Use. 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 applicant desires to develop the property for commercial uses in the future, which may include a 140-room hotel with up to 32,800 square feet of commercial uses. A conceptual site plan has been submitted to show what could be placed on the property in respect to uses, intensities and densities. If approved, the zoning change would permit C-2 General Commercial uses on the site. Any conditional uses, such as buildings over 20,000 square feet, would require the applicant to come back before the Planning and Zoning Commission and City Council for approval. The applicant provided the conceptual site plan to demonstrate the long narrow parcel could accommodate projects with parking and stormwater systems. A more detailed site plan with specific uses would be submitted at the time the site is ready for development.

The C-2 General Commercial zoning is compatible to the proposed Commercial Future Land Use. The property fronts a major Federal Highway and these types of uses would be compatible in the area. Residential uses on the site would be highly unlikely due to the property's configuration and location on the highway.

Staff has reviewed the applicant's proposal and finds the proposed zoning at this location is compatible with the uses in the area. Staff is able to support the request for the rezoning 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 rezoning to the City's C-2 General Commercial zoning designation.

Additional Analysis

Fiscal Impact Summary

Fiscal Impact

Fund Number and Description

Available Budget Amount

Exhibits Attached (copies of original agreements)

- | | | |
|----|-----------------------------------|--|
| 1. | 2019-33 Bradshaw North REZ | 2019-33 Bradshaw North REZ formatted.DOC |
| 2. | Bradshaw North Maps Updated | Bradshaw North Maps Updated.pdf |
| 3. | location map | location map.pdf |
| 4. | transmittal doc | transmittal doc.pdf |
| 5. | App | App.pdf |
| 6. | REZ AD Bradshaw North Legal Proof | REZ AD Bradshaw North Legal Proof.pdf |



CITY OF CLERMONT
ORDINANCE NO. 2019-33

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

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

SECTION 1.

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

LEGAL DESCRIPTION

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)

From: Urban Transition
To: C-2 General Commercial District

SECTION 2.

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

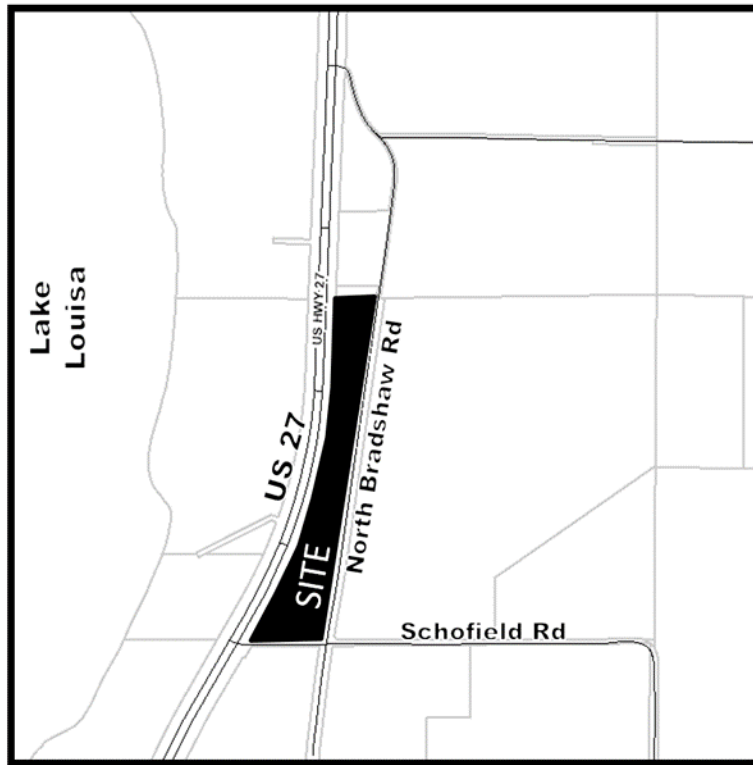
SECTION 3.

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

SECTION 4.

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

Location map:





CITY OF CLERMONT
ORDINANCE NO. 2019-33

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this ____th day of _____, 2019.

CITY OF CLERMONT

Gail L. Ash, Mayor

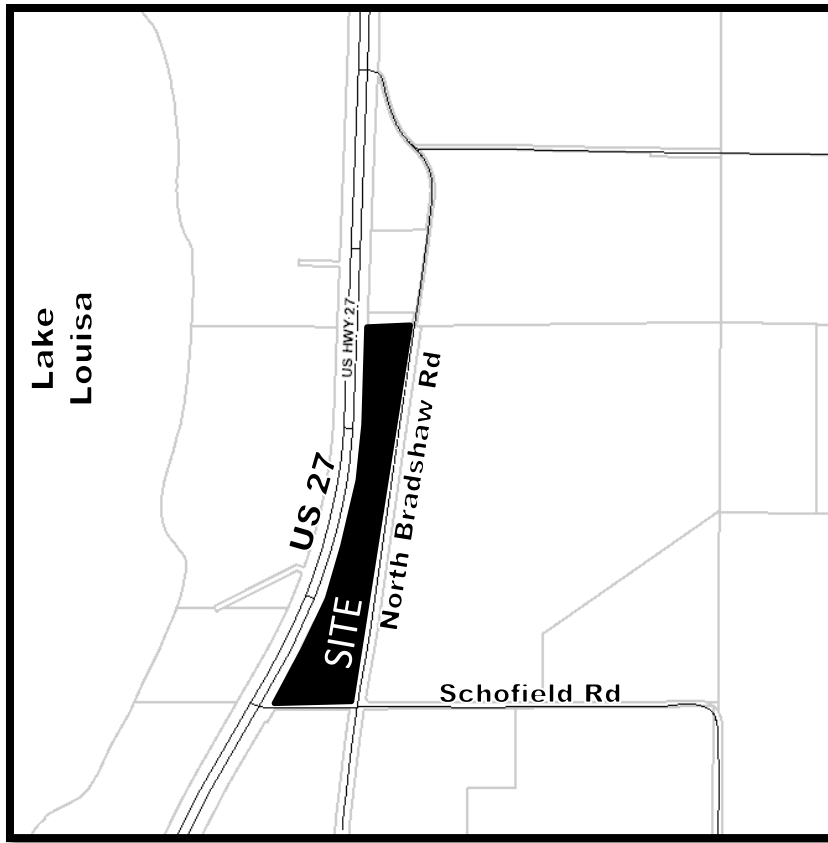
ATTEST:

Tracy Ackroyd Howe, City Clerk

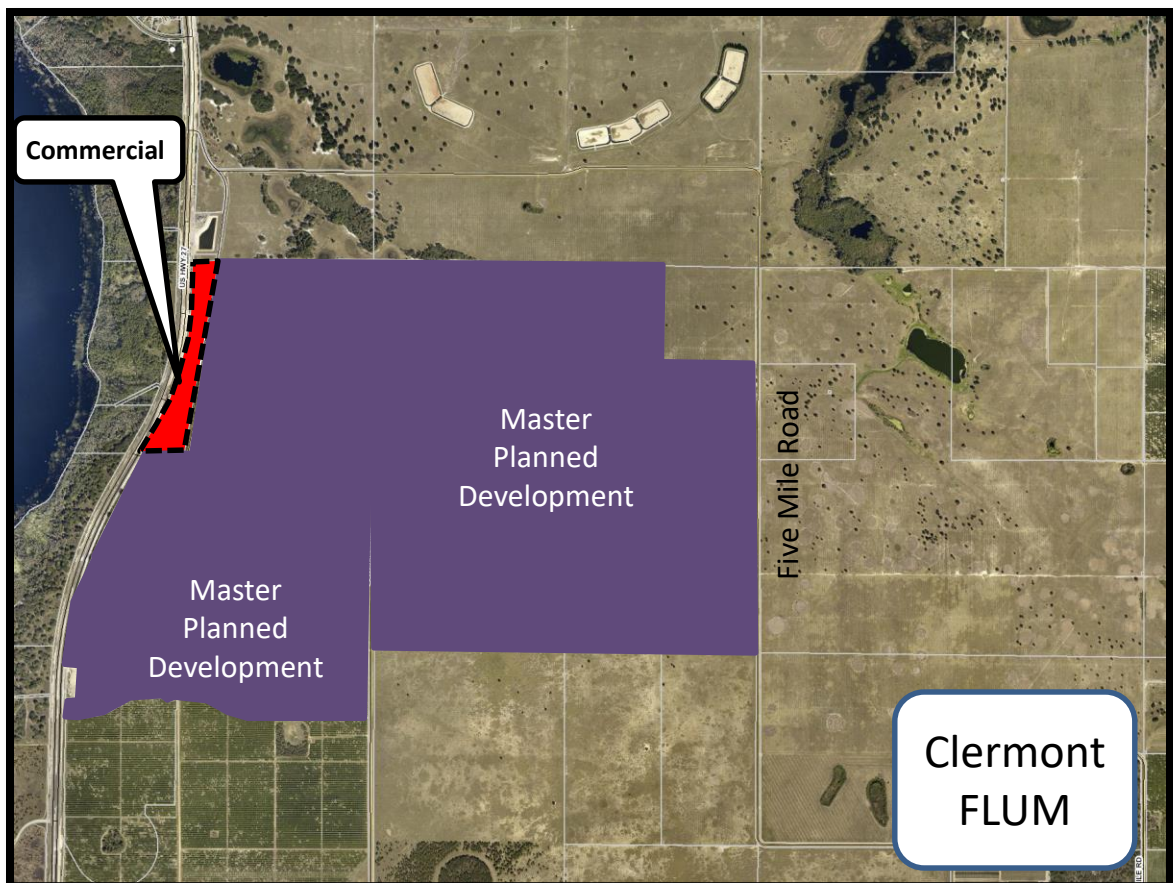
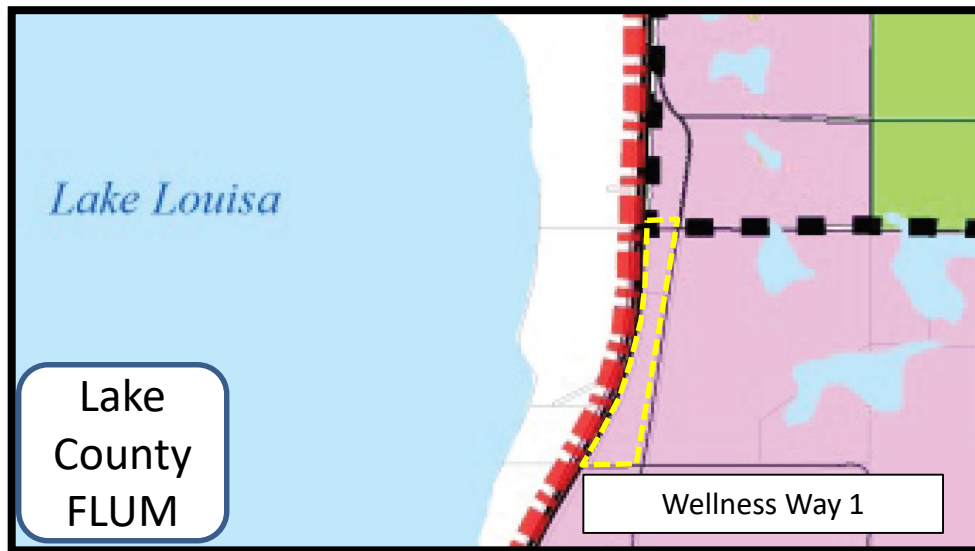
Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

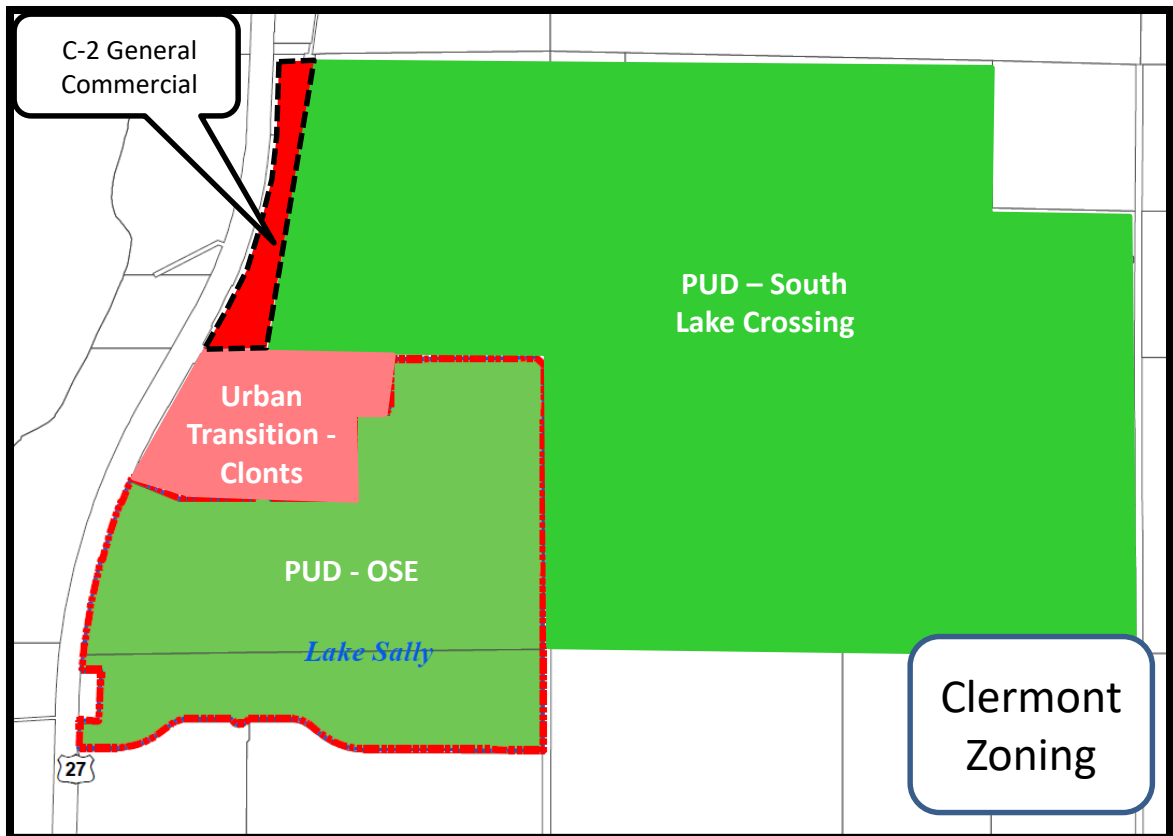
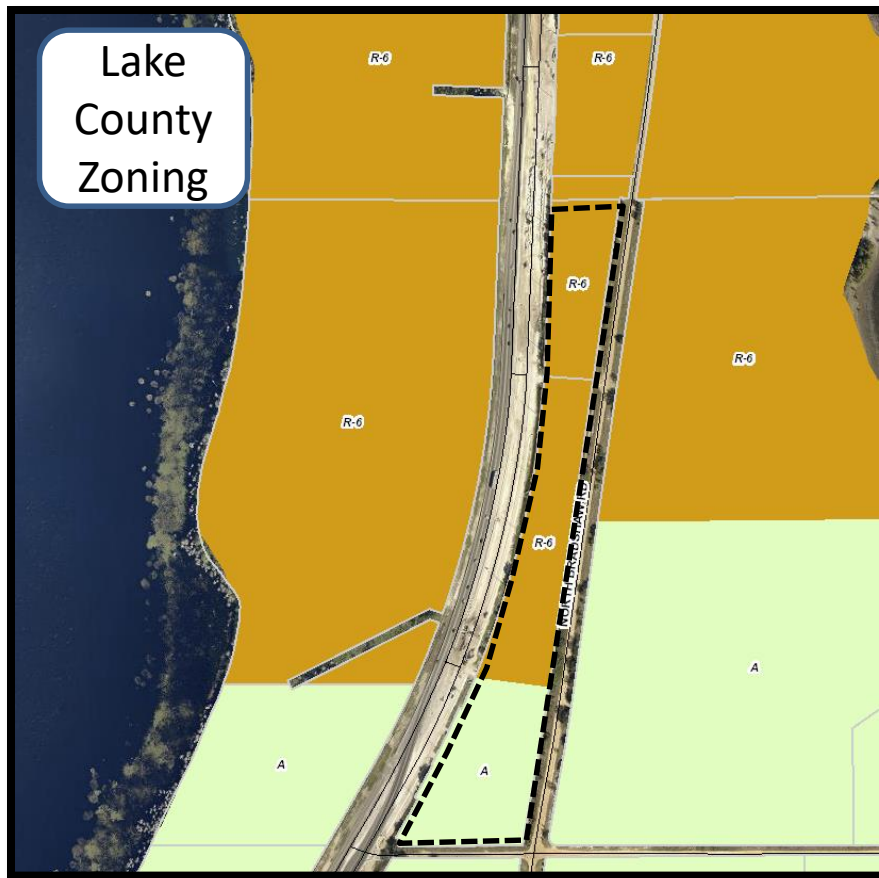
Exhibit - Location Map – Bradshaw North Property



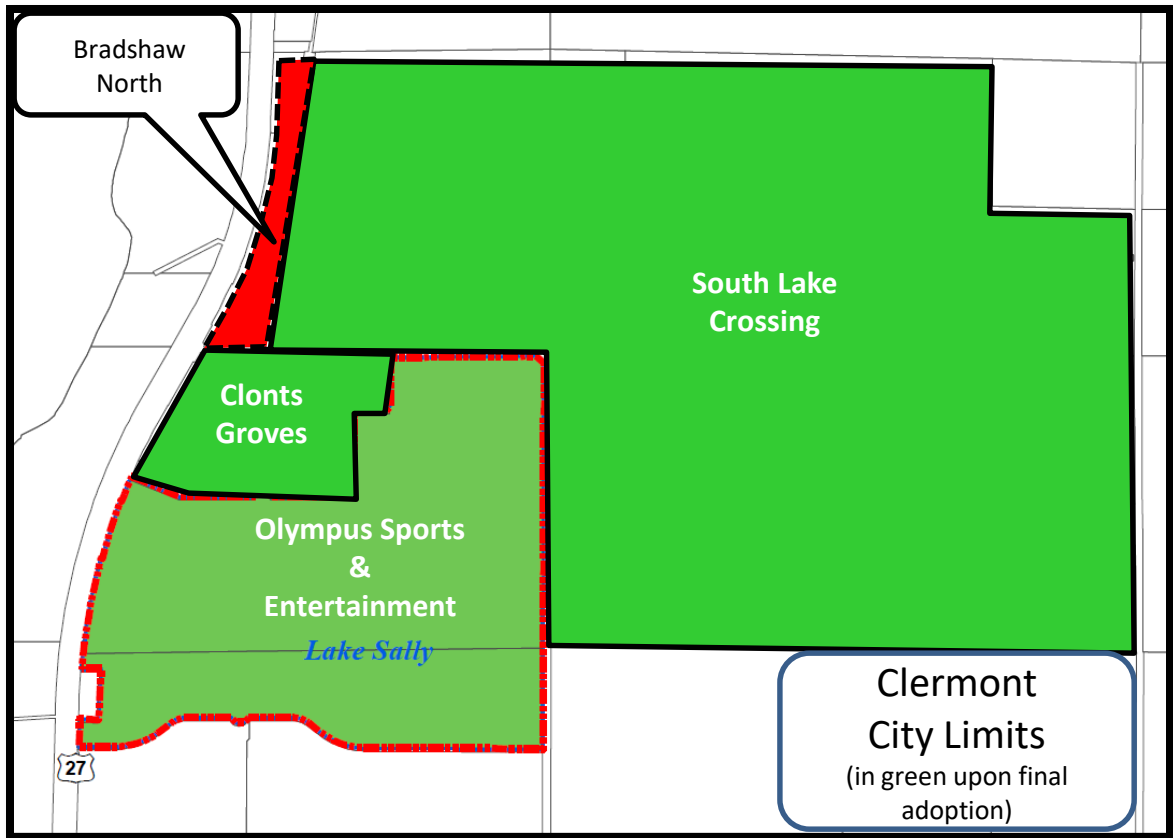
Future Land Use Map–Bradshaw North Property



Zoning Map—Bradshaw North Property



City Limits Map – Wellness Way





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:

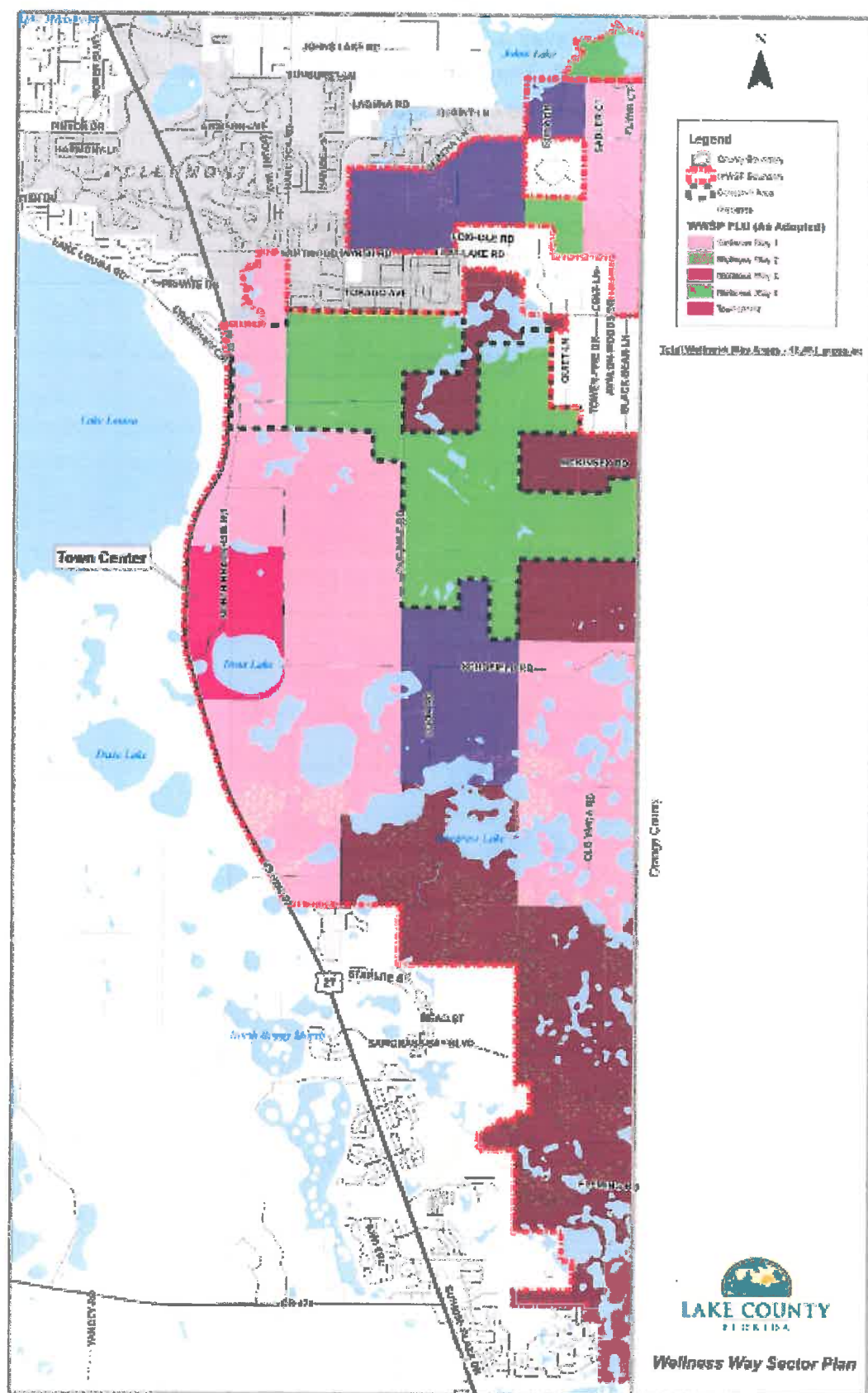
Ensure that the character, magnitude and location of all land uses provide a system for orderly growth and development that achieves a balanced natural, physical and economic environment and enhances the quality of life of all residents.

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

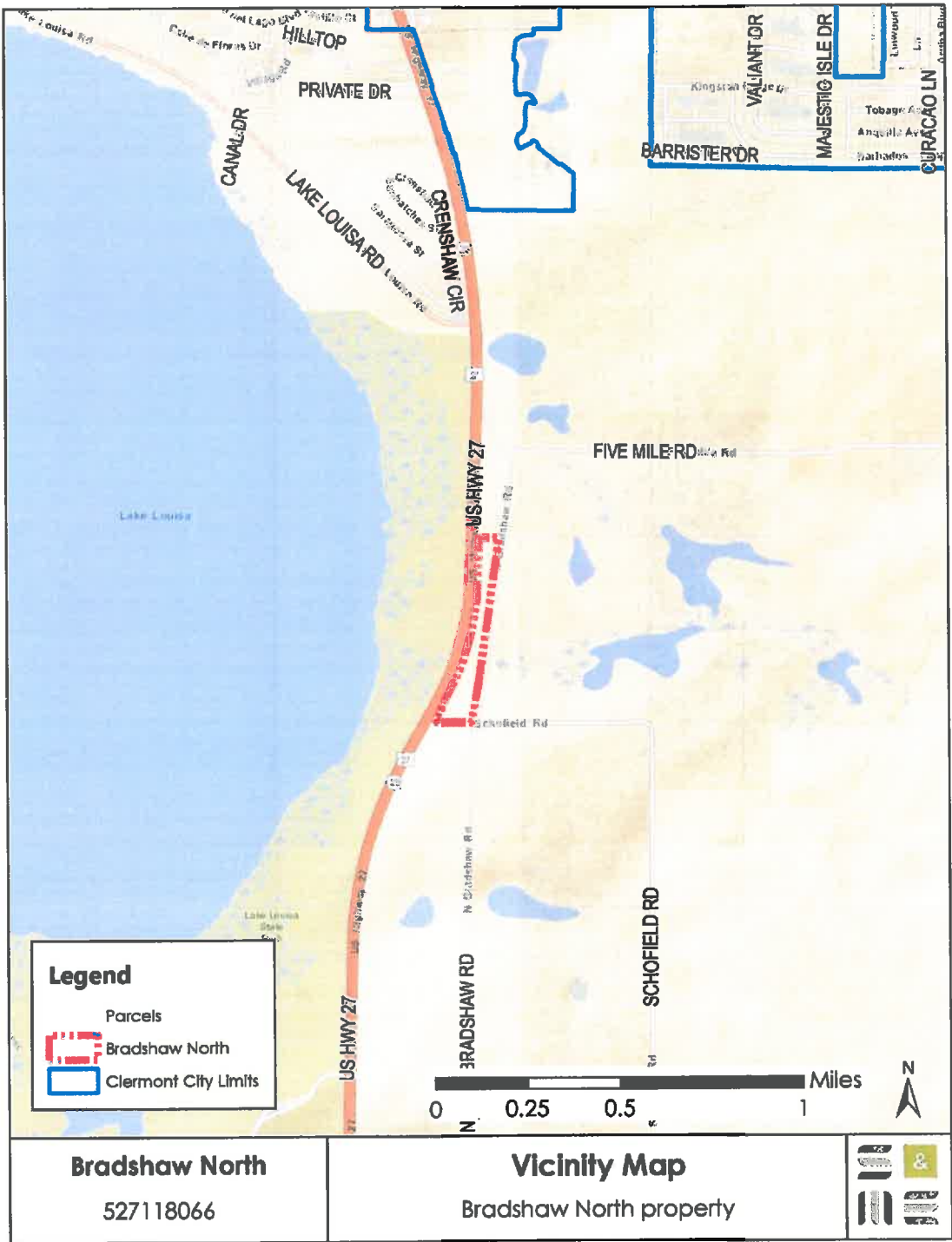


Figure 3. Aerial Location Map of Project Site



Figure 4. City of Clermont ISBA

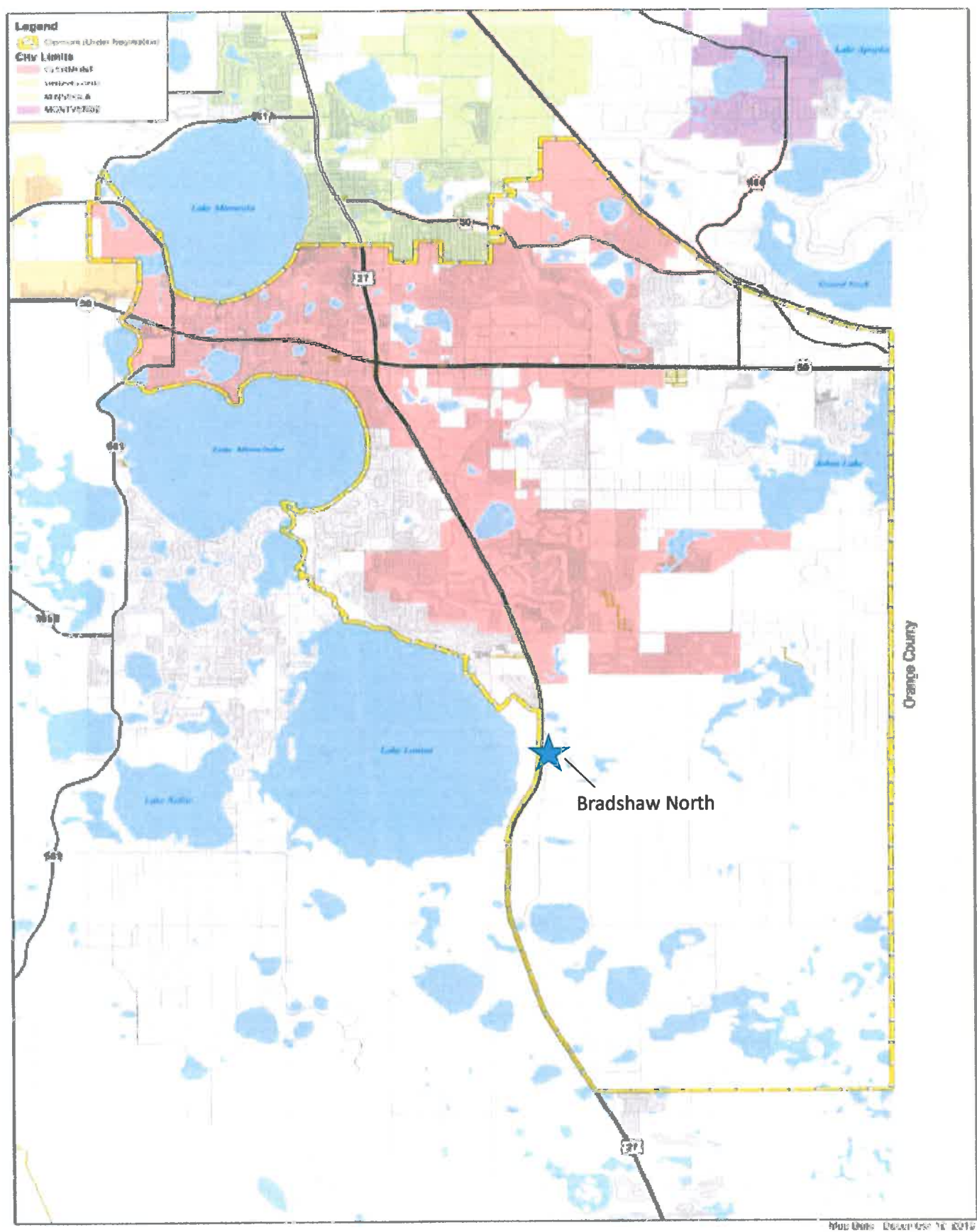


Figure 5. Topography Map

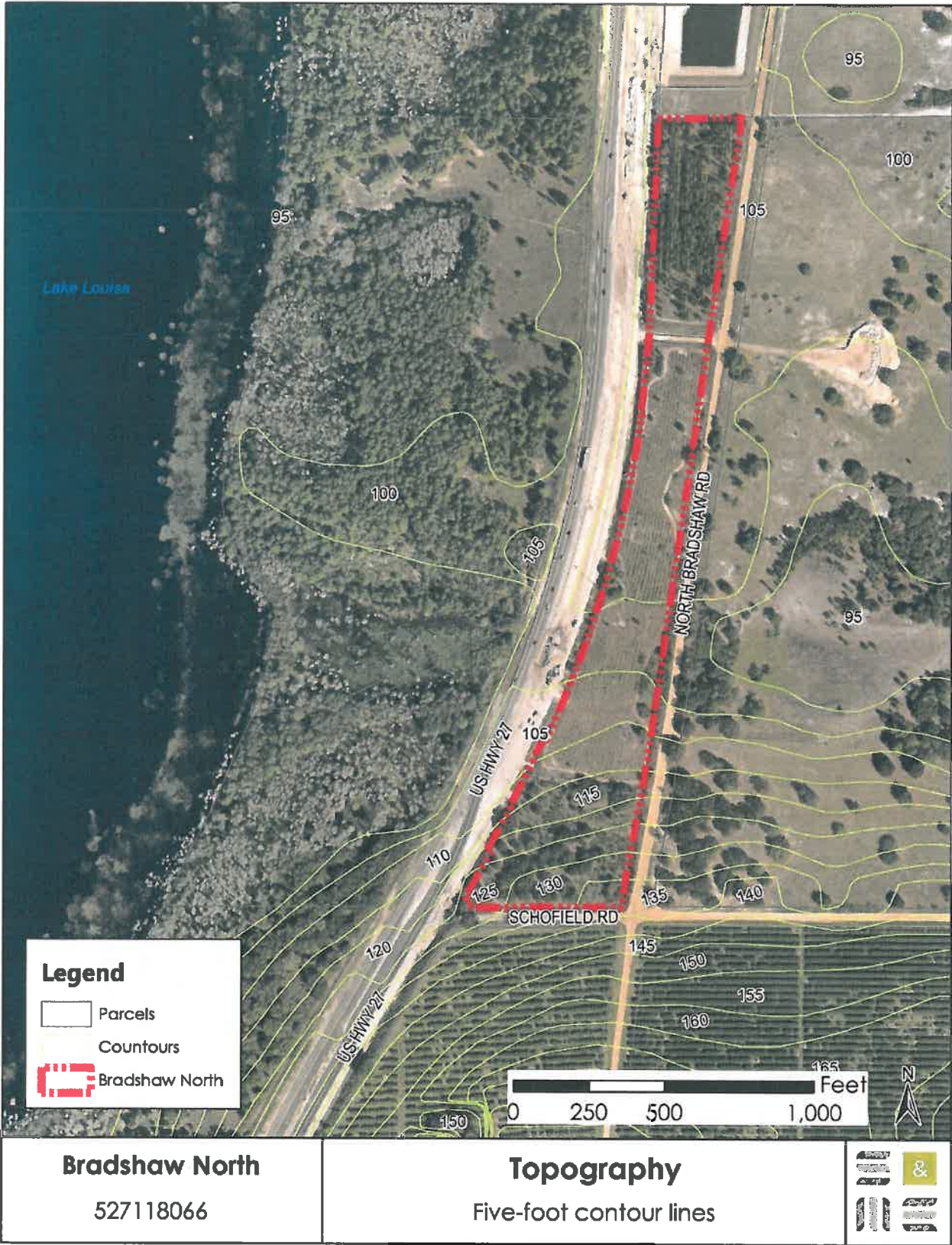


Figure 6. Floodplain Map

While floodplains surround the site on both the east and west sides, no floodplains are present on the site.

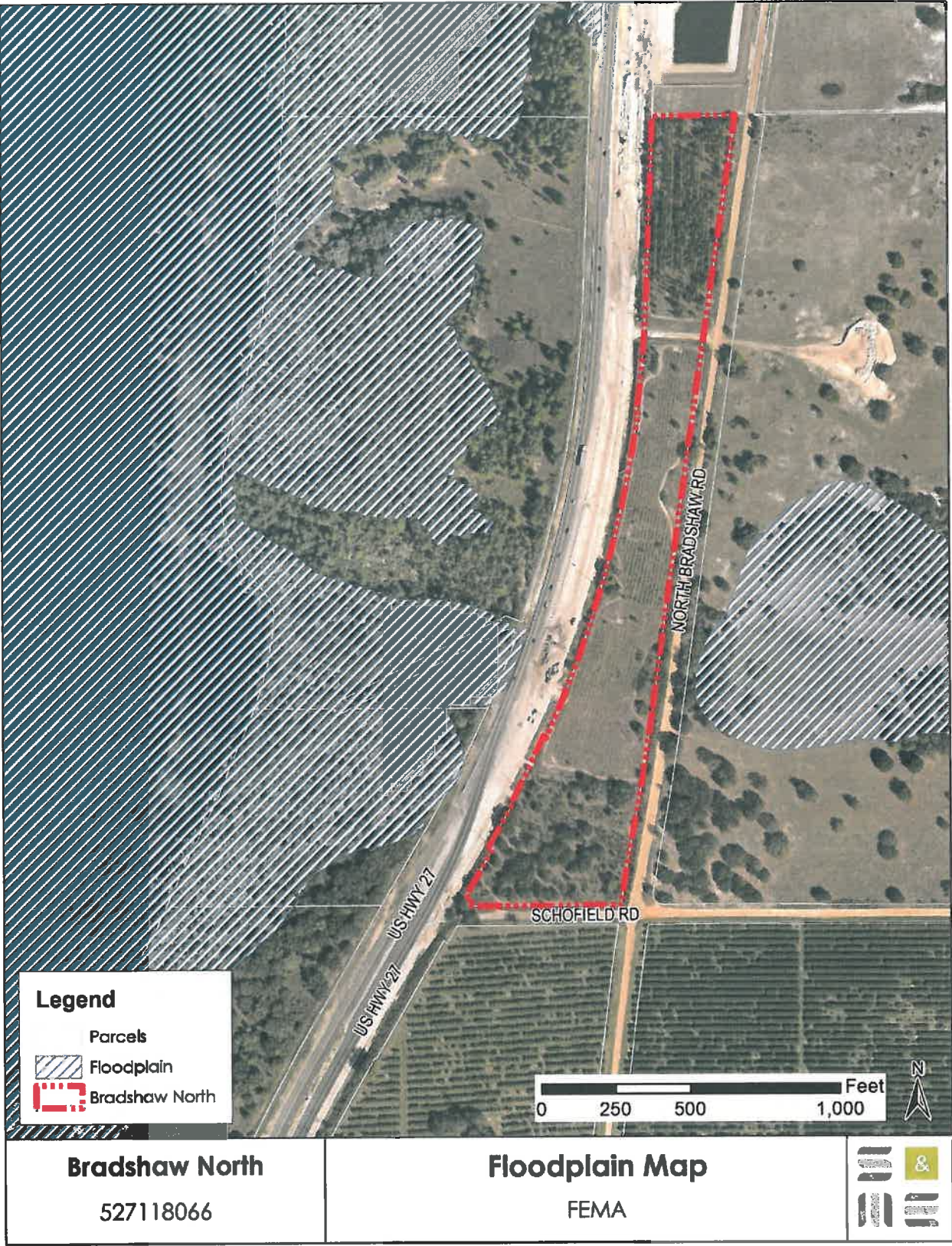


Figure 7. Wetlands Map

While wetlands exist nearby, no wetlands are present on the site.

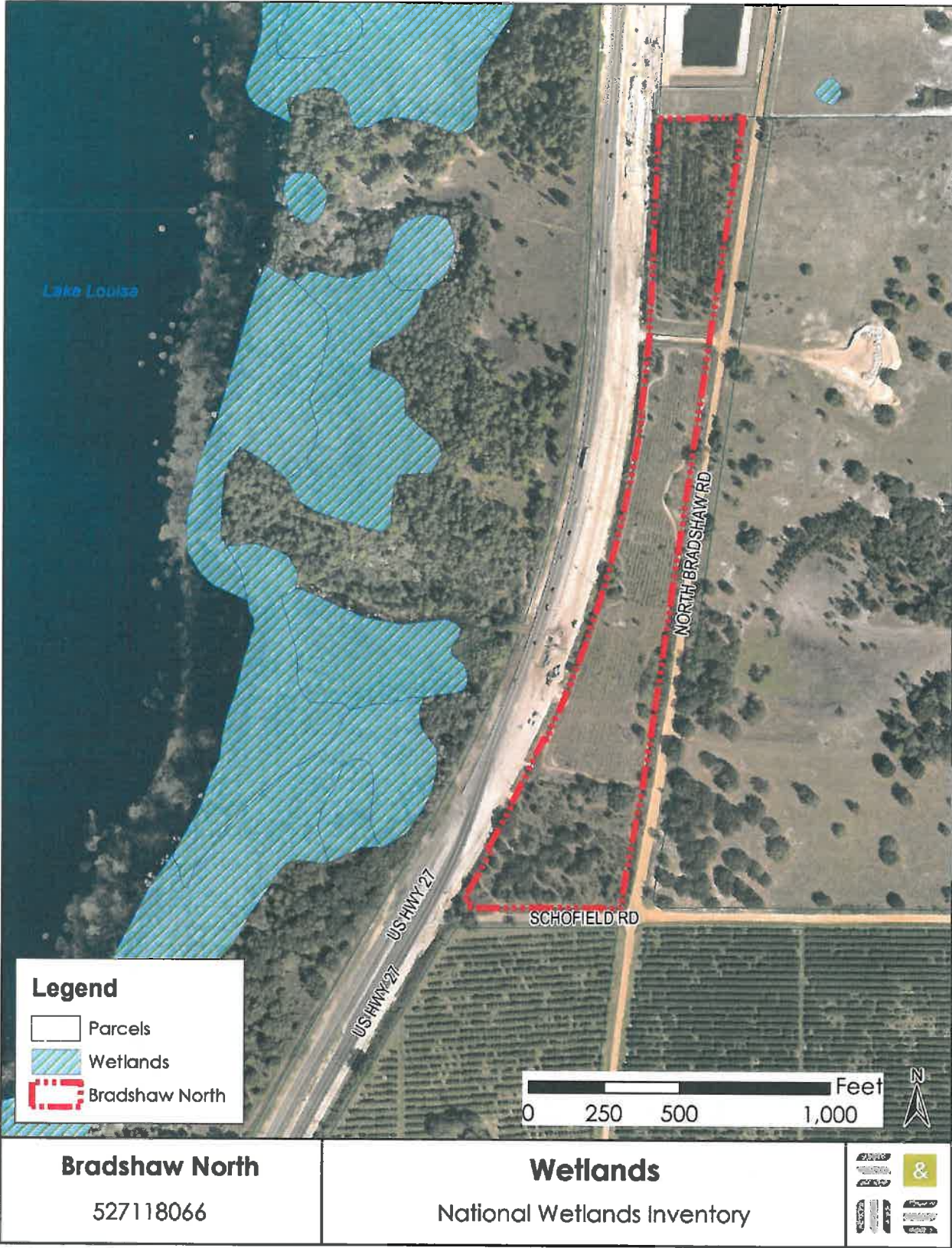


Figure 8. Water Bodies Map

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.

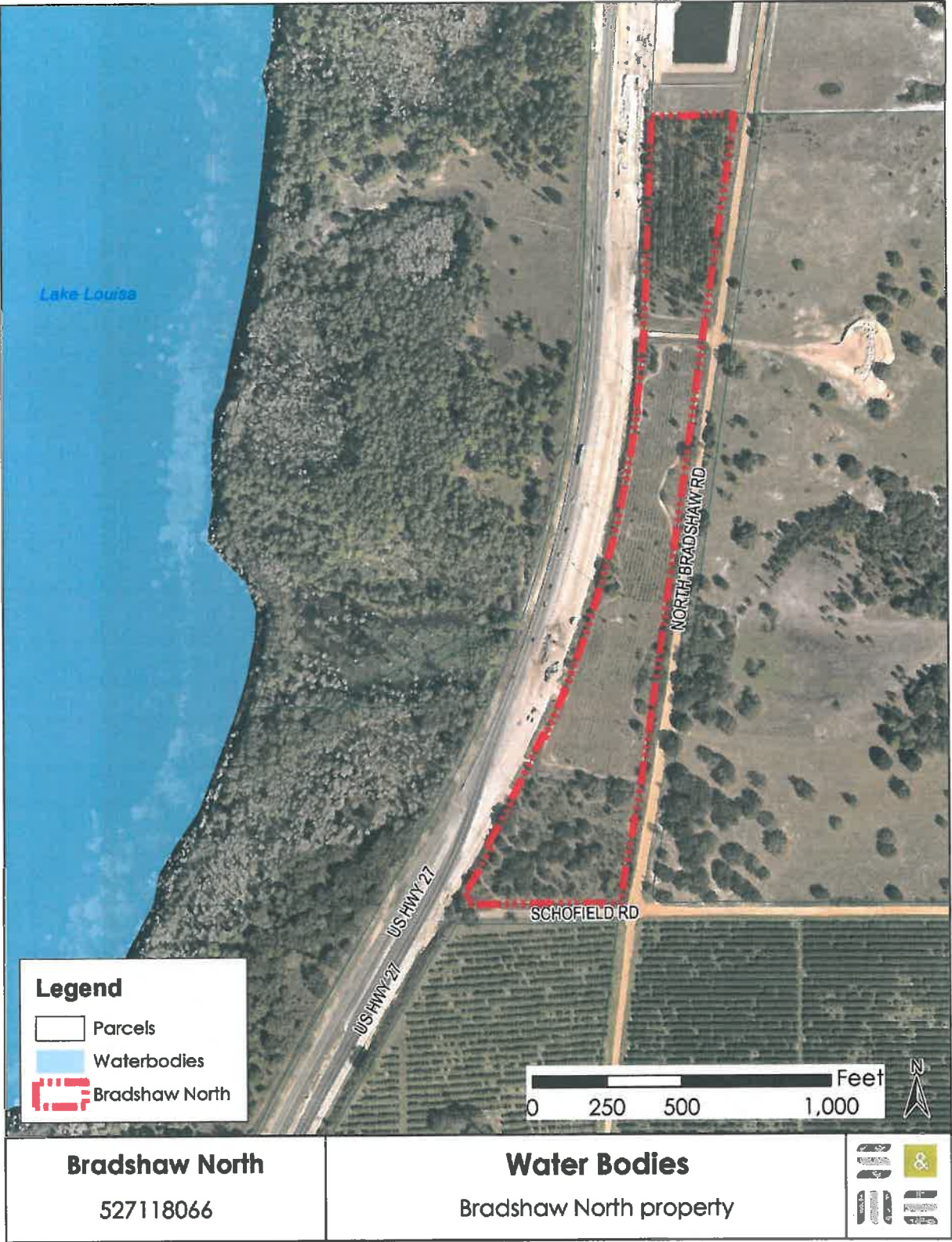
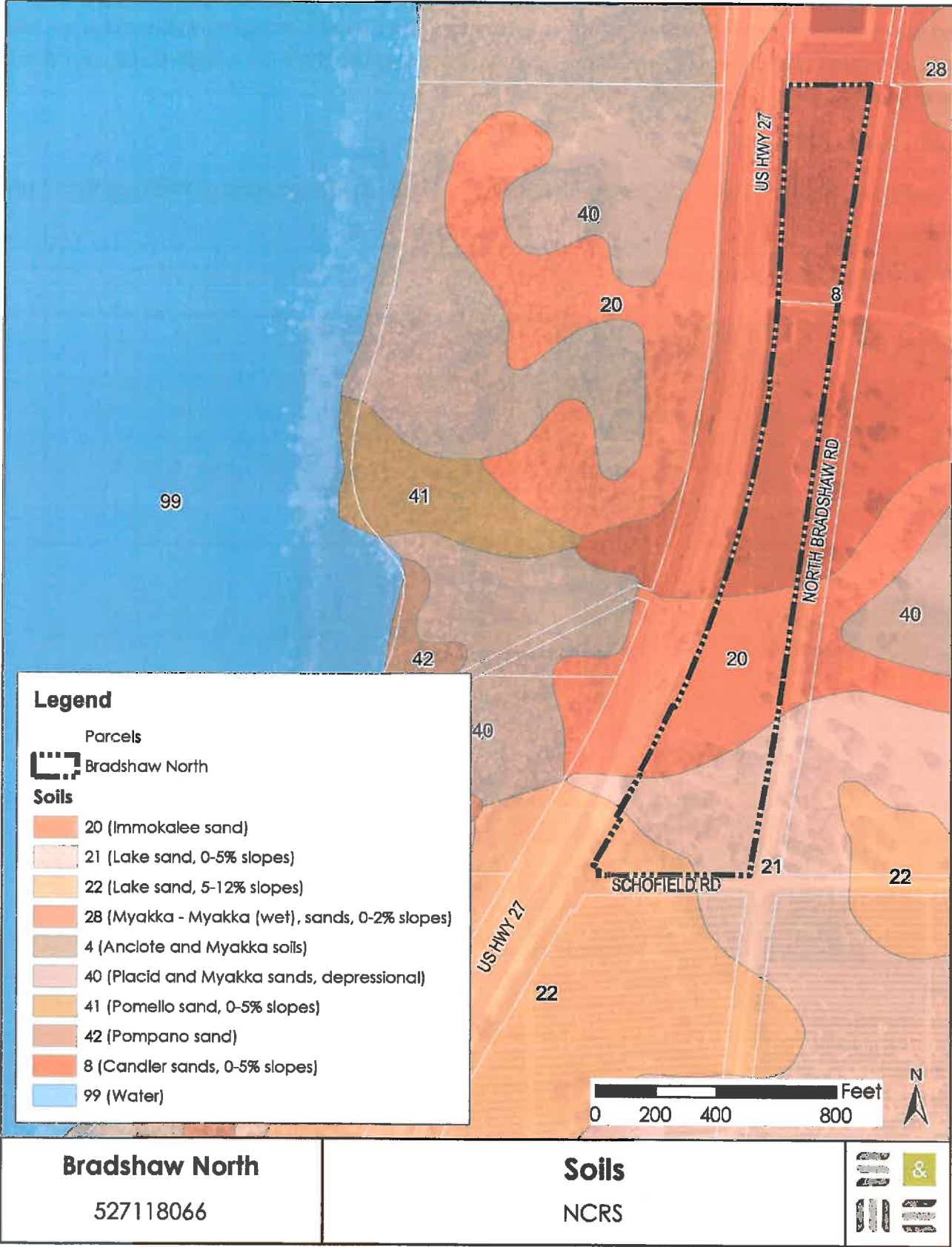


Figure 9. Soils Map



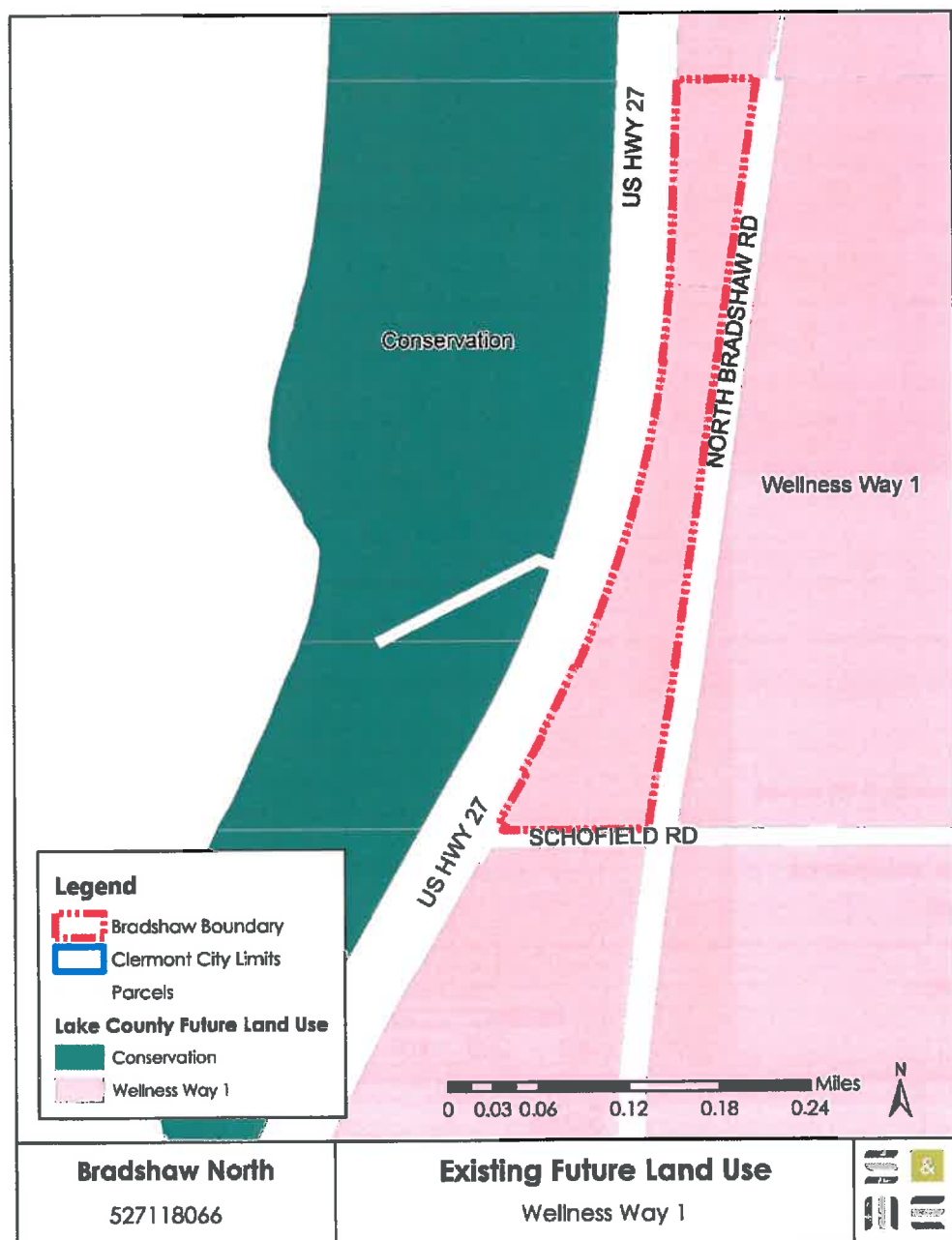
ANNEXATION REQUEST

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.

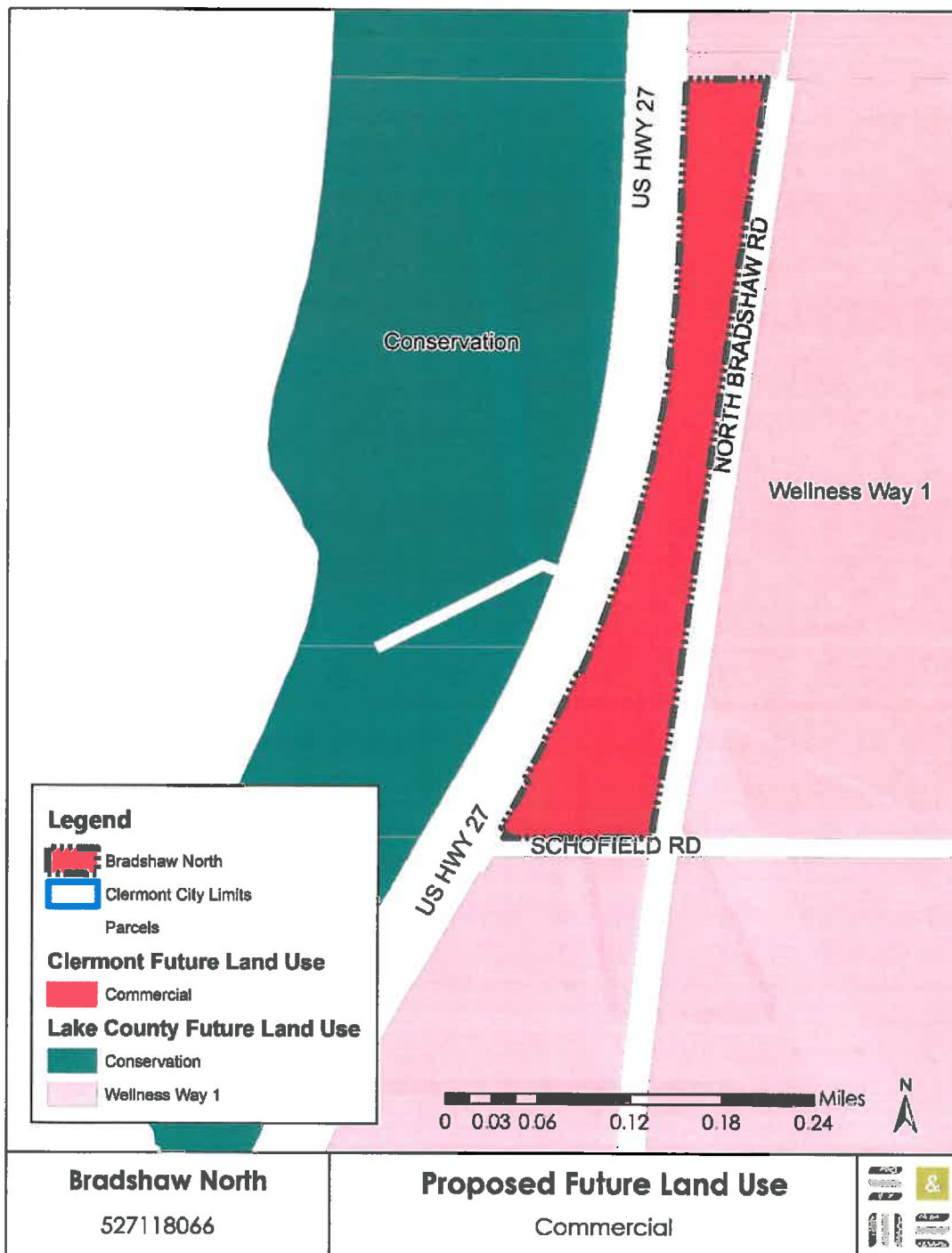
Figure 10. Existing Future Land Use Map



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.

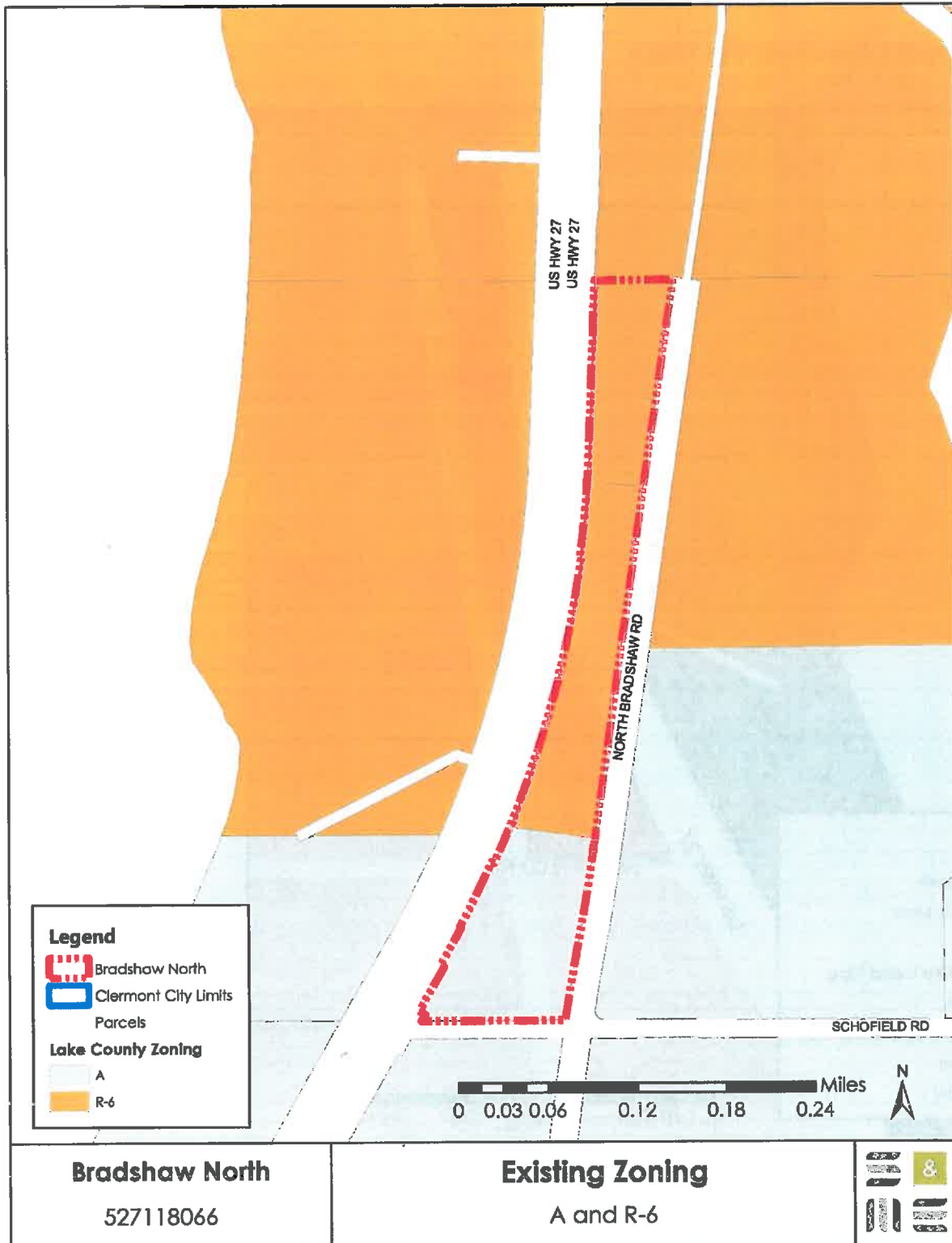
Figure 11. Proposed Future Land Use Map



ZONING

As shown in **Figure 12**, these parcels are currently zoned as Urban Residential District (R-6) and (A) Agriculture under Lake County.

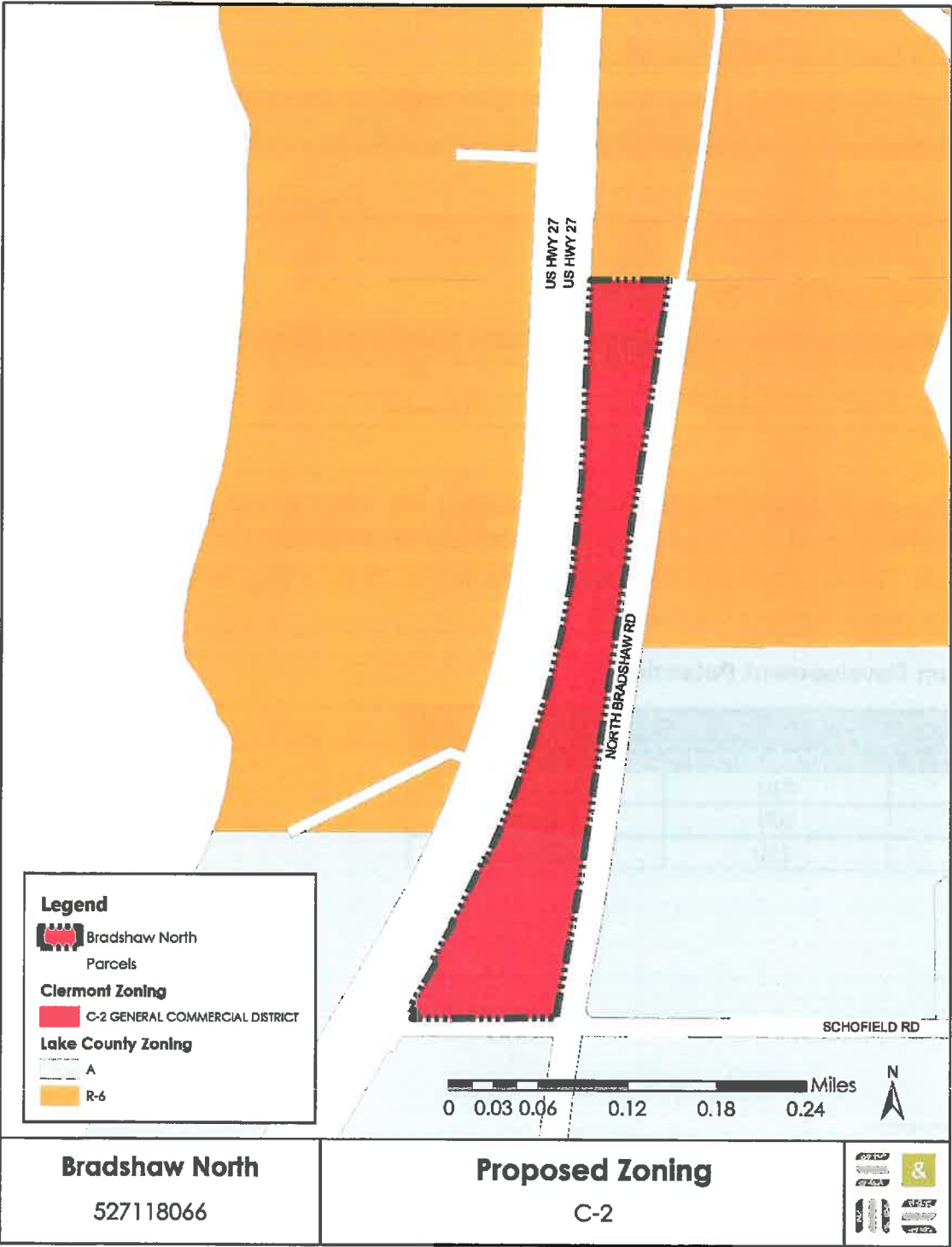
Figure 12. Existing Zoning Map



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 1-8.2.1.2¹. 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

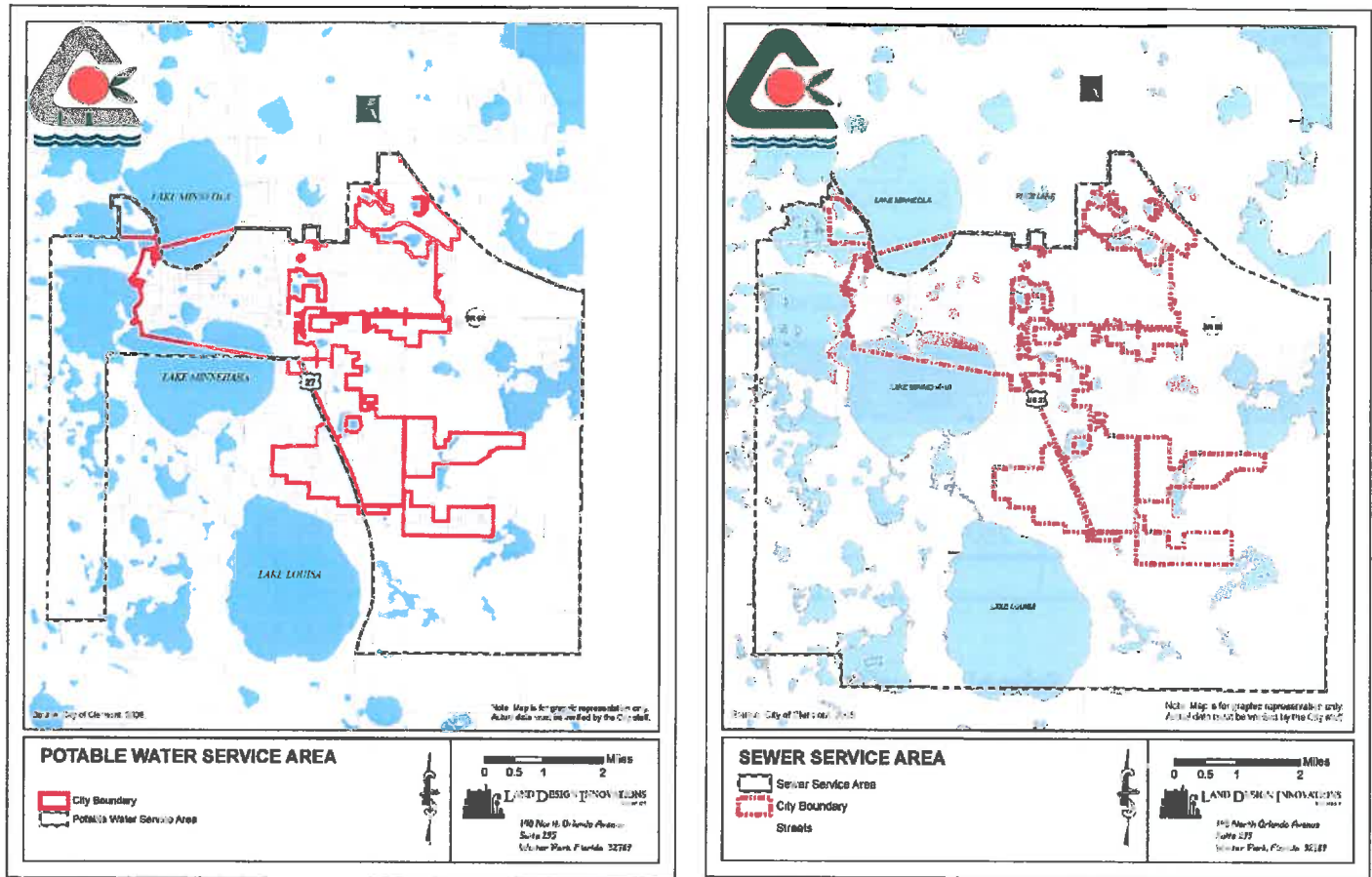
Future Land Use	Service	Adopted LOS gpd/capita	Non-Residential Estimated LOS gpsf	Dwelling Units ¹	Non-Residential SF	Residential Demand	Non-Residential Demand	Total Demand gallons/day
Existing FLUM	Water	185	0.0033	410	1,018,436	208,573	3,361	211,934
	Sewer	70	0.0033	410	1,018,436	78,919	3,361	82,280
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

¹Residential 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

	Use	Units	Students			
			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.

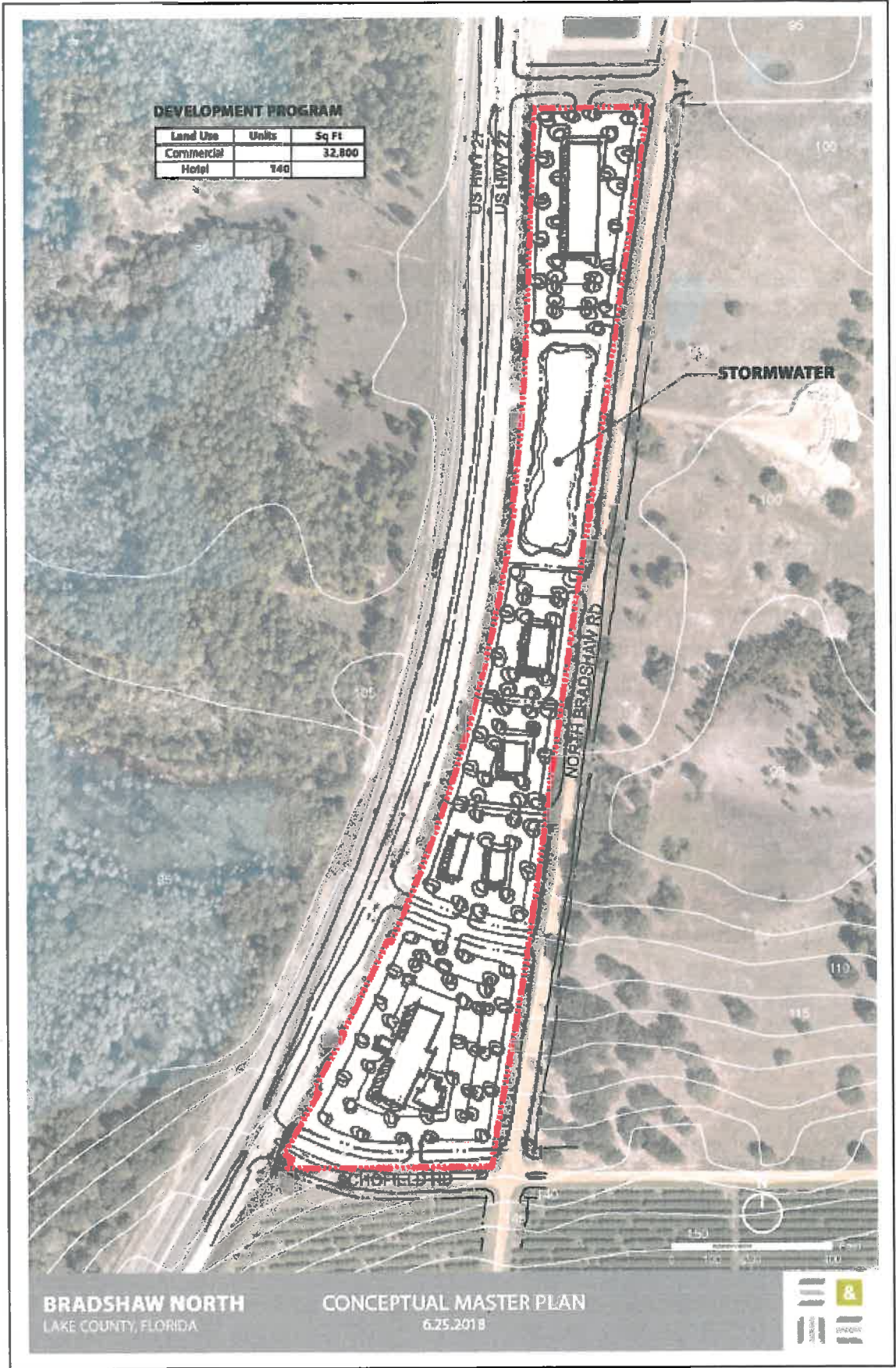
CONCLUSION

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
REZONING
APPLICATION



DATE: May 6, 2019

FEE: \$542.⁰⁰
+ cost of advertisement

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: _____

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: _____

Address of Subject Property: 8635 US Highway 27, Clermont, FL 34711

Legal Description (include copy of survey): See attached

Acres: 16.70 Land Use: Vacant
(City verification required)

Present Zoning: R-6; A (Lake Co.) Proposed Zoning: C-2
(City verification required)



CITY OF CLERMONT
REZONING
APPLICATION
Page 2

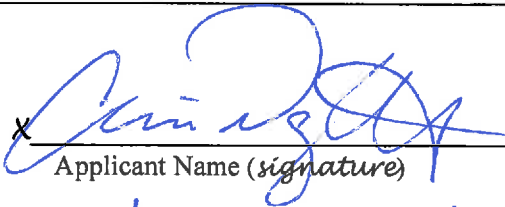
Answers to the following questions are required to complete this application.

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

See narrative

Chris Dougherty, S&ME

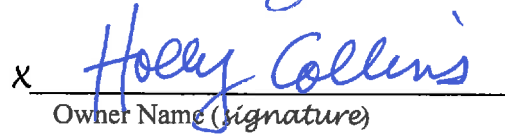
Applicant Name (print)

x 

Applicant Name (signature)

Holly Collins

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

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: 10090610
Phone: (352) 241-7331
Date: 09/11/19
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	09/16/2019	10/28/2019	\$274.04

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.

From: Urban Transition
To: C-2 General Commercial

This request will be considered by the Planning & Zoning Commission on Tuesday, October 1, 2019 at 6:30 p.m.

ORDINANCE NO. 2019-33

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

A public meeting to consider the request will be held before the City Council on Tuesday, November 12, 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.

LOCATION:

Northeast of the US 27 & Schofield Road Intersection, East of US 27
(Alternate Keys 1594511, 3853224)

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.

LEGAL DESCRIPTION

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

Tracy Ackroyd Howe, MMC
City Clerk

Ad No: 10090610
September 16, 2019 &
October 28, 2019

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.

Payment Info	
Ad Price	\$274.04
Tax	\$0.00
Sub Total	\$274.04
Prepaid Amount	\$0.00
Balance Due	\$274.04



AGENDA ITEM

Meeting Date		
Tuesday, October 1, 2019		
Agenda Item Name		
Clonts Groves Development Agreement		
Requested Action		
Recommend approval of Development Agreement.		
Staff Report		
The owner, Clonts Groves, is requesting a development agreement for 55 +/- acres located southeast of the US Hwy 27 and Schofield Road intersection. The property is adjacent to the Olympus Sports and Entertainment project. The property has frontage along US Hwy 27 and there is an existing median opening at the north end of the property that has access to Schofield Road. The owner envisions a project that incorporates multi-family, commercial, retail, and office uses. The owner is requesting a density of up to 12 dwelling units per acre, with an anticipated 600 multi-family units, and a maximum of 152,500 square feet of commercial uses. Once a specific development plan has been decided upon, a Planned Unit Development (PUD) rezoning application will be submitted to the City for consideration. Until such time, the owner requests the property to be used for agriculture uses under the Urban Transition zoning. The development agreement is associated with an annexation application and a large-scale comprehensive plan amendment to the City's Master Planned Development. The owner is setting the framework for future development potential through the annexation and Master Planned Development land use. The Development Agreement requires the owner to participate in the Wellness Way Transportation network along with other specific conditions. These conditions can be moved over into the PUD ordinance when the time comes. Staff supports the Development Agreement with the understanding the owner will rezone the property to a Planned Unit Development when specific plans are prepared and presented, which would be at a later date.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Clonts Development Agreement City of Clermont -- Clonts Groves PZ	Clonts Development Agreement City of Clermont -- Clonts Groves PZ.docx	
2. Map Dev Agr Clonts	Map Dev Agr Clonts.pdf	
3. CLONTS GROVE DEV AGR Legal Ad Proof	CLONTS GROVE DEV AGR Legal Ad Proof.pdf	

CLONTS GROVES, INC., DEVELOPMENT AGREEMENT

THIS AGREEMENT is entered into as of the _____ day of _____, 2019, between THE CITY OF CLERMONT, a Florida municipal corporation, whose address is 685 W. Montrose St. Clermont, FLORIDA 34711 (the “City”), and CLONTS GROVES, INC., a Florida Corporation, whose mailing address is P.O. BOX 622916 OVIEDO, FLORIDA 32762-2916 (the “Owner”).

RECITALS

1. Owner desires to annex into the City of Clermont approximately 55.08 acres of property currently located in unincorporated Lake County, Florida, described and depicted in Exhibit “A” attached to and incorporated in this Agreement (hereinafter referred to as the “Property”).
2. The Property contains 55.08 acres currently zoned “A” in unincorporated Lake County, Florida.
3. The Property contains 55.08 acres with a future land use designation on the Lake County Future Land Use Map as “Lake County Wellness Way Area Plan 1.”
4. Owner has filed applications for annexation and amendment to the City’s Comprehensive Plan.
5. Owner has the full power and authority to make, deliver, enter into and perform pursuant to the terms and conditions of this Agreement and has taken all necessary action to authorize the execution, delivery, and performance of the terms and conditions of this Agreement.
6. The City of Clermont has determined that the proposal for development of the Property presents, among other things, an opportunity for the City to secure quality planning and growth, protection of the environment, and a strengthened and revitalized tax base.
7. The property is within the City’s Chapter 180, Florida Statutes, utility district, and Developer has requested and City desires to provide water and sewer as well as other municipal services to the Property.
8. Owner and City believe that it is in the best interest of each party to enable the Property to be developed as further described herein, in accordance with Part II of Chapter 163, Florida Statutes, the “Local Government Comprehensive Planning and Land Development Regulation Act” (the “Act”), other applicable Florida Law and the Charter and Code of Ordinances of the City of Clermont, Florida, and, therefore, Owner and City agree that this Agreement shall constitute an Agreement in accordance with the Florida Local Government Development Agreement Act, Sections 163.3220-163.3243, Florida Statutes.

ACCORDINGLY, in consideration of the mutual benefits and the public interest and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

Section 1. Recitals. The above recitals are true and correct, are hereby incorporated herein by reference, and form a material part of this Agreement. All exhibits to this Agreement are hereby deemed a part thereof.

Section 2. Authority. This Agreement is entered into under the authority of the City's Code and under the Florida Local Government Development Agreement Act, Sections 163.3220-163.3243, Florida Statutes.

Section 3. Conditions Precedent. Owner has filed an annexation petition and the City has initiated the process to approve this Agreement and annex the Property in accordance with the laws of the State of Florida. It is understood and agreed to by the City and the Owner that neither the annexation petition or this Agreement shall be binding or enforceable as to any party unless and until: a) the City duly adopts the Agreement and adopts an ordinance annexing the Property into the corporate limits of the City; and b) City adopts a comprehensive plan amendment implementing or related to the Agreement after review by the state land planning agency in accordance with the applicable Florida Statutes. The parties hereto understand and acknowledge that the City is in no way bound to annex the Property. The City shall have the full and complete right to approve or deny Owner's Petition for Voluntary Annexation.

Section 4. Legal Description / Ownership. The Property has approximately 55.08 acres of land property currently located in unincorporated Lake County, Florida, described and depicted in Exhibit "A" attached. The Property is owned by CLONTS GROVES, INC., a Florida Corporation, whose mailing address is P.O. BOX 622916 OVIEDO, FLORIDA 32762-2916.

Section 5. Duration of Agreement. The term of this Agreement shall commence on the date this Agreement is executed by both the City and Owner and shall terminate ten (10) years thereafter; provided, however, that the term of this Agreement may be extended by mutual consent of the City and the Owner, subject to a public hearing in accordance with the requirements of Section 163.3225, Florida Statutes.

Section 6. Development Uses. Except as modified in this Agreement or with a future Planned Development zoning, which will be subject to City approval after public hearings and Florida Department of Economic Development ("DEO") review and the City's Mixed-Use future land use category, and for as long as this Agreement is in effect, the Property may continue to be used for agricultural purposes until such time as rezoned to PUD in the City.

Anticipated Population. The anticipated population for the property with 600 multi-family housing with 2.42 persons per household would equate to 1,452.

Building Intensities / Density. The allowed density shall be twelve (12) dwelling units per net developable acre as defined by the City of Clermont Land Development Regulations. Net developable acres will be based on the total acreage less the greatest extent of the combined 100 year flood and wetland areas.

Retail Commercial Shopping Center. A Retail Commercial Shopping Center including, but not limited to, commercial, retail, multi-family, and office uses consisting of one hundred fifty-two thousand five hundred (152,500) square feet will be developed by Owner in accordance with the City of Clermont Land Development Regulations.

Building Height. The maximum height for any building shall be fifty-five (55) feet.

Section 7. Required Public Facilities.

Water, Wastewater, and Reuse Water. Owner and their successors and assigns agree to obtain water, reuse water for irrigation to supplement irrigation not available by stormwater water retention areas, and wastewater service (hereafter, “Utilities”) exclusively through purchase from City. Owner covenants and warrants to City that it will not engage in the business of providing such Utilities to the Property or within City’s F.S. Chapter 180 utility district. Owner shall construct, at Owner’s expense, all on-site utility facilities (e.g. lift stations and lines), pay all applicable impact and connection fees, and pay and construct or cause to be constructed the extension of facilities from City’s current point of connection and subject to the City of Clermont Land Development Regulations. The timing of the required improvements shall coincide with the development schedule to assure public facilities are available concurrent with the impacts of the development. The Owner has been working with and will continue to work with the surrounding property owners and the City to develop a plan for the provision of utilities to the Property.

Transportation. Owner and their successors and assigns agree to continue to work with the City and the surrounding property owners in the development of the Wellness Way Area Road Network to serve the Property and improve connectivity for the surrounding properties. In addition, at such time as may be requested by City, Owner shall pay for a traffic impact study by a traffic consultant selected by City.

The Developer shall enter into a Transportation Impact Fee Credit agreement with Lake County and the City of Clermont prior to site plan approval, subject to final approval by FDOT, Lake County and the Lake-Sumter MPO. The Agreement may require the Developer to fund improvements for Conserv right-of-way, design and permitting of roadways and/or construction of roadways for Transportation impact fee credits based upon the following priorities:

- i. Payment in escrow to Lake County for the acquisition of the four lane right-of-way from Conserv for Wellness Way;
- ii. Design and permitting of Wellness Way from US 27 to the Orange County line as a four lane roadway;
- iii. Construction of Wellness Way from Hancock Road to the Orange County line as the first two lanes of the ultimate four lane roadway;
- iv. Payment in escrow to Lake County for the acquisition of the four lane right-of-way from Conserv for Hancock Road;
- v. Design and permitting of Hancock Road from Wellness Way to the northern boundary of the Conserv property as a four-lane roadway;
- vi. Construction of Hancock Road from Wellness Way to the entrance of the Fuqua project south of Hartwood Marsh Road as the first 2-lanes of the ultimate 4-lane roadway;
- vii. Construction of the 3rd and 4th lanes of Wellness Way from US 27 to the Hancock/Schofield intersection;

The Developer will be responsible for their proportionate share of traffic signals, when warranted, at the time of construction for intersections that serve the project, including Wellness Way. The proportionate share shall be based upon the actual cost of traffic signals at the time they are constructed.

Grading. Due to the grades and elevations on the site and the transition from one site to another site, the necessity to construct a safe transportation network with proper site distances, and geometry on the property to serve not only the needs of the residents, but those of the traveling public, the City agrees to work with the Owner to achieve this purpose which may or may not result

in a waiver of the City's current Code Requirements. Any such waivers or variances shall be subject to approval in accordance with the City Code.

Section 8. Dedication of lands for public purposes. The Owner shall dedicate lands for public purposes as required in the Land Development Regulations of the City of Clermont and as determined by City and without entitlement to compensation and/or impact fee credits. The Owner / Developer will provide a minimum of open space on the Property as required by the City of Clermont Land Development Regulations. Open Space is defined to include all areas maintained by the HOA or POA, 100 year Flood Areas, Wetlands, Stormwater Ponds, and Buffer Areas. Within the Open Space the Owner will provide for active recreation as required by the City of Clermont Land Development Regulations.

Section 9. Local Development Permits / Compliance with City Laws and Regulations. Except as expressly modified herein, all development of the Property shall be subject to compliance with the City Land Development Regulations and City Code provisions, as amended, as well as regulations of county, state, local, and federal agencies. Local permits needed shall include but in limited to:

Environmental. Owner will comply with all local, state, regional, and federal requirements regarding any environmental issues affecting the Property.

Stormwater Management. The Owner agrees to provide at Owner's expense, a comprehensive stormwater management system consistent with all regulatory requirements of the City and the St. Johns River Water Management District.

Concurrency. A complete concurrency study conforming to the City of Clermont Land Development Regulations will be required prior to any preliminary plat approvals or construction plan approvals. The Owner shall ensure that all traffic concurrency studies conducted reflect all planned and approved development in the area.

Section 10. Development Permitting. Owner agrees that all proposed development permitting will be consistent with the City of Clermont's comprehensive plan and land development regulations. Failure of this Agreement to address a particular permit, condition, term or restriction shall not relieve the developer of the necessity of complying with the law governing said permitting requirements, conditions, terms or restrictions.

Section 11. Public Health Safety and Welfare of Citizens. The Owner shall establish a Homeowner's Association (HOA) and/or a Property Owner's Association (POA) and initially be responsible and thereafter the HOA or POA shall be responsible for the maintenance and operation of all stormwater retention areas, stormwater ponds, common area landscaping, street lights, parks, community centers, recreational areas, sidewalks, paths, pathways, and trails and any other improvements or facilities for which maintenance has not expressly been assumed by City.

Developer shall delineate this responsibility within any declaration of restrictive covenants and restrictions and in compliance with Chapter 720, Florida Statutes. Such covenants and restrictions shall be recorded at the time of the final plat and prior to the sale of any lots within the Property.

Section 12. Entire Agreement. This Agreement sets forth all of the promises, covenants, agreements, conditions, and understandings between the parties hereto, and supersedes all prior contemporaneous agreements, understandings, inducements or conditions, express or implied, oral or written, except as herein contained. However, the failure of this Agreement to address a particular permit, condition, term, or restriction shall not relieve Owner/Developer from complying with the law governing said permitting requirements, conditions, terms or restrictions.

Section 13. Parks and Recreation Fees. Owner shall comply with all City regulations regarding parks and recreation fees of the City of Clermont Land Development Regulations.

Section 14. Lighting. All exterior lighting shall comply with the criteria of dark sky standards and shall be arranged to reflect light away from dwelling units to the greatest extent possible while providing lighting adequate to ensure safety on road right of way.

Section 15. Landscaping/Buffers. To the greatest extent feasible, Developer shall use drought tolerant species in all common areas. Developer has reviewed City's Land Development Regulations relating to landscaping and agrees to comply with such regulations or as may be amended in the future. Further, the Developer agrees to make specifications within any declaration of restrictive covenants for the Property that landscaping installations provide for drought tolerant and low water consumption plantings following the guidelines of "Florida Friendly Landscaping."

Section 16. Due Diligence. The City and Owner further agree that they shall commence all reasonable actions necessary to fulfill their obligations hereunder and shall diligently pursue the same throughout the existence of this Agreement.

Section 17. Enforcement/Effectiveness. A default by either party under this agreement shall entitle the other party to all remedies available at law or as set forth in Section 163.3243, Florida Statutes. However, both parties acknowledge that any land use or development provisions of this Agreement shall not be effective or implemented unless and until the amendment to the City's comprehensive plan is found in compliance by the DEO, as set forth in Chapter 163, Florida Statutes. No development orders will be issued by City and no construction can occur until the necessary comprehensive plan amendment is adopted by City and approved by DEO.

Section 18. Governing Law. This agreement shall be construed in accordance with the laws of the State of Florida and venue for any action hereunder shall be in the Circuit Court of Lake County, Florida.

Section 19. Binding Effect; Assignability. This Agreement, once effective, shall be binding upon and enforceable by and against the parties hereto and their assigns. This Agreement shall be assignable by the Owner to successive owners. Owner shall, however, provide written notice to the City of any and all such assignees. Within thirty (30) days of the execution of this Agreement, Developer shall record this Agreement in the Public Records of Lake County, Florida, whereupon, the rights and obligations set forth in this Agreement shall run with the land and be binding on all successors and/or assignees. Owner consents to the placement of a claim of lien on the Property upon default of any obligation herein without precluding any other remedies of City. The parties hereby covenant that they will enforce this Agreement and that it is a legal, valid, and binding agreement.

Section 20. Waiver; Remedies. No failure or delay on the part of either party in exercising any right, power, or privilege hereunder will operate as a waiver thereof, nor will any waiver on the part of either party or any right, power, or privilege hereunder operate as a waiver of any other right, power, privilege hereunder, nor will any single or partial exercise of any right, power, or privilege hereunder preclude any other further exercise thereof or the exercise of any other right, power, or privilege hereunder.

Section 21. Communication Tower. The Owner agrees to remove the existing communication tower at a specified time as determined by the City Council when the property is rezoned to a PUD.

Section 22. Exhibits. All exhibits attached hereto are hereby incorporated in and made a part of this Agreement as if set forth in full herein.

Section 23. Notice. Any notice to be given shall be in writing and shall be sent by certified mail, return receipt requested, to the party being noticed at the following addresses or such other address at the parties shall provide from time to time:

As to City:	Gail Ash, Mayor City of Clermont 685 W. Montrose Street Clermont, FL 34711 352-241-7358
Copy to:	Darren Gray, City Manager City of Clermont 685 W. Montrose Street Clermont, FL 34711 352-241-7358 Daniel F. Mantzaris, City Attorney 332 N. Magnolia Avenue Orlando, Florida 32801 407-992-3540
As Owner	Clonts Groves Inc. Attn: W. Rex Clonts P.O. BOX 622916 Oviedo, Florida 32762-2916
Copy to:	Akerman LLP Attn: Cecelia Bonifay, Esquire 420 S. Orange Ave., Suite 1200 Orlando, FL 32801 407-419-8540

Section 24. Amendment. Amendments to the provisions of this Agreement shall be made by the parties only in writing by formal amendment.

IN WITNESS WHEREOF, the parties hereto have entered into this Agreement as of the date first above written.

CITY OF CLERMONT, FLORIDA
A Florida Municipal Corporation

Attest:

By: _____

City Clerk

Name: _____

As its: _____

Date: _____

Date: _____

Approved as to form:

Daniel F. Mantzaris, City Attorney

[ADDITIONAL SIGNATURE PAGE TO FOLLOW]

CLONTS GROVES, INC.,
A Florida Corporation

Witnesses:

Name: _____

Name: _____

By: _____

Name: W. Rex Clonts

As its: President

Date: _____

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 2019, by **W. Rex Clonts** on behalf of **Clonts Groves, Inc., a Florida Corporation**. He is personally known to me or has produced _____ (type of identification) as identification and (did/did not) take an oath.

Signature of Notary Public

Type or Print Name

My Commission Expires: _____

Commission No. _____

Seal

EXHIBIT "A"

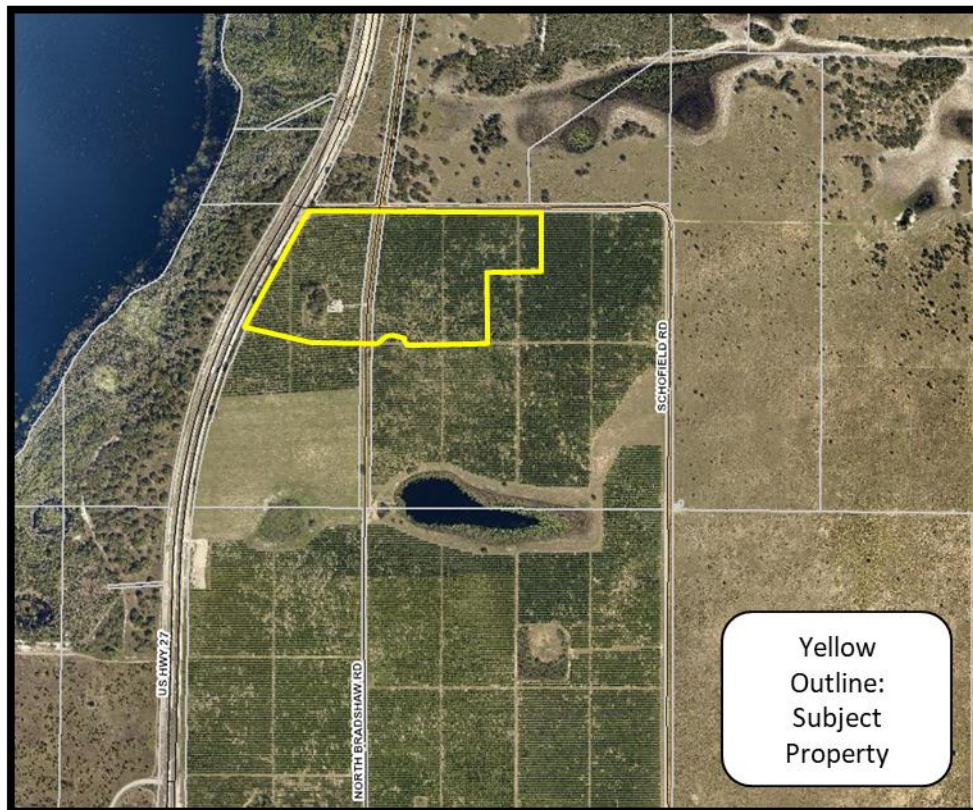
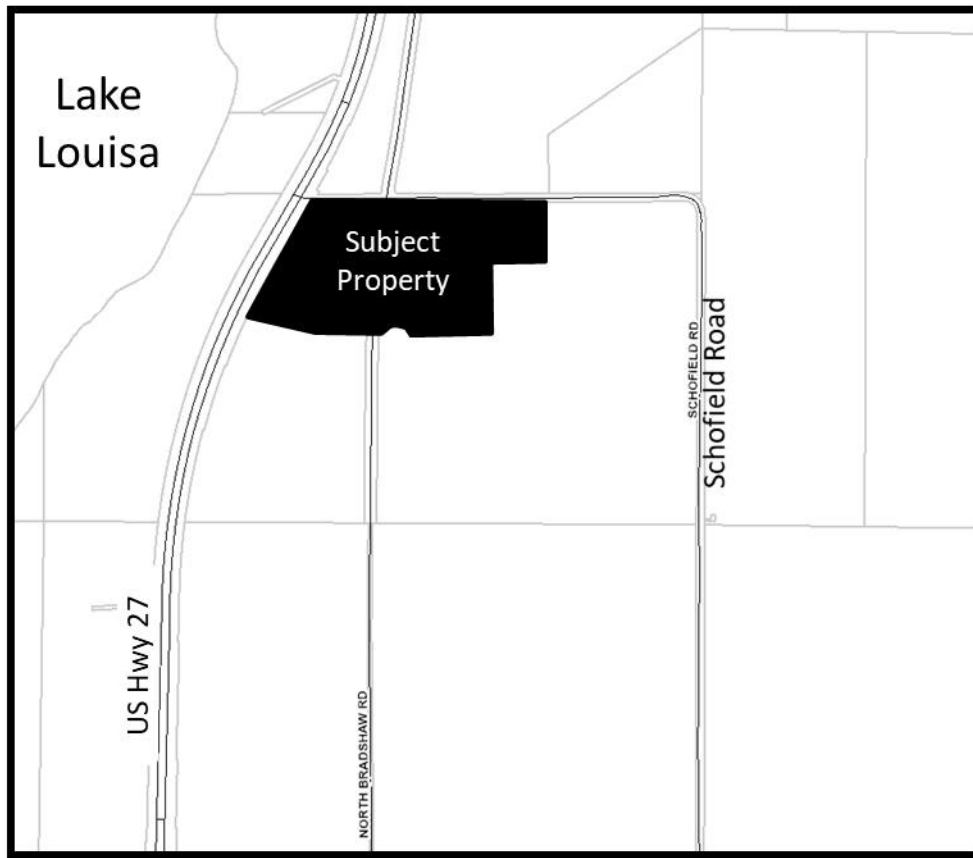
LEGAL DESCRIPTION:

ALL OF TRACT 44, A PORTION OF TRACTS 35, 36, 37, 39, 40, 41 ,45 AND 46, A PORTION OF THAT CERTAIN UN-IMPROVED 30.00 FOOT PLATTED RIGHT OF WAY LYING SOUTH OF TRACTS 41, 44-46, 48 AND A PORTION OF THAT CERTAIN PARTIALLY UN-IMPROVED 30.00 FOOT PLATTED RIGHT OF WAY LYING WEST OF TRACTS 36 AND 45; SAID TRACTS AND UN-IMPROVED RIGHTS OF WAY LYING WITHIN THE PLAT OF MONTE VISTA PARK FARMS, AS RECORDED IN PLAT BOOK 2, PAGE 27, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, LYING EAST OF US HIGHWAY 27, SOUTH OF SCHOFIELD ROAD IN SECTION 21 TOWNSHIP 23 SOUTH, RANGE 26 EAST BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 21; THENCE S89°30'42"W ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 21, A DISTANCE OF 1424.92 FEET; THENCE DEPARTING SAID SOUTH LINE RUN S00°13'39"E, A DISTANCE OF 48.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF SCHOFIELD ROAD (A VARIABLE WIDTH COUNTY MAINTAINED RIGHT OF WAY) AND THE POINT OF BEGINNING; THENCE S89°30'42"W ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 1693.90 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF US HIGHWAY 27 ALSO KNOWN AS STATE ROAD 25 (A VARIABLE WIDTH RIGHT OF WAY PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP FP NO. 238422 1 DATED: NOVEMBER 8, 2005); THENCE RUN ALONG SAID EASTERLY RIGHT OF WAY THE FOLLOWING FIVE (5) COURSES AND DISTANCES: THENCE S29°58'09"W, A DISTANCE OF 87.46 FEET; THENCE N59°58'28"W, A DISTANCE OF 14.98 FEET; THENCE S29°56'43"W, A DISTANCE OF 449.91 FEET; THENCE N59°59'46"W, A DISTANCE OF 4.97 FEET; THENCE S29°56'22"W, A DISTANCE OF 68.87 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 5579.01 FEET, A CENTRAL ANGLE OF 06°56'55", A CHORD BEARING OF S26°27'55"W AND A CHORD DISTANCE OF 676.18 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 676.59 FEET TO THE END OF SAID CURVE; THENCE DEPARTING SAID EASTERLY RIGHT OF WAY LINE RUN S67°38'24"E, A DISTANCE OF 469.15 FEET; THENCE S89°50'54"E, A DISTANCE OF 664.70 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 90.00 FEET, A CENTRAL ANGLE OF 120°00'00", A CHORD BEARING OF S89°52'26"E AND A CHORD DISTANCE OF 155.88 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 188.50 FEET TO THE END OF SAID CURVE; THENCE S89°54'20"E, A DISTANCE OF 724.09 FEET; THENCE N00°06'56"E, A DISTANCE OF 771.53 FEET; THENCE S89°53'03"E, A DISTANCE OF 337.15 FEET; THENCE N00°13'39"W, A DISTANCE OF 546.00 FEET TO THE POINT OF BEGINNING.

CONTAINING: 2,399,470 SQUARE FEET OR 55.08 ACRES MORE OR LESS.

Exhibit - Location Map –Clonts Groves



Advertising Receipt

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

Account Number: 7101866
Order Number: 10090805
Phone: (352) 241-7331
Date: 09/18/19
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	09/24/2019	10/15/2019	\$193.96

LEGAL NOTICE

Notice is hereby given that the City Council of the City of Clermont will consider a Development Agreement for: 600 multi-family housing units and a Retail Shopping Center including, but not limited to, commercial, retail and office uses consisting of 152,500 square feet (development uses), 600 multi-family units with 2.42 persons per household equating to 1,452 people (proposed population densities), the allowed density will be twelve (12) dwelling units per net developable acre as defined by the City of Clermont Land Development Regulations. The maximum height for any building shall be fifty (50) feet (proposed building intensities and height) for property located at:

Clonts Groves Inc.
2 miles south of Hartwood Marsh
Road on US 27,
Southeast of US 27 and the Schofield
Road intersection
AK 1462436

This request will be considered by the Planning & Zoning Commission on Tuesday, October 1, 2019 at 6:30 p.m.

A public meeting to consider the request will be held before the City Council on Tuesday, October 22, 2019 at 6:30 p.m. for final enactment.

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

This proposed agreement 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: 10090805
September 24, 2019 &
October 15, 2019

Payment Info	
Ad Price	\$193.96
Tax	\$0.00
Sub Total	\$193.96
Prepaid Amount	\$0.00
Balance Due	\$193.96



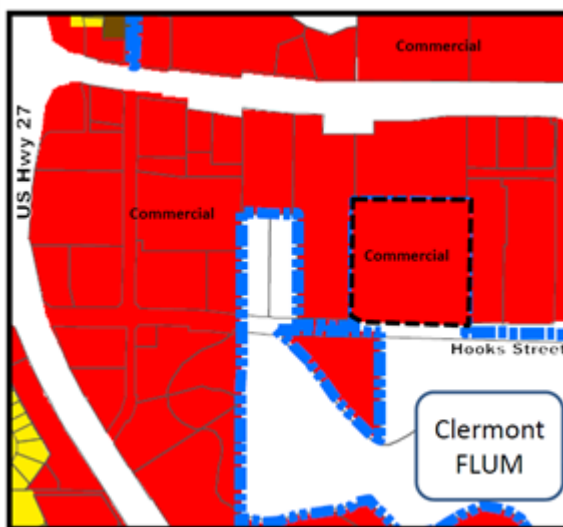
CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date	
Tuesday, October 1, 2019	
Agenda Item Name	
Ordinance 2019-43 <i>Rocky Mount Commercial Ph 2 CPA</i>	
Requested Action	
Recommend approval of Ordinance 2019-43.	
Staff Report	

The applicant, Rocky Mount Development Co., 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 10.8 +/- acres in size. The vacant property fronts Hooks Street, between Ford of Clermont and Dicks Sporting Goods. 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). The property has been previously mined and is currently used for agricultural purposes. The north portion of the property was annexed into the City in 2015 and the property is contiguous to the City limits on the north, east, and west boundary.



The applicant desires to develop the property for commercial uses; however, no conceptual plans have been submitted at this time. The proposed map amendment will change the future land use from Lake County's Regional Commercial to the City's Commercial. The related rezoning request will change the zoning from Urban Estate (currently Agriculture District in Lake County) to the City's C-2 General Commercial zoning classification. The requested change is similar to the surrounding zoning, C-2 General Commercial, and land use, Commercial, in the City.

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 1.2.1: The City shall consider the compatibility of adjacent future land use categories during the land use plan amendment process. The City shall consider potential maximum densities and intensities and the appropriate transition of uses, densities, and intensities.

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.

Since the proposed amendment is a very similar land use to the County's Regional Commercial, the adjoining land use is City Commercial, and the amendment would not be in violation of the City's Comprehensive Plan; staff recommends approval of the large-scale comprehensive plan amendment to change the future land use from Lake County Regional Commercial to Commercial in the City.

Additional Analysis

Fiscal Impact Summary

Fiscal Impact

Fund Number and Description

Available Budget Amount

Exhibits Attached (copies of original agreements)

- | | | |
|----|---|---|
| 1. | 2019-43 Rocky Mount Ph 2 CPA Formatted | 2019-43 Rocky Mount Ph 2 CPA Formatted.DOC |
| 2. | Rocky Mount Comm Ph 2 Maps | Rocky Mount Comm Ph 2 Maps.pdf |
| 3. | Rocky Mount Ph 2 Comp Plan App 8-2019-Scanned | Rocky Mount Ph 2 Comp Plan App 8-2019-Scanned.pdf |
| 4. | CPA Legal Ad Proof | CPA Legal Ad Proof.pdf |



CITY OF CLERMONT
ORDINANCE NO. 2019-43

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

Lake Highlands 29-22-26, Tracts 22 & 27 - Less Beginning at East Line of Tract 22 and South Line of FDOT Right of Way, Run south along East Line 500 Feet, North 89-39-36 West to West Boundary of said Tract 22, North to FDOT Right of Way, Easterly along said Southerly FDOT Right of Way to Point of Beginning - Being part of Tract 22 & 27, PB 2, PG 25, ORB 860, PG 1354, ORB 1004, PG 270, Public Records of Lake County Florida.

Site contains 10.8 +/- acres.



CITY OF CLERMONT
ORDINANCE NO. 2019-43

LOCATION

Vacant parcel approximately 1/2 mile east of the US Highway 27 and Hooks Street intersection
Alternate Key 1103916

CHANGE IN FUTURE LAND USE CLASSIFICATION

FROM LAKE COUNTY: REGIONAL COMMERCIAL
TO CITY OF CLERMONT: COMMERCIAL

SECTION 2.

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

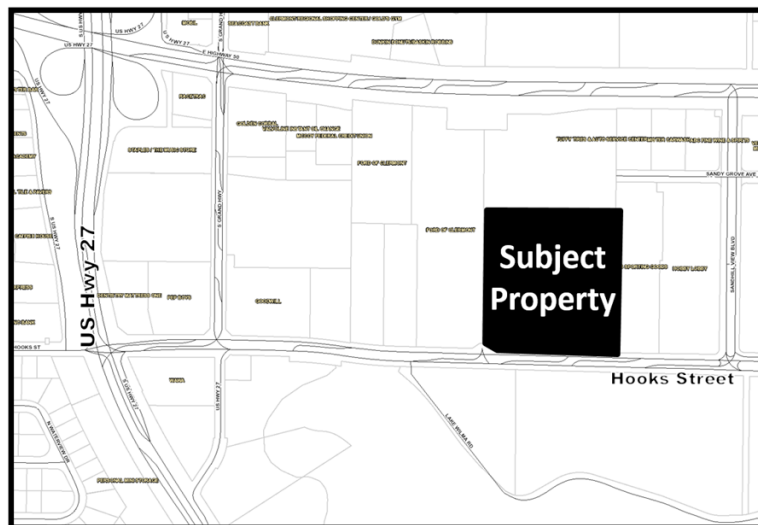
SECTION 3.

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

SECTION 4.

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

Location map:





CITY OF CLERMONT
ORDINANCE NO. 2019-43

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

CITY OF CLERMONT

Gail L. Ash, Mayor

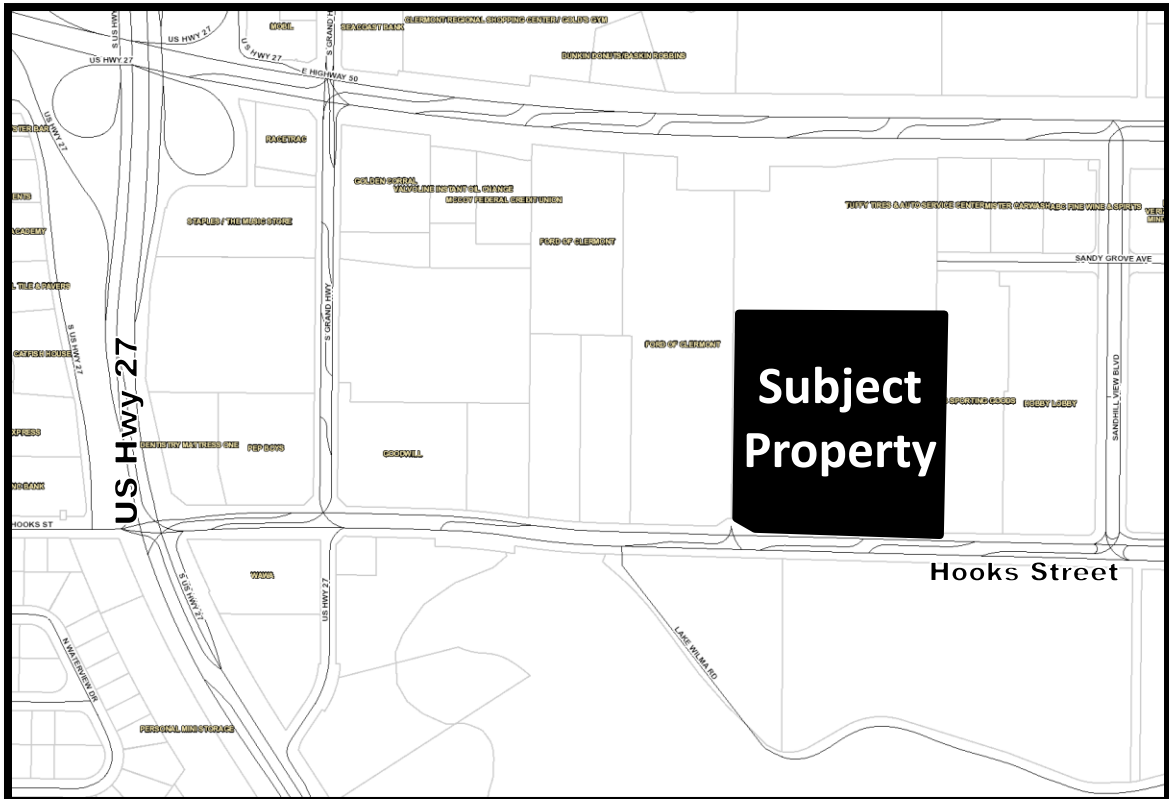
ATTEST:

Tracy Ackroyd Howe, City Clerk

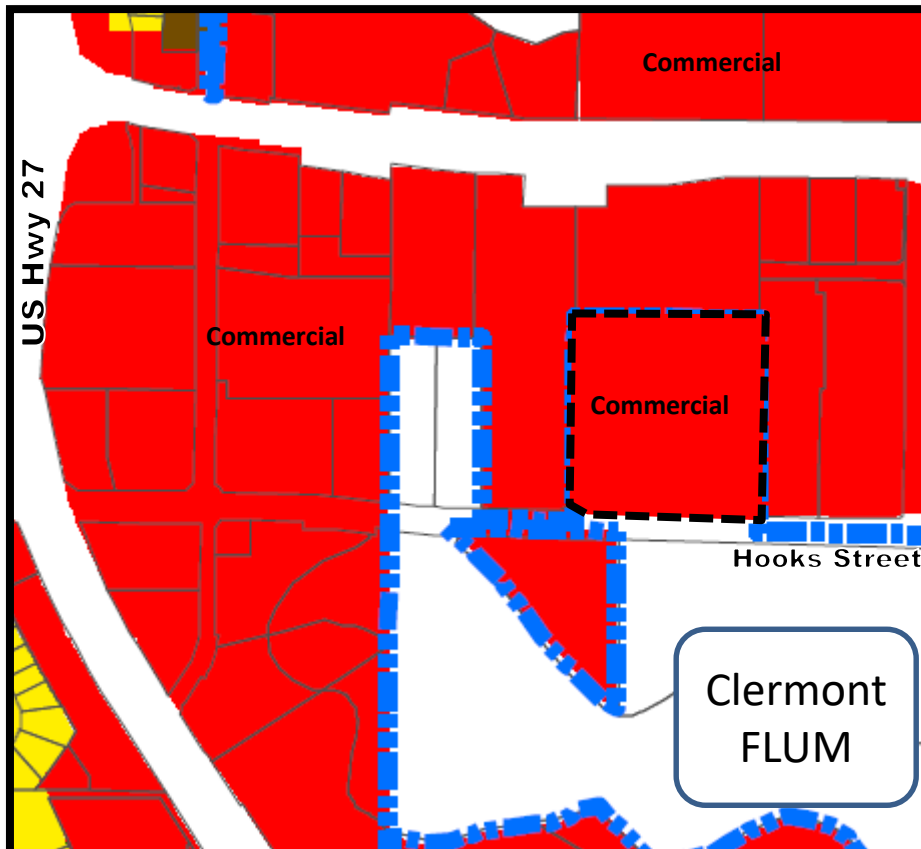
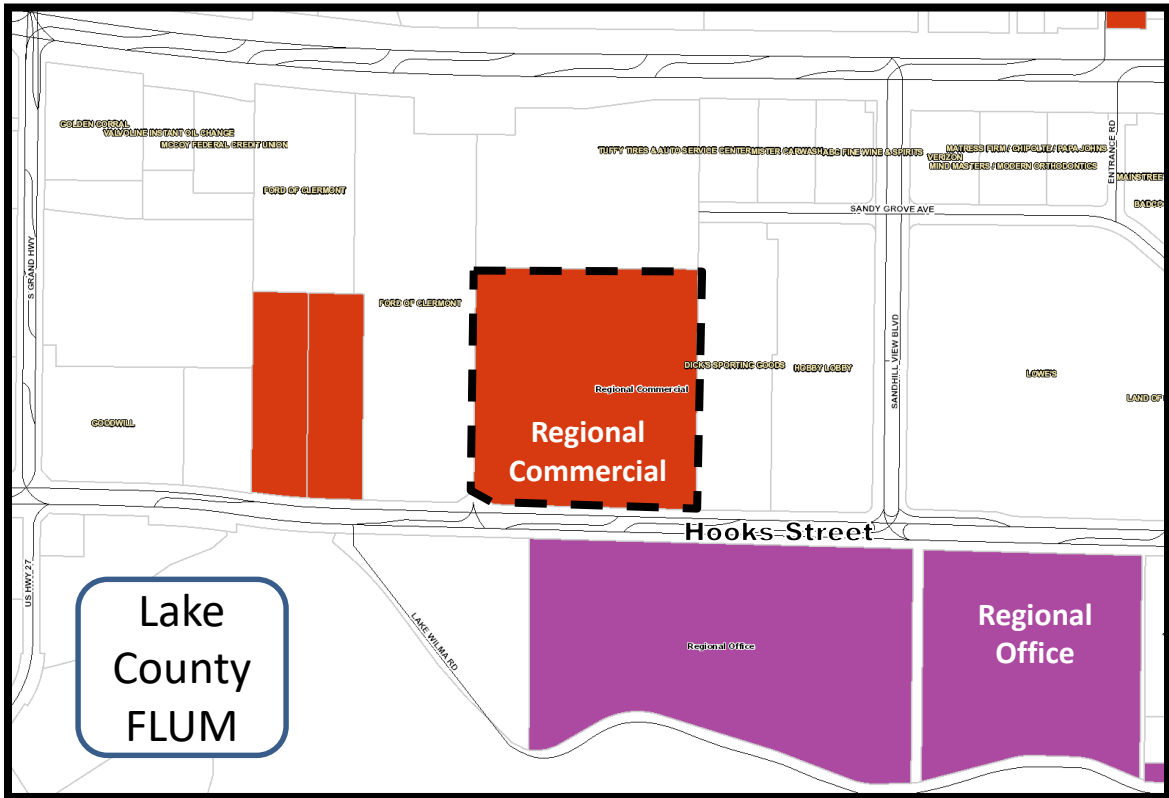
Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

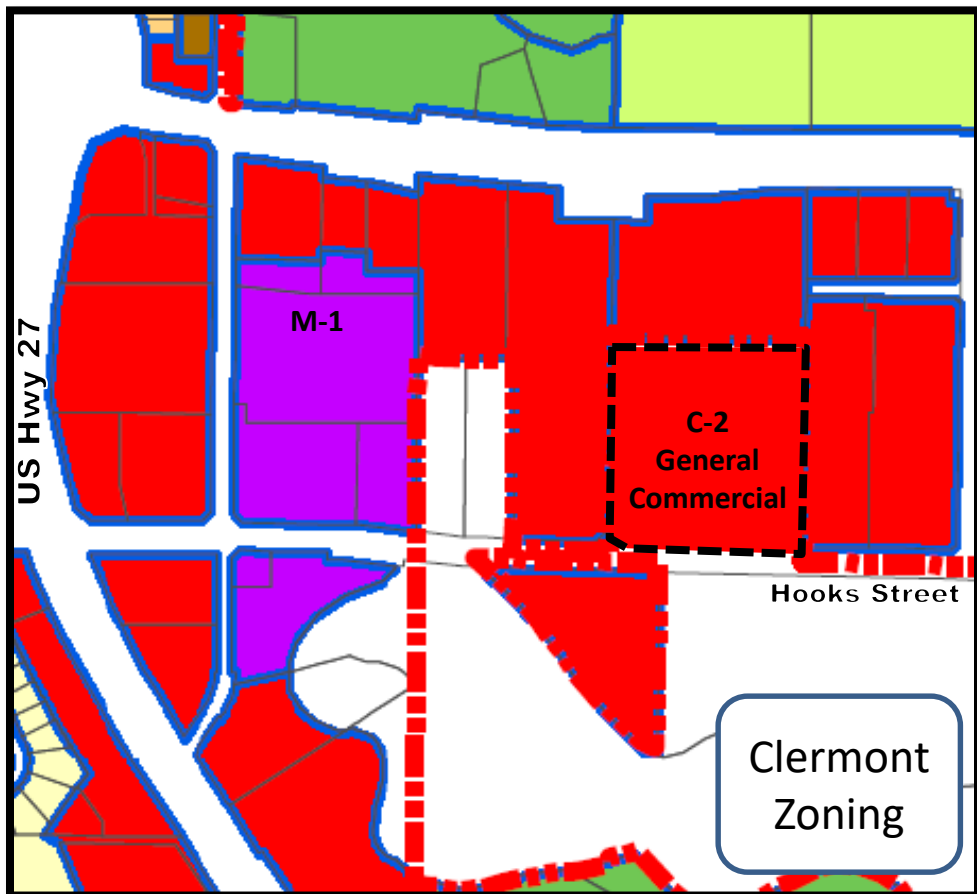
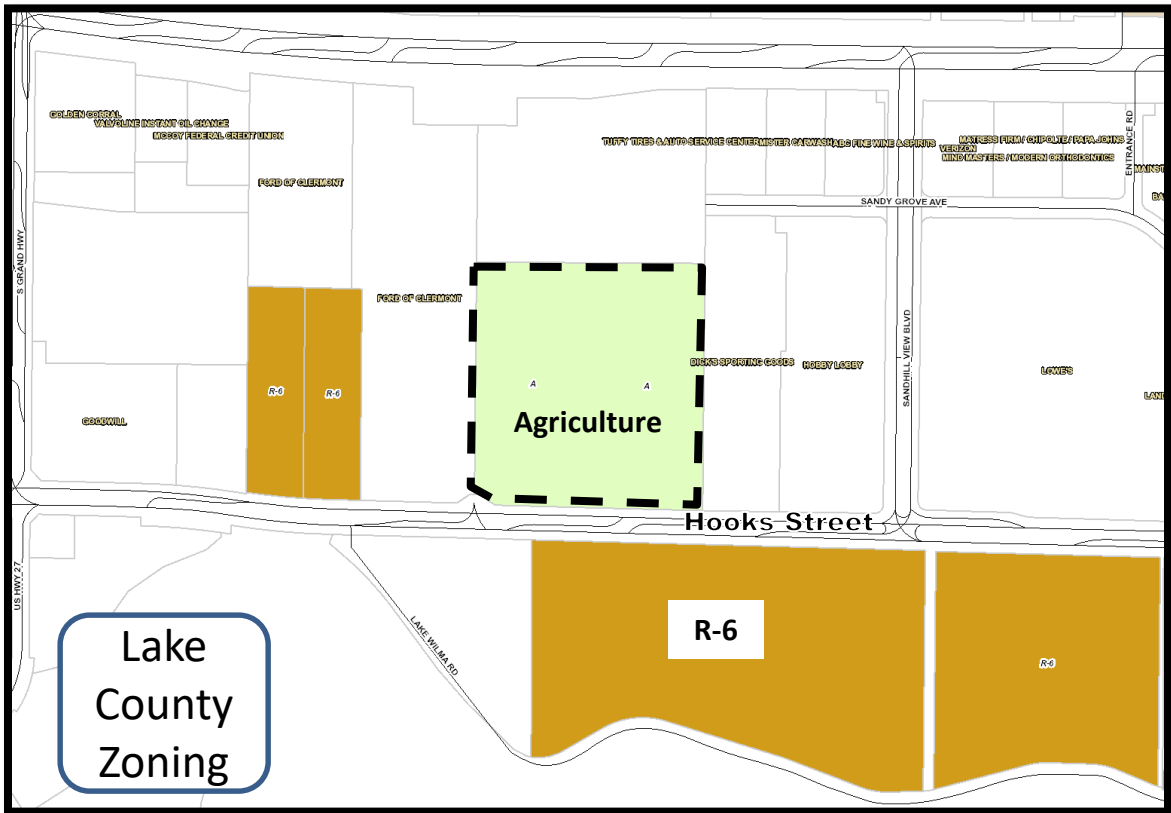
Exhibit - Location Map – Rocky Mount Commercial Phase 2



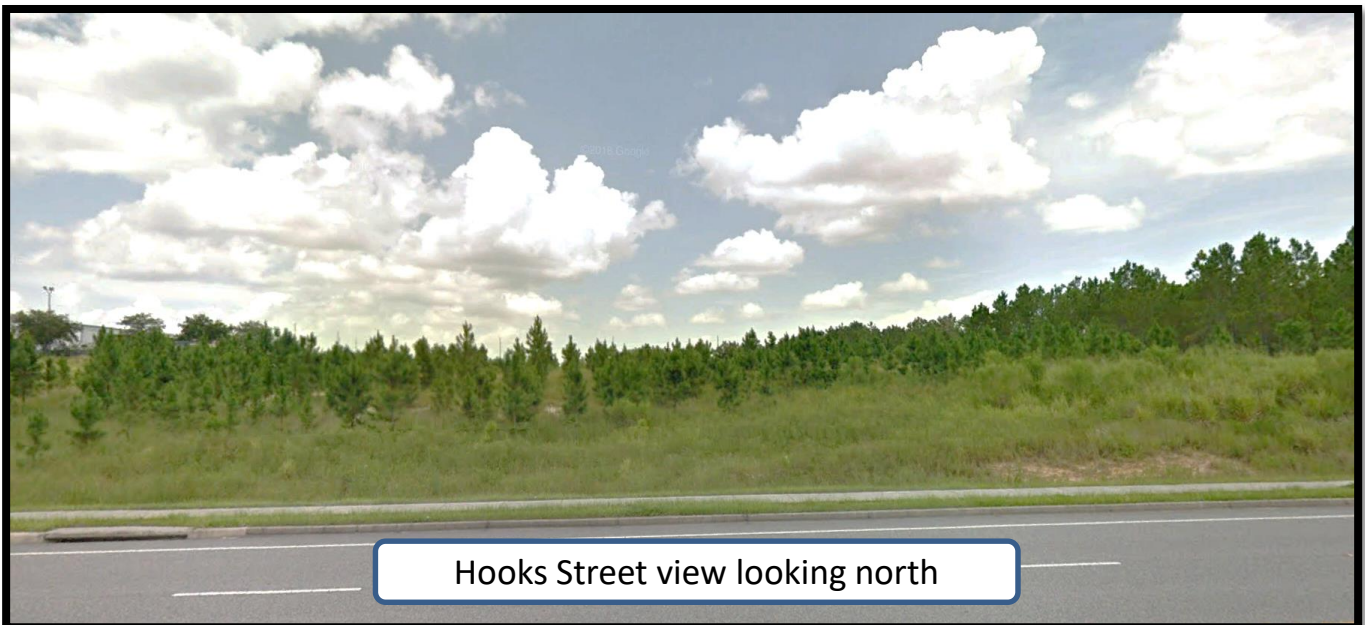
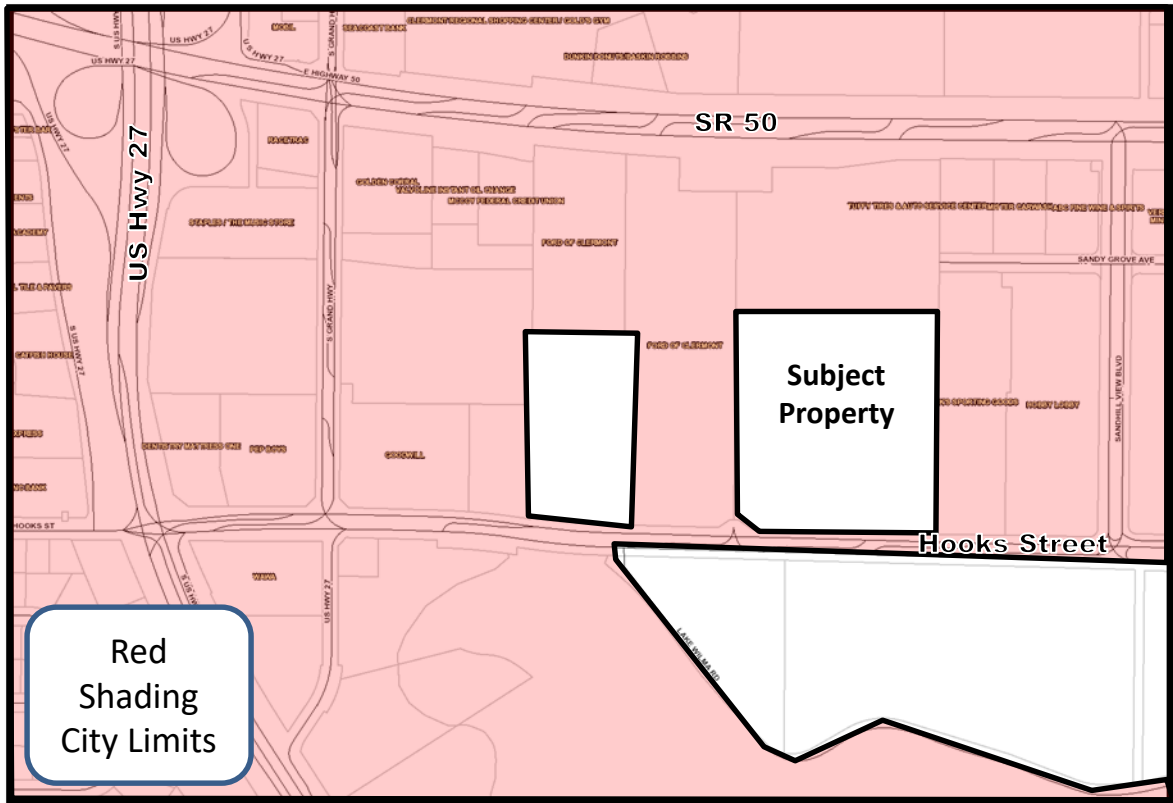
Future Land Use Map–Rocky Mount Commercial Phase 2



Zoning Map–Rocky Mount Commercial Phase 2



City Limits Map–Rocky Mount Commercial Phase 2





CITY OF CLERMONT
COMPREHENSIVE PLAN AMENDMENT
Application Instructions

APPLICATION FEE:

- **Large Scale Comprehensive Plan Amendment** - \$2,325 plus cost of advertisement
Includes text amendments that impact the Goals, Objectives and Policies of the comprehensive plan; Future Land Use Map or map series amendment over 10 acres
- **Small Scale Comprehensive Plan Amendment** - \$755.00 plus cost of advertisement
Includes Future Land Use Map amendments of less than 10 acres, with no impact to the Goals, Objectives and Policies.
- **Development of Regional Impact (DRI)** - \$10,000 escrow plus actual costs of advertising for a DRI amendment.

APPLICATION PROCESS:

Applicants must schedule a pre-application meeting with the City's Site Review Committee prior to submitting a completed application. Once an application has been completed, please call a staff planner, (352) 394-4083, to schedule the pre-application meeting.

After the Site Review Committee meeting, and after any requests for additional information have been met by the applicant, the City's planning staff will prepare the amendment with its supporting data and analysis and schedule the Planning & Zoning Commission hearing. The Planning & Zoning Commission meets the first Tuesday of the month, and will make a recommendation on the proposed amendment to the City Council. The Council will then review the proposed amendment at a public hearing and may vote to approve (small scale amendment) or to transmit it (large scale amendment) to the Florida Department of Economic Opportunity (DEO) and all reviewing agencies.

DEO will review the amendment within 60 days and notify the City of any concerns. Other public agencies may file objections separately.

AMENDMENT TIME FRAME:

- *Small Scale Amendments and Large Scale Amendments* – may take up to three months to process depending on meeting schedules, review time frames, staff preparation time, etc. The City does try to consolidate amendments as much as possible to help save on advertising costs. Applicants must have attended a pre-application meeting prior to submitting applications for the deadlines. Please note that all hearing dates are tentative and subject to change.



A Pre-Application meeting with the Development Services Director (or designated staff) may be required prior to submittal of the application. Please check with the Development Services Department staff.

Application Information Required

A complete application includes the items below in addition to the attached application:

- Completed application. - Include all signatures
- Proof of ownership – (i.e. Lake County Property record card, tax receipt, deed, or tax receipt)
- Complete legal description in Word (not all caps) emailed to rchidlow@clermontfl.org
- Current survey and location map (acreage included)
- Signed owner affidavit (unless power of attorney or notarized letter authorizing the applicant to act as the duly authorized agent for the owner is submitted with the application)
- Signed Applicant affidavit
- Application fee

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



**CITY OF CLERMONT
COMPREHENSIVE PLAN AMENDMENT
Application**

DATE: August 29, 2019

FEE: \$2,325.00

Project Name (if applicable): Rocky Mount Commercial - Phase 2

Applicant: Rocky Mount Development Co., Inc.

Contact Person: Tom Dougherty

Address: 735 Almond Street, Suite A

City: Clermont State: FL Zip: 34711

Phone: 352-394-6151 Fax: _____

E-Mail: tom@tri-prorealty.com

OWNER: Same as Applicant

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____

E-Mail: _____

General Location: Northwest Quadrant of Hooks Street & Sandhill View Boulevard
(Adjacent to the east to Ford of Clermont)

Legal Description (include copy of survey): Lake Highlands 29-22-26, Tracts 22 & 27 - Less Beginning at East Line of Tract 22 and South Line of FDOT Right of Way, Run south along East Line 500 Feet, North 89-39-36 West to West Boundary of said Tract 22, North to FDOT Right of Way, Easterly along said Southerly FDOT Right of Way to Point of Beginning - Being part of Tract 22 & 27, PB 2, PG 25, ORB 860, PG 1354, ORB 1004, PG 270, Public Records of Lake County Florida

Property size (in acres or square feet): 10.8 +/- acres

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

Existing (Actual) Land Use: Vacant

Existing Zoning: Agricultural

Existing Future Land Use: Regional Commercial

Proposed Future Land Use: Regional Commercial

Type of development proposed: General commercial



Proposed density (dwelling units/acre) or intensity: _____

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).

Request to annex into the City of Clermont to utilize water and sewer services for general commercial development, as consistent with the surrounding area.

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
--



APPLICANT'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE:

Before me, the undersigned authority personally appeared

Tom K. Dougherty, who being

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

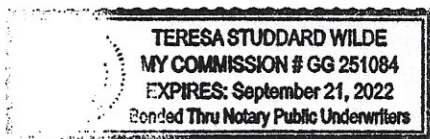
1. That he (she) affirms and certifies that he (she) understands and will comply with all ordinances, regulations and policies of Lake County, Florida, and that all statements and diagrams submitted herewith are true and accurate to the best of his (her) knowledge and belief, and further, that this application 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 Regional Commercial to Regional 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.

Tom K. Dougherty, P, D
Affiant - Applicant Name (print)

X Tom K. Dougherty
Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

or personally known by me this 29th day of August, 2019.



X [Signature]
Notary Public, State of Florida at Large

My Commission Expires: 09/21/2022



OWNER'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE:

Before me, the undersigned authority personally appeared

Tom K. Dougherty, 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 Regional Commercial to Regional Commercial for the property legally described on the attachment of this application.
3. That the owner of said property has appointed Rick McCoy 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.

Tom K. Dougherty, P, D
Affiant - Applicant Name (print)

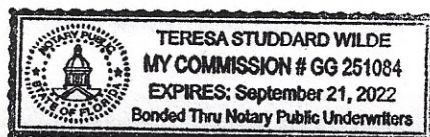
X *Tom K. Dougherty*
Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

or personally known by me this 29th day of August, 2019.

X *[Signature]*
Notary Public, State of Florida at Large

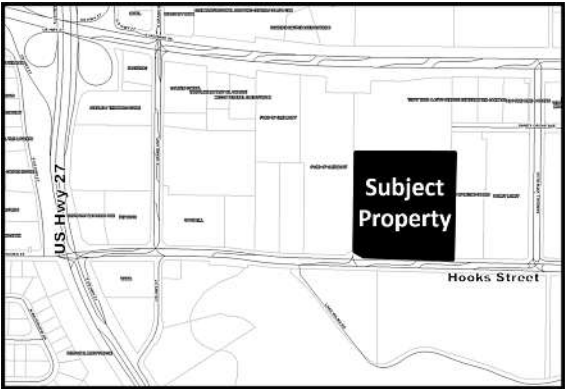
My Commission Expires: 09/21/2022



CITY OF CLERMONT
NOTICE OF PROPOSED
AMENDMENT
TO COMPREHENSIVE PLAN
ORDINANCE NO. 2019-43

The City of Clermont will hold public hearings on Tuesday, October 1, 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, October 8, 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 Commercial to City of Clermont Commercial.

The City of Clermont will hold a public hearing on Tuesday, December 10, 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:

Vacant parcel approximately ½ mile east of the US Hwy 27 and Hooks
Street intersection
Alternate Key 1103916
10.8 +/- Acres

Ordinance #2019-43:

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

D051101 - September 16, 2019

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

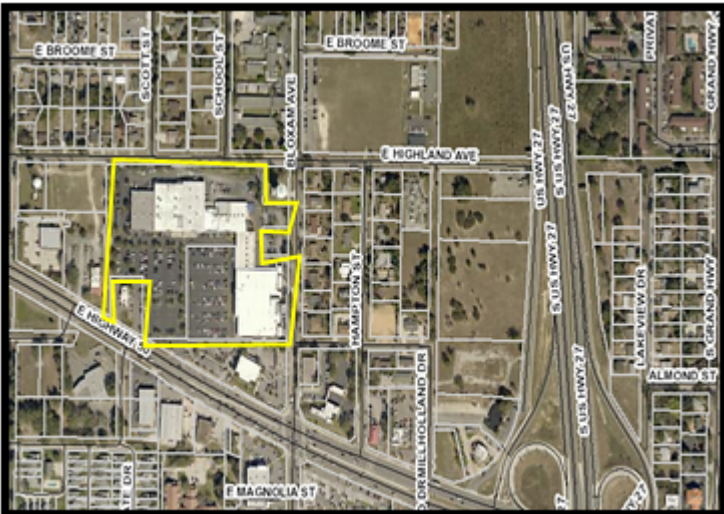
PLEASE READ CAREFULLY • SUBMIT CORRECTIONS ONLINE

LF-D051101 (100%)

ADVERTISER: CITY OF CLERMONT-LEGALS
SALES PERSON: LFD001
SIZE: 2X10
PUBLICATION: LF-DAILY COMMERCIAL

PROOF CREATED AT: 9/12/2019 7:57:21 AM
NEXT RUN DATE: 09/16/19
PROOF DUE: 09/13/19 12:59:55

AGENDA ITEM

Meeting Date	
Tuesday, October 1, 2019	
Agenda Item Name	
Resolution No. 2019-22R <i>Iglesia Evangelica Emanuel, Inc.</i>	
Requested Action	
Recommend approval of Resolution No. 2019-22R	
Staff Report	
The applicant is requesting a Conditional Use Permit (CUP) to allow a church use in the C-2 General Commercial zoning district, The Land Development Code, Section 122-224 requires a Conditional Use Permit. The subject property is located in the South Lake Plaza, a multi-tenant shopping center with retail, office, restaurants and other commercial uses.  The applicant proposes to occupy approximately 2,400 square feet of vacant building space. The church intends to have 54 seats for Sunday morning service at 9:00 am to 1:00 pm, and will hold a Tuesday and Friday evening bible study and worship service from 7:30 pm to 9:30 pm. The Land Development Code, Section 98-14 requires one space per four seats, the proposed use with 54 seats will require approximately 14 parking spaces. With the existing businesses operating at normal business hours, and the church operating at typical non-business hours, staff finds there will not be any parking issues on site. The proposed church will be located in the rear of the plaza. Staff has reviewed the application 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 provisions specified. Therefore, staff recommends approval of the Conditional Use Permit to allow a church use with the conditions contained in Resolution No. 2019-22R.	
Additional Analysis	

Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. CUP RES 2019-22R	CUP RES 2019-22R.pdf	
2. Location Map	Location Map.pdf	
3. Site Plan	Site Plan.pdf	
4. Application	Application.pdf	
5. Legal AD	Legal AD.pdf	



CITY OF CLERMONT
RESOLUTION NO. 2019-22R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR A CHURCH USE 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 September 3, 2019 recommended approval of this Conditional Use Permit to allow for a church use in the C-2 General Commercial zoning district; at the following location:

LOCATION:
South Lake Shopping Plaza
638 Highway 50
(Alternate Key# 1746833 & 1746841)

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

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

This application for a Conditional Use Permit to allow for a church use in the C-2 General Commercial 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 further 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. 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 or require further conditions as deemed appropriate.



CITY OF CLERMONT
RESOLUTION NO. 2019-22R

5. The Conditional Use Permit must be executed and processed through the office of the City Clerk within 90 days of its date of approval 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. If any of the stated conditions are violated, the applicant understands and agrees that the City Council may open the Conditional Use Permit for further conditions or revoke this Conditional Use Permit by Resolution.
9. 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 Clermont Development Services Department.
10. Should approved uses cease operation for more than one year, a new Conditional Use Permit shall be required for the same or similar operations.
11. In the event that parking at this site proves inadequate the City reserves the right to open the Conditional Use Permit for further review and additional conditions which may include additional parking requirements or revocation of the Conditional Use Permit.
12. In the event that the noise levels create a nuisance to the surrounding property owners, the City reserves the right to open the Conditional Use Permit for further review and additional conditions.
13. Should the church use cease operations for a period greater than 180 days, a new Conditional Use Permit shall be required.
14. Should a new business that sells alcoholic beverages for onsite consumption wish to locate within 500 feet of the church, the church would not contest said use within 500 feet of the church.

SECTION 2. Land Use

1. This Conditional Use Permit shall grant approval for a church use and any other permitted use in the C-2 General Commercial zoning district.



CITY OF CLERMONT
RESOLUTION NO. 2019-22R

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 24th day of September, 2019.

CITY OF CLERMONT

Gail Ash, Mayor

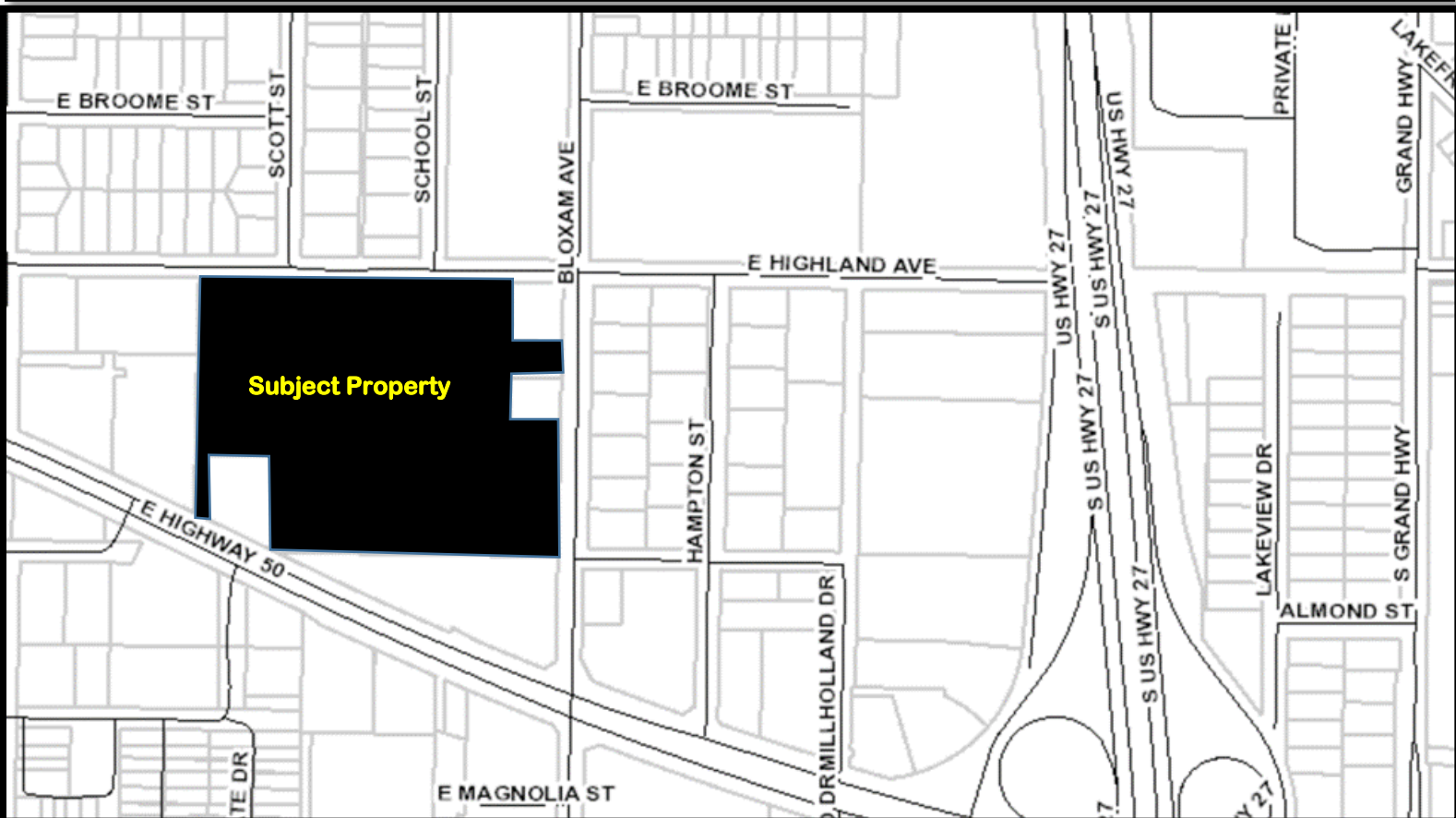
ATTEST:

Tracy Ackroyd, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Location Map



SOUTH LAKE SHOPPING CENTER

8-26-2009

1" = 100'

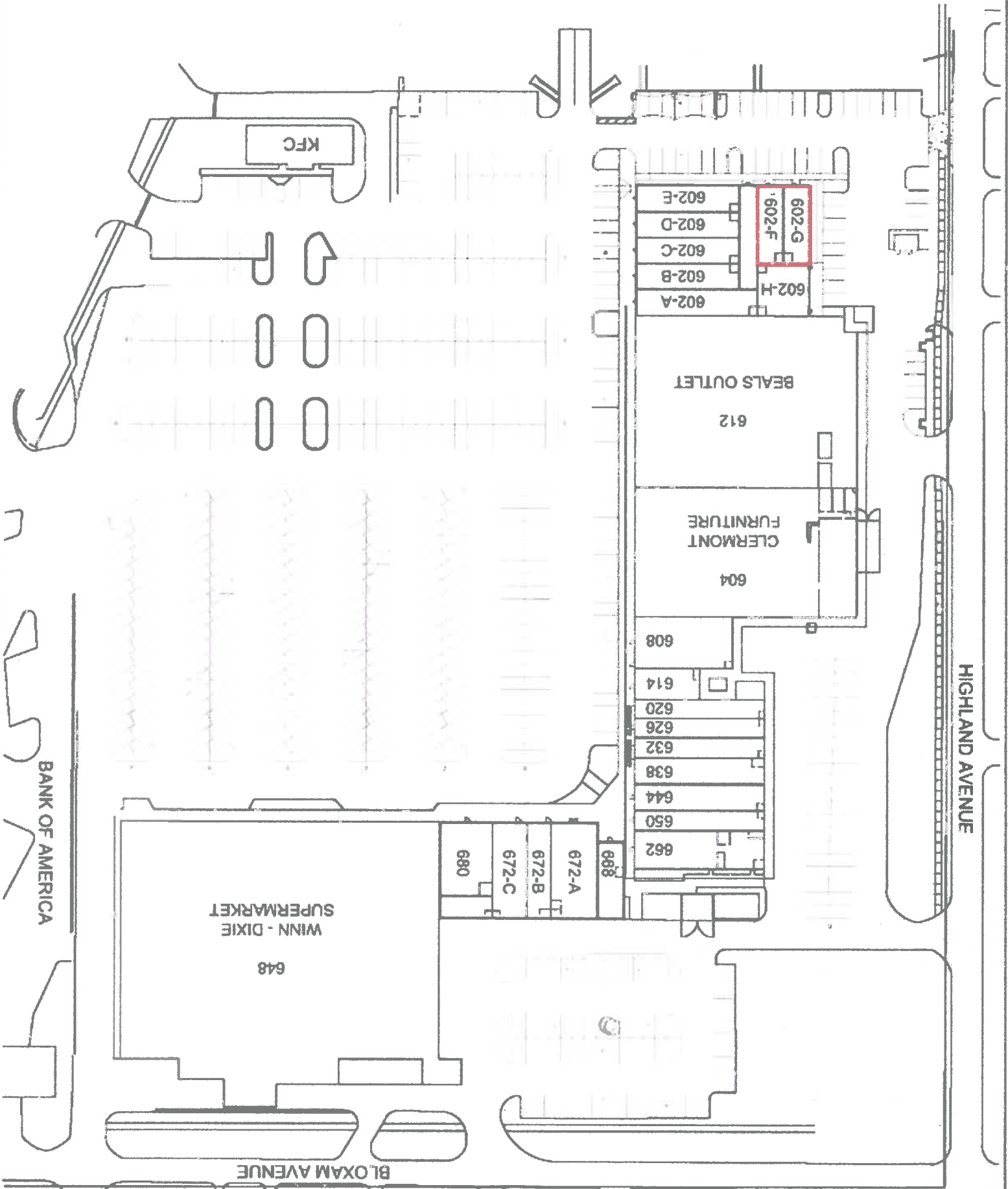
DATE

SCALE

SHOPPING CENTER UNITS

TITLE

NORTH



CUP 1908-0001
Resolution No. 2019-22R



**CONDITIONAL USE PERMIT (CUP)
APPLICATION**

DATE: 7/31/19

FEE: \$845
+ cost of advertisement

PROJECT NAME (if applicable): Church

APPLICANT: Iglesia Evangelica Emanuel Inc

CONTACT PERSON: Evelyn Peraza

Address: 448 Mayaguez Rd

City: Polk City State: FL Zip: 33868

Phone: 321-276-7309 Fax: _____

E-Mail: evelynoside.msn.com

OWNER: Hurtak Family Partnership

Address: 525 P.E. 58th ST

City: miami State: FL Zip: 33137

Phone: _____ Fax: _____

Address of Subject Property: _____

General Location: South Lake Plaza, Suite 2002

Legal Description (include copy of survey): A11 Key # 1746833 & 1746841

Land Use (City verification required): Commercial

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



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.

I'm requesting a conditional use permit for a church
we are 54 people.

Services will be as follow.

Tuesday 7:00 pm - 9:00 pm

Friday 7:00 pm - 9:00 pm

Sunday 9:00 am - 1:00 pm

we are in suite 602-G and 602-F. 2400 sq ft

Blanca E. Piraza

Applicant Name (print)

x [Signature]

Applicant Name (signature)

x James McHurtak

Owner Name (print)

x [Signature]

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. 34712-0219
(352) 394-4083 Fax: (352) 394-3542

Advertising Receipt

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

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

Account Number: 7101866
Order Number: 10090178
Phone: (352) 241-7331
Date: 08/22/19
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 l	08/27/2019	09/17/2019	\$167.68

LEGAL NOTICE

Ad No: 10090178
August 27, 2019 &
September 17, 2019

Notice is hereby given that the City of Clermont will consider a request for a Conditional Use Permit to allow a church use in the C-2 General Commercial Zoning District, at the following location:

LOCATION

South Lake Shopping Plaza
(AK 1746833 & 1746841)

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, September 3, 2019 at 6:30pm, and

The City Council will consider the request at a public hearing on Tuesday, September 24, 2019 at 6:30pm.

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

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

Payment Info	
Ad Price	\$167.68
Tax	\$0.00
Sub Total	\$167.68
Prepaid Amount	\$0.00
Balance Due	\$167.68



CITY OF CLERMONT

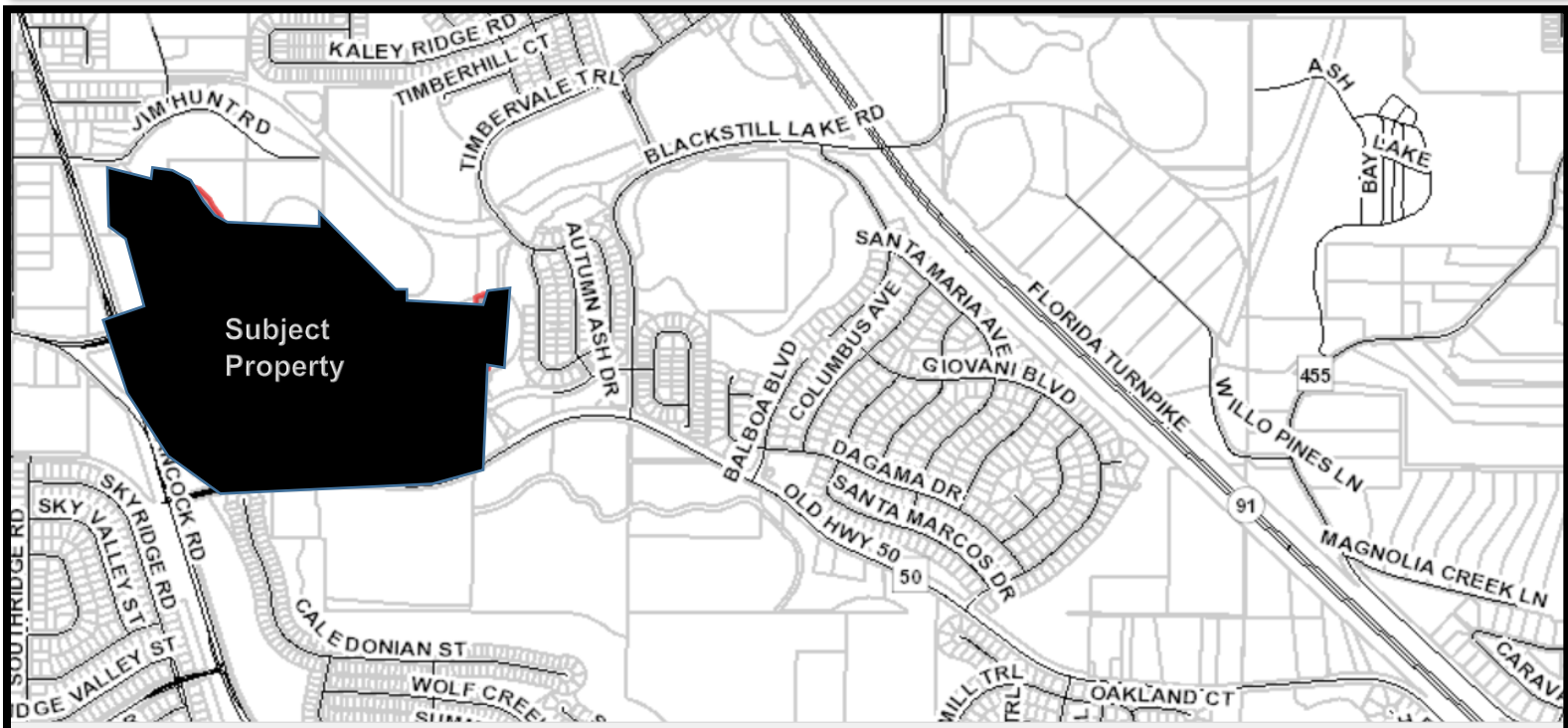
AGENDA ITEM

Page 1 of 1

Meeting Date	
Tuesday, October 1, 2019	
Agenda Item Name	
Resolution No 2019-26R <i>Highland Ranch Conditional Use Permit</i>	
Requested Action	
Recommend approval of Resolution No. 2019-26R.	
Staff Report	
The owner, Taylor Morrison of Florida, is requesting to amend the existing Highland Ranch Planned Unit Development (PUD) Master Development Plan. The Highland Ranch PUD aka (Black Lake) was originally approved by the City Council on September 24, 2013 with (Resolution 2013-17), the later amended on May 10, 2016 with (Resolution No 2016-10). The mixed use Planned Unit Development (PUD) was approved to allow up to 1,200 residential dwelling units and up to 100,000 square foot of commercial development on the 579 acres. The applicant is requesting to convert a four (4) acre designated commercial parcel to residential use; and combine with the residential parcel known as (P-2) Canyons Phase 6, on the master plan to allow for development of single family residential lots.  The proposed amendments will not increase the total number of residential units approved for the Highland Ranch PUD, which will not exceed the maximum allowed of 1,200 dwelling units. The owner has indicated that the requested change is due to market demands for single family residential. The remaining designated commercial parcel will be development at a future date. The proposed amendment will complete the number of residential dwelling units approved for the Highland Ranch PUD. All other conditions of the (CUP) Conditional Use Permit will remain as approved. 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 provisions specified. Therefore, staff recommends approval of the Conditional Use Permit with the conditions contained in Resolution No. 2019-26R.	

Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1.	Location Map	Location Map.pdf
2.	Phase 6-Site Plan	Phase 6-Site Plan.pdf
3.	Applicant- Justification Letter	Applicant- Justification Letter.pdf
4.	Highland Ranch Canyons Phase 6 PUD Site Plan	Highland Ranch Canyons Phase 6 PUD Site Plan.pdf
5.	Highland Ranch Overall Site Plan	Highland Ranch Overall Site Plan.pdf
6.	Application	Application.pdf
7.	HIGHLAND RANCH CUP AD	HIGHLAND RANCH CUP.pdf

Location Map



Highland Ranch (FKA Black West) - Canyons Phase 6
Highland Ranch Planned Unit Development
Conditional Use Permit – Short Form Modification to Convert
Commercial to Residential
Request Narrative

Taylor Morrison of Florida, Inc. is the owner of the Highland Ranch Planned Unit Development (PUD), which totals 579+/- acres, and is generally located north of Old Highway 50 and southwest of the Florida Turnpike (the "Property") in the City of Clermont.

The Property was formerly known as Black West, and is partially built out with single-family residential uses, amenities, and site infrastructure. Development permitted under the existing PUD includes 490 dwelling units in the Highland Ranch Esplanade community, in the northern portion of the PUD, and 710 dwelling units in the Highland Ranch Canyons community in the southern portion of the PUD. Taylor Morrison is in process of development of all the phases of the project, with the exception of Canyons Phase 6, known as P-2 on the PUD Master Plan. Most of the 579-acre Property is a residential community consisting of single-family detached homes pursuant to the approved PUD site plan, the Conditional Use Permit conditions, associated waivers, and site development regulations. None of the 10-acre commercial land uses have been constructed to date.

The site to be modified within the PUD is located at 14705 Old Highway 50 in Clermont, Florida 34715. This project is generally located north of Old Highway 50 and east of North Hancock Road. It is within Section 16, Township 22, Range 26, and Subdivision 0001. The parcel identification number for this site is 16-22-26-0001-000-00600. For purposes of this conditional use permit, P-2 will be referred to as Canyons Phase 6.

The current zoning is PUD consistent with the future land use of Master Planned Development. The PUD was last modified in 2016 pursuant to Resolution Number 2016-10. In May of this year, a minor adjustment to Canyons Phase 7 was made to allow development of an upland area that was previously not designated. The PUD is approved for 1,200 dwelling units and 100,000 SF of commercial use. This conditional use permit is requested to modify residential parcel, identified as P-2 (AKA Canyons Phase 6) on the approved PUD Master Plan, adding the southern most commercial parcel, identified as "commercial" on the PUD Master Plan to P-2.

Specifically, this conditional use permit application seeks to convert the southwest commercial land use to residential land use. The ten (10) acres of commercial tracts in the southwest part of the PUD currently allows 100,000 square feet of commercial usage. The southernmost commercial tract located just south of the entrance into the Phase 6 site is +/- 4 acres. This modification proposes removing the southernmost commercial tract from the PUD and adding to the parcel P-2 acreage as a residential use. The right in/out to that commercial tract is also removed. If permitted, this change

will have a total of 168 single family detached residential dwelling units on P-2. This will bring the total unit count for the Highland Ranch PUD to the maximum approved figure of 1,200 dwelling units, which will bring the gross residential density of 2.46 dwelling units per acre.

Parcel P-2, Highland Ranch – Canyons Phase 6, will increase to a total of 102. The remaining commercial parcel north of the Canyons Phase 6 entrance will decrease to 6 acres. Included as a part of this submittal is the Canyons Phase 6 site plan shown with the commercial tract to be removed outlined in red, the overall Highland Ranch site plan with the proposed Canyons Phase 6 modifications and the PUD master site plan with the modifications to P-2, the southern commercial tract and the acreage adjustments. Other changes to the PUD master site plan include removal of the right in/out from the southern commercial tract and the removal of the word “proposed” in reference to Hancock Road.

Thank you in advance for your consideration of this amendment application. Should you require additional information or have any questions, please feel free to contact me directly at (407) 775-6513 or bryan.gaines@waldropengineering.com.

Sincerely,

WALDROP ENGINEERING, P.A.

A handwritten signature in black ink, appearing to read 'Bryan Gaines', with a long horizontal flourish extending to the right.

Bryan Gaines, AICP
Planning Manager - Orlando

Enclosures

cc: Matt Cuarta, Taylor Morrison of Florida, Inc.

WAIVER REQUESTS:

WAIVERS RELATED TO GRADING & WALLS

- Waiver 1 – Section 94-195(b)(3)
Increase, in specific areas, the allowable maximum depth of cut or fill for construction of any roadway to be 25 feet measured at the center line of the roadway.
- Waiver 2 – Section 94-195(c)(1)
Increase the allowable area to be graded to include the entire lot and tract area.
- Waiver 3 – Section 94-195(c)(2)
Increase in specific areas as shown on Sheet 2 of the PD plans, the allowable maximum change in topography from 10 ft. to 25 ft.
- Waiver 4 – Section 94-195(d)(5)
Increase the allowable maximum slope from 5:1 to 4:1
- Waiver 5 – Section 94-195(d)(5)
Increase the maximum height of each retaining wall from 6 ft. to 10 ft.

WAIVERS RELATED TO LOT SIZE & SETBACKS

- Waiver 6 – Section 122-84(1), Section 122-84(2), Section 122-84(3), Section 122-85(1), Section 122-85(2), Section 122-85(3), Section 110 121(6), Section 110 212(3)(a and b)
Modification of the lot size, setbacks, impervious surface, & utility easements to match proposed lot data chart on this page.

WAIVERS RELATED TO ROADWAYS

- Waiver 7 – Section 110-192
Allow private streets at the discretion of the developer in accordance with the private road conditions of this section.

WAIVER RELATED TO BILL BOARDS

- Waiver 8 – Section 122-83
A waiver is granted so that horizontal construction may occur anywhere on the property prior to removal of the existing billboards that are located on the property adjacent to the Turnpike. In addition, houses may be constructed and occupied prior to removal of the existing billboards, so long as such houses are located more than 200' feet away from the billboards. All construction must occur in accordance with the City's construction plan approval process.

WAIVER RELATED ROADWAY CROSS SECTION & SIDEWALK

- Waiver 9 – Section 110-194(3)
The roadway cross section and sidewalk location shall match the section provided on this sheet.

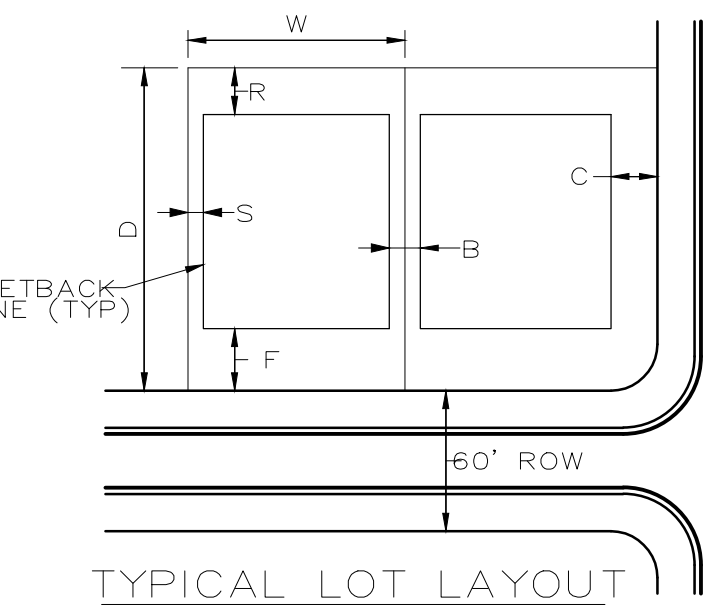
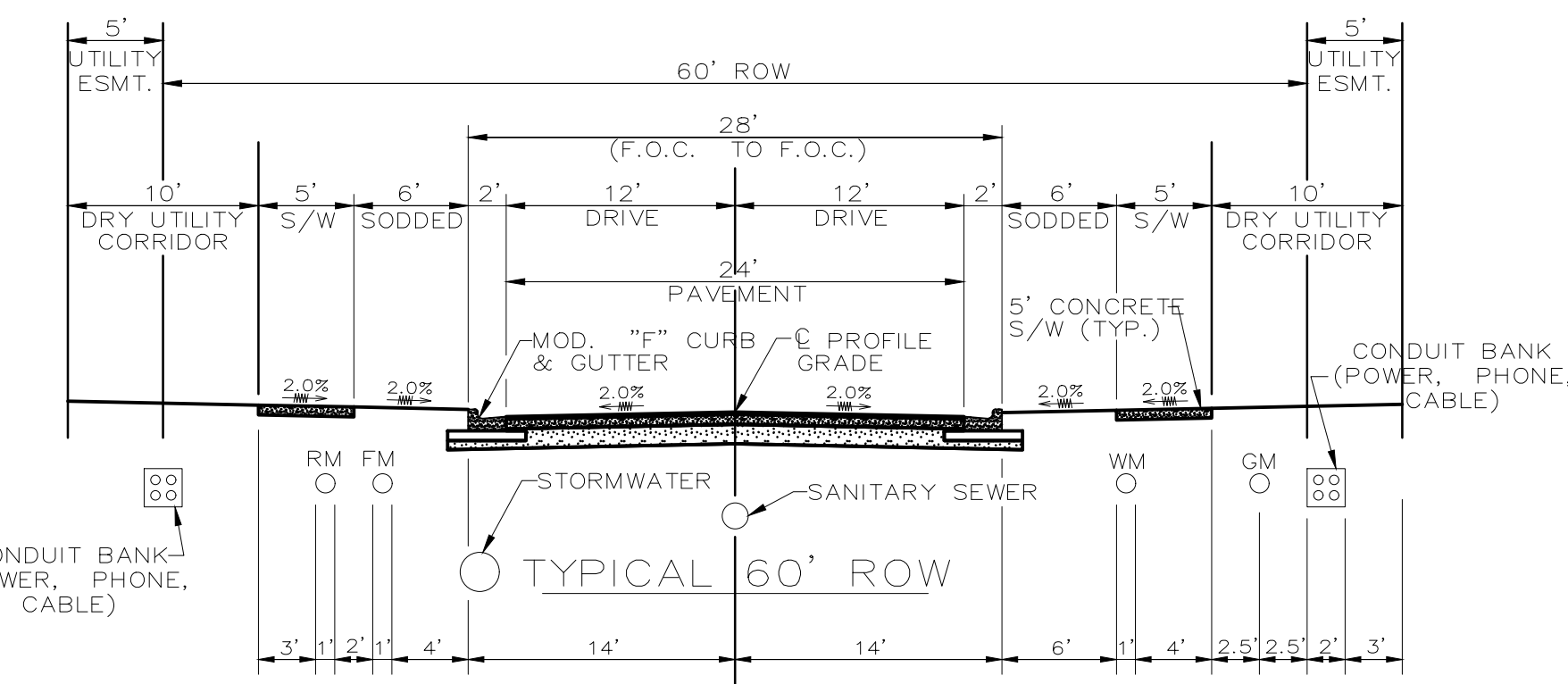
SITE DATA

- | | |
|--|-------------------------|
| 1. PROJECT ACREAGE: | 578.93 ac. |
| 2. RESIDENTIAL DEVELOPABLE ACREAGE: | 487 ac. |
| 3. PROPOSED RESIDENTIAL UNITS: | 1200 units** |
| 4. PROPOSED RESIDENTIAL DENSITY (GROSS): | 2.46 du/ac |
| 5. PROPOSED COMMERCIAL AREA: | 6.34 ac. / 100,000 s.f. |

**MIX OF AGE-RESTRICTED AND NON-AGE-RESTRICTED UNITS SUBJECT TO CONDITIONAL USE PERMIT CONDITIONS, SECTION 2.2.

NOTES:

- 1.) THERE ARE NO PROPOSED WETLAND IMPACTS.
- 2.) THERE ARE NO 100 YR ENCROACHMENTS FOR LOT DEVELOPMENT. MINOR ENCROACHMENTS WITH MITIGATION FOR BOULEVARD/INFRASTRUCTURE ROADWAY.
- 3.) PRIVATE ROADS AND GATED ENTRIES MAY BE ALLOWED WITHIN THE PUD, AT THE DEVELOPER'S ELECTION, IN WHICH CASE PRIVATE ROADS SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
- 4.) AGRICULTURE MAY CONTINUE AS A PERMITTED USE ON AREAS WITHIN THE PUD THAT HAVE NOT DEVELOPED WITH RESIDENTIAL OR COMMERCIAL USES.
- 5.) PROJECT MAY BE DEVELOPED IN MULTIPLE PHASES WHICH CAN BE BUILT IN ANY SEQUENCE AT THE DEVELOPERS DISCRETION.
- 6.) AN EASEMENT FOR ACCESS AND UTILITIES MAY BE PROVIDED TO THE OUT PARCEL CURRENTLY OWNED BY PAUL AND ELIZABETH BETHUNE.
- 7.) THIS PROJECT WILL BE SUBJECT TO ST. JOHNS WATER MANAGEMENT PERMITTING.
- 8.) FOR HOMES OVER 5000 S.F. ADDITIONAL FIRE HYDRANTS MAY BE NEEDED TO MEET FIRE FLOW REQUIREMENTS.
- 9.) UTILITY EASEMENTS- NO INVASIVE TREES SHALL BE PLANTED IN THE UTILITY EASEMENTS PROVIDED ON-SITE.



PROPOSED LOT DATA									
LOT I.D.	W	D	F	R	S	C	B	TOTAL*	BUILDING*
A-2	45	125	15	20	12/3	15	10	75	65
A	50	110	15	20	5	15	10	75	65
B	55	110	15	20	5	15	10	75	65
C	60	110	15	20	5	15	10	75	65
D	65	110	15	20	5	15	10	75	65
E	70	120	15	20	5	15	10	75	65
F	75	120	15	20	5	15	10	75	65

* BUILDING IMPERVIOUS COVER EXCLUDES PORCH AND POOL AREAS.
* SIDE YARD UTILITY EASEMENTS TO MATCH SIDE YARD SETBACKS.
* A-2 LOTS ARE LIMITED TO THOSE GENERAL AREAS IN AR-2, AR-3 & AR-4 SHOWN ON PLAN.

REQUIRED OFF-SITE RECLAIM LINE INSTALLATIONS:

THE DEVELOPER SHALL EXTEND THE OFF-SITE RECLAIM LINE TO THE PROJECT FROM THE POINT OF CONNECTION DEPICTED ON THE CUP PRIOR TO ISSUANCE OF A CERTIFICATE OF COMPLETION FOR THE INFRASTRUCTURE CONSTRUCTED PURSUANT TO THE PHASE 2 CONSTRUCTION PLANS. THE 229 AGE RESTRICTED AND PRIMARY PHASE 1 LOTS WILL BE SERVICED IN THE INTERIM BY THE INTERNAL RECLAIM LINE WHICH WILL BE JUMPED OFF OF THE POTABLE SYSTEM. THE DEVELOPER WILL INSTALL INTERNAL RECLAIM LINES WITHIN ALL OF THE SUBDIVISION STREETS FOR SERVICE.

LEGEND

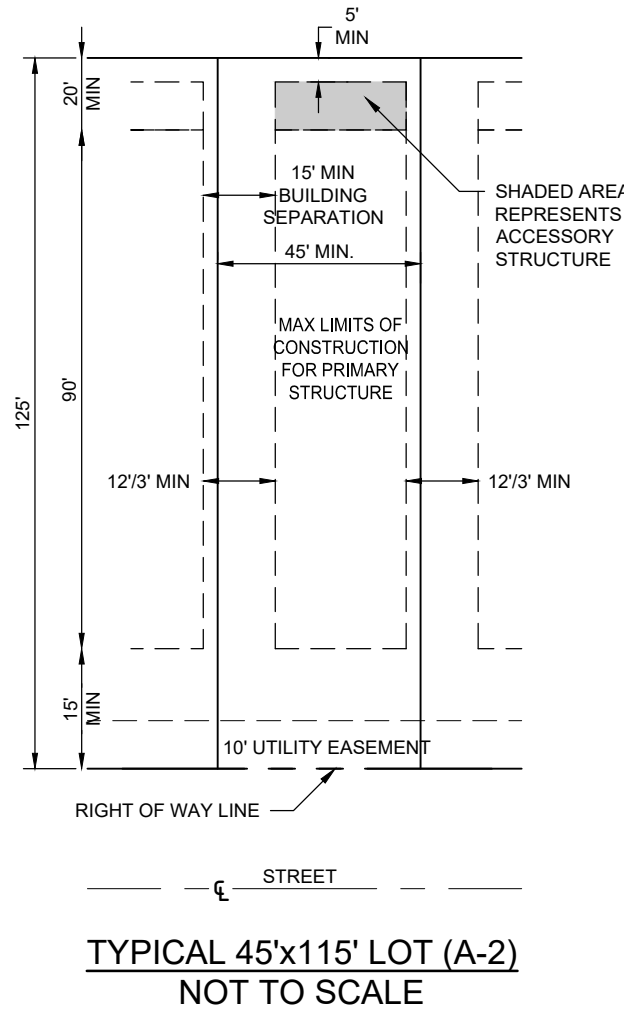
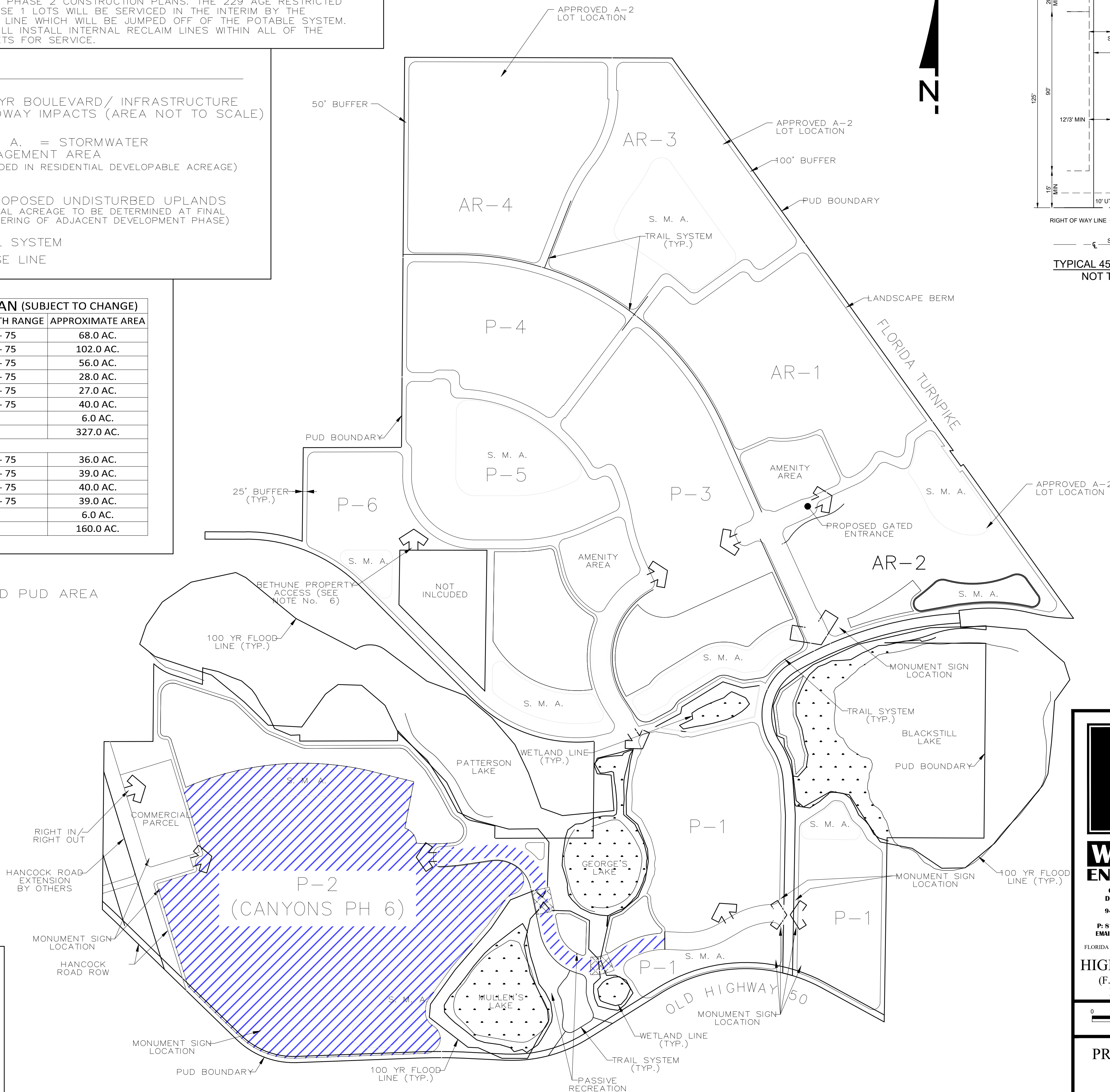
- 100 YR BOULEVARD/ INFRASTRUCTURE ROADWAY IMPACTS (AREA NOT TO SCALE)
- S. M. A. = STORMWATER MANAGEMENT AREA (INCLUDED IN RESIDENTIAL DEVELOPABLE ACREAGE)
- PROPOSED UNDISTURBED UPLANDS (ACTUAL ACREAGE TO BE DETERMINED AT FINAL ENGINEERING OF ADJACENT DEVELOPMENT PHASE)
- TRAIL SYSTEM PHASE LINE

PHASING PLAN (SUBJECT TO CHANGE)		
PHASE	LOT WIDTH RANGE	APPROXIMATE AREA
P-1	50 - 75	68.0 AC.
P-2	50 - 75	102.0 AC.
P-3	50 - 75	56.0 AC.
P-4	50 - 75	28.0 AC.
P-5	50 - 75	27.0 AC.
P-6	50 - 75	40.0 AC.
AMENITY		6.0 AC.
TOTAL		327.0 AC.

AR-1	50 - 75	36.0 AC.
AR-2	45 - 75	39.0 AC.
AR-3	45 - 75	40.0 AC.
AR-4	45 - 75	39.0 AC.
AMENITY		6.0 AC.
TOTAL		160.0 AC.

LEGEND

- AMENDED PUD AREA



WALDROP ENGINEERING
CIVIL ENGINEERING & LAND DEVELOPMENT CONSULTANTS
9432 CAMDEN FIELD PARKWAY
RIVERVIEW, FL 33575
P: 813-443-8282 F: 813-443-8285
EMAIL: info@waldropengineering.com
FLORIDA CERTIFICATE OF AUTHORIZATION #836

HIGHLAND RANCH
(F.K.A. BLACK WEST)
P.U.D. SITE PLAN

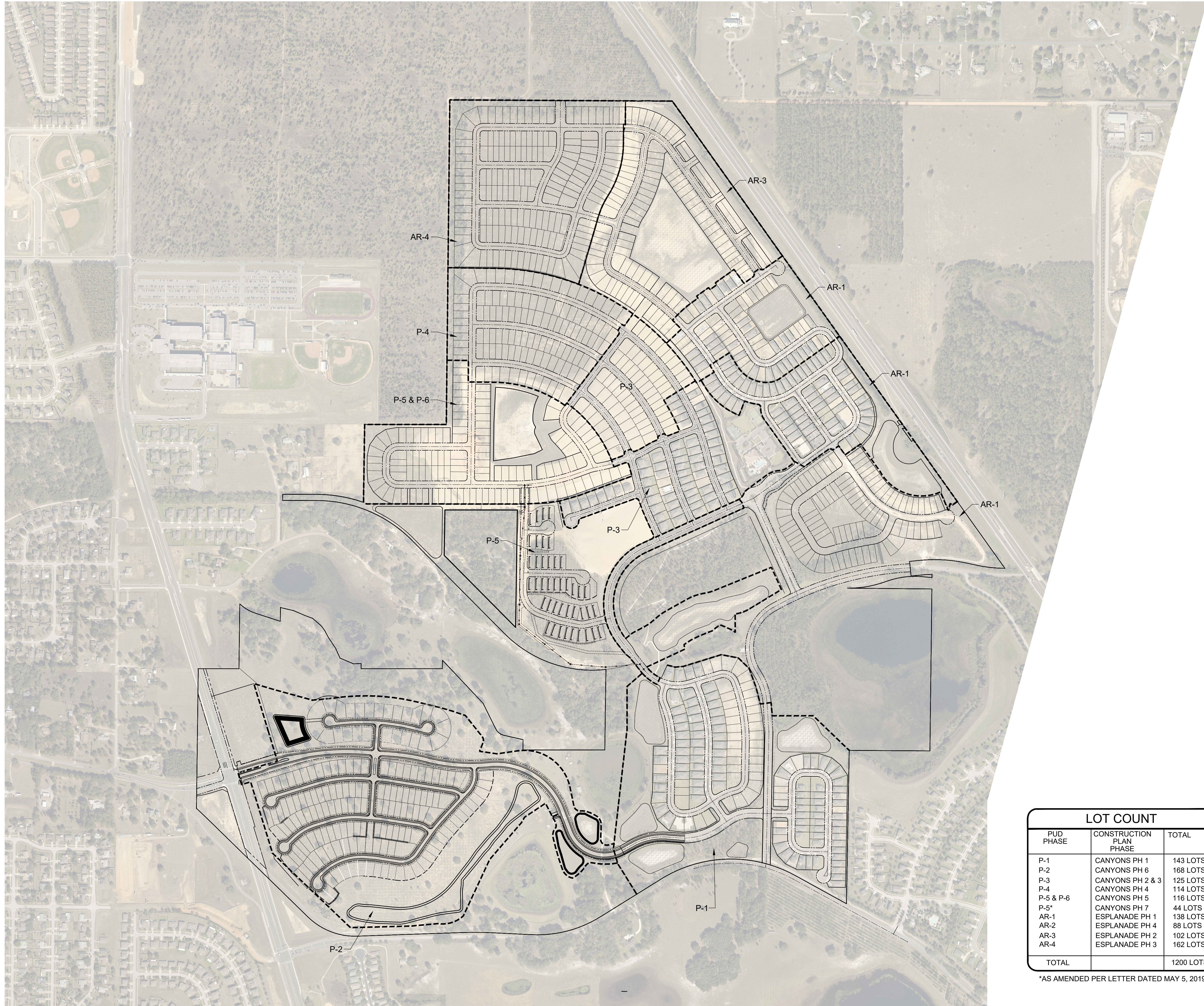
0 200 400 800
SCALE IN FEET

PREPARED FOR:

taylor morrison
Homes Inspired by You

FILE NAME: 51100E1601 08.14.2019
UPDATED: 08/14/2019

C:\Projects\51-100 Highland Ranch\Drawings-Exhibits\51-100-ET-16 PUD\Current Plans\PUD Exhibit 08.14.2019.dwg
8/14/2019 4:53:55 PM



LOT COUNT		
PUD PHASE	CONSTRUCTION PLAN PHASE	TOTAL
P-1	CANYONS PH 1	143 LOTS
P-2	CANYONS PH 6	168 LOTS
P-3	CANYONS PH 2 & 3	125 LOTS
P-4	CANYONS PH 4	114 LOTS
P-5 & P-6	CANYONS PH 5	116 LOTS
P-5*	CANYONS PH 7	44 LOTS
AR-1	ESPLANADE PH 1	138 LOTS
AR-2	ESPLANADE PH 4	88 LOTS
AR-3	ESPLANADE PH 2	102 LOTS
AR-4	ESPLANADE PH 3	162 LOTS
TOTAL		1200 LOTS

*AS AMENDED PER LETTER DATED MAY 5, 2019



**WALDROP
ENGINEERING**

CIVIL ENGINEERING & LAND
DEVELOPMENT CONSULTANTS
9432 CAMDEN FIELD PARKWAY
RIVERVIEW, FL 33575
P: 813-443-8282 F: 813-443-8285
EMAIL: info@waldropengineering.com

FLORIDA CERTIFICATE OF AUTHORIZATION #8636

HIGHLAND RANCH
OVERALL SITE PLAN

PREPARED FOR:

FILE NAMEPUD EXHIBIT 08.14.2019
UPDATED: 2019/08/14



CONDITIONAL USE PERMIT (CUP)
APPLICATION

DATE: August 21, 2019

FEE: \$845
+ cost of advertisement

PROJECT NAME (if applicable): Highland Ranch Planned Unit Development (PUD)

APPLICANT: Waldrop Engineering, P.A.

CONTACT PERSON: Bryan Gaines, AICP

Address: 2600 Maitland Center Parkway, Suite 262

City: Maitland State: Florida Zip: 32751

Phone: 407-775-6500 Fax: 407-775-6599

E-Mail: Bryan.Gaines@WaldropEngineering.com

OWNER: Taylor Morrison of Florida, Inc. - Orlando Division

Address: 2600 Lake Lucien Drive, Suite 350

City: Maitland State: Florida Zip: 32751

Phone: 407-629-0077 Fax: _____

Address of Subject Property: N/A

General Location: 579 Acres generally located north of Old Highway 50 and
southwest of the Florida Turnpike

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

Land Use (City verification required): Master Planned Development Land Use District

Zoning (City verification required): Planned Unit Development (PUD)

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



OWNER / AGENT AUTHORIZATION FORM

Date: August 16, 2019

I/we, (print property owner name(s)) Taylor Morrison of Florida, Inc., as the property owners(s) of the real property described as follows, Highland Ranch PUD 14705 Old Highway 50, do hereby authorize John B. Gaines, Waldrop Engineering, P.A. (print agent's name) to act as my/our agent, to execute any petitions or other documents necessary (excluding impact fee deferral agreements) to affect the application approval requested and more specifically described as follows, Conditional Use Permit - Short Form Modification, and to appear on my/our behalf before any administrative or legislative body in the City considering this application and to act in all respects as our agent in matters pertaining to the application. I/we hereby grant permission for staff to conduct a site visit in conjunction with this application.

Matt Young, P.E.

Signature

Print Name of Property Owner

Date

Signature

Print Name of Property Owner

Date

State of Florida

County of Orange

The foregoing instrument was acknowledged before me this 21st day of August, 2019, by Matt Young, who is personally known to me or who has produced as identification and who did or did not take an oath.

(Seal)



Notary Public (Signature)

My Commission Expires: Feb 10, 2021

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: 10090811
Phone: (352) 241-7331
Date: 09/19/19
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 i	09/24/2019	10/15/2019	\$185.20

LEGAL NOTICE hours prior to the public hearings.

Notice is hereby given that the City of Clermont will consider a request to amend Resolution 2013-17 and Resolution 2016-10 to allow for an amendment to the Planned Unit Development (PUD) Master Development Plan, to convert a designated commercial parcel to residential use for the development of single-family residential lots, at the following location:

Tracy Ackroyd Howe, MMC
City Clerk

Ad No: 10090811
September 24, 2019 &
October 15, 2019

LOCATION

Highland Ranch Planned Unit Development (FKA Black West)
579 acres +/-

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

The Planning & Zoning Commission will consider this request on Tuesday, October 1, 2019 at 6:30pm.

A public meeting to consider the request will be held before the City Council on Tuesday, October 22, 2019 at 6:30pm.

All public meeting are held at the Clermont City Hall, Council Chamber, located at 685 W. 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

Payment Info	
Ad Price	\$185.20
Tax	\$0.00
Sub Total	\$185.20
Prepaid Amount	\$0.00
Balance Due	\$185.20



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date

Tuesday, October 1, 2019

Agenda Item Name

Ordinance No. 2019-40

Hartwood Marsh Senior Facility Comp Plan Amendment

Requested Action

Recommend denial of Ordinance 2019-40

Staff Report

The applicant, First Baptist Church of Clermont, is requesting a Future Land Use change from Low Density Residential to High Density Residential on 6.19 acres of the subject property. The parcel is located on the southeast corner of Hartwood Marsh and Hancock Road. This request is being heard concurrently with a rezoning from R-1, Single Family Residential to a Planned Unit Development (PUD) to allow for construction of a three (3) story Assisted Living Facility. The 6.19 +/- acre parcel is part of the parent parcel of 38 acres owned by the First Baptist Church and approved for a church facility and supportive accessory uses to the church, with Conditional Use Permit (Resolution No 2018-03). The CUP required the Assisted Living Facility to have a separate public hearing process before development.

The proposed map amendment will change the future land use from City of Clermont Low Density Residential, which allows up to three (3) units per acre, to City of Clermont High Density Residential, which allows up to twelve (12) units per acre, and a variety of housing types with a (PUD) Planned Unit Development.



The Goal of the Future Land Use is to ensure that the character, magnitude and location of all land use provide a system for orderly growth and development achieve a balanced natural environment; that enhances the quality of life of all residents.

The Clermont Comprehensive Plan Objective 1.2: The City shall consider the compatibility of adjacent future land use categories during the land use plan amendment process. The City shall consider potential maximum densities and intensities and the appropriate transition of uses, densities and intensities.

The Clermont Comprehensive Plan Policy 1.6.3: High Density Residential Land Use Category: Areas delineated on the FLUM for high-density residential development shall accommodate a maximum of 12 dwelling units per acres; however, densities higher than eight units per acre shall require a conditional use permit. Nursing homes, assisted living facilities and independent living facilities shall be permitted in high-density residential land use as a planned unit development (PUD) consistent with land development regulations and may have a maximum intensity of 3.0 FAR.

Section 86-226, Review criteria requires specific requirements of the land development code are adequate to ensure compatibility with adjoining properties as required by the comprehensive plan. Staff has reviewed the application as submitted and finds the requested amendment to the comprehensive plan is not consistent with the surrounding land use of Low Density Residential with single-family residential uses. The proposed commercial development may be seen as undesirable at this location and may not have sufficient traffic capacity off Hartwood Marsh Road to support the more intense and higher density land use. The High Density Land Use does not provide the appropriate transition of the less intense surrounding neighborhoods and therefore is in conflict with the Clermont Comprehensive Plan

Staff recommends denial of Ordinance No. 2019-40.

Additional Analysis

Fiscal Impact Summary

Fiscal Impact

Fund Number and Description

Available Budget Amount

Exhibits Attached (copies of original agreements)

- | | | |
|----|--|--|
| 1. | 2019-40 Hartwood Marsh Senior Living CPA | 2019-40 Hartwood Marsh Senior Living CPA.pdf |
| 2. | FLU MAP | FLU MAP.pdf |
| 3. | Property Survey | GERMANA2LG1B-signed.pdf |
| 4. | Legal Description | GERMANA2LG1C-signed.pdf |
| 5. | Hartwood Marsh Senior Living CPA Application | Hartwood Marsh Senior Living CPA Application.pdf |
| 6. | Legal AD | D051128 ORD 2019-40.pdf |



CITY OF CLERMONT
ORDINANCE NO. 2019-40

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

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

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

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

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

SECTION 1.

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

LEGAL DESCRIPTION

A PORTION OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 IN SECTION 10, TOWNSHIP 23 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, LESS ANY ROAD RIGHT OF WAY CONTAINED THEREIN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 10; THENCE N89°59'29E ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 10, A DISTANCE OF 1336.68 FEET TO A POINT; THENCE S00°37'09W ALONG THE EAST



CITY OF CLERMONT
ORDINANCE NO. 2019-40

LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 10, A DISTANCE OF 14.84 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S00°37'09"W ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 10, A DISTANCE OF 610.07 FEET TO A POINT; THENCE N90°00'00"W, A DISTANCE OF 439.44 FEET TO A POINT; THENCE N00°00'00"W A DISTANCE OF 608.84 FEET A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF HARTWOOD MARSH ROAD; THENCE N89°59'21"E ALONG SAID SOUTH RIGHT-OF-WAY LINE PER OFFICIAL RECORD BOOK 393, PAGE 935, A DISTANCE OF 209.51 FEET TO A POINT; THENCE N00°00'39"W, A DISTANCE OF 1.81 FEET TO A POINT; THENCE S89°50'27"E, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 236.51 FEET TO THE POINT OF BEGINNING.

CONTAINING 269,912 SQUARE FEET OR 6.196 ACRE, MORE OR LESS.

CHANGE IN FUTURE LAND USE CLASSIFICATION

FROM: LOW DENSITY RESIDENTIAL
TO: HIGH DENSITY RESIDENTIAL

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.

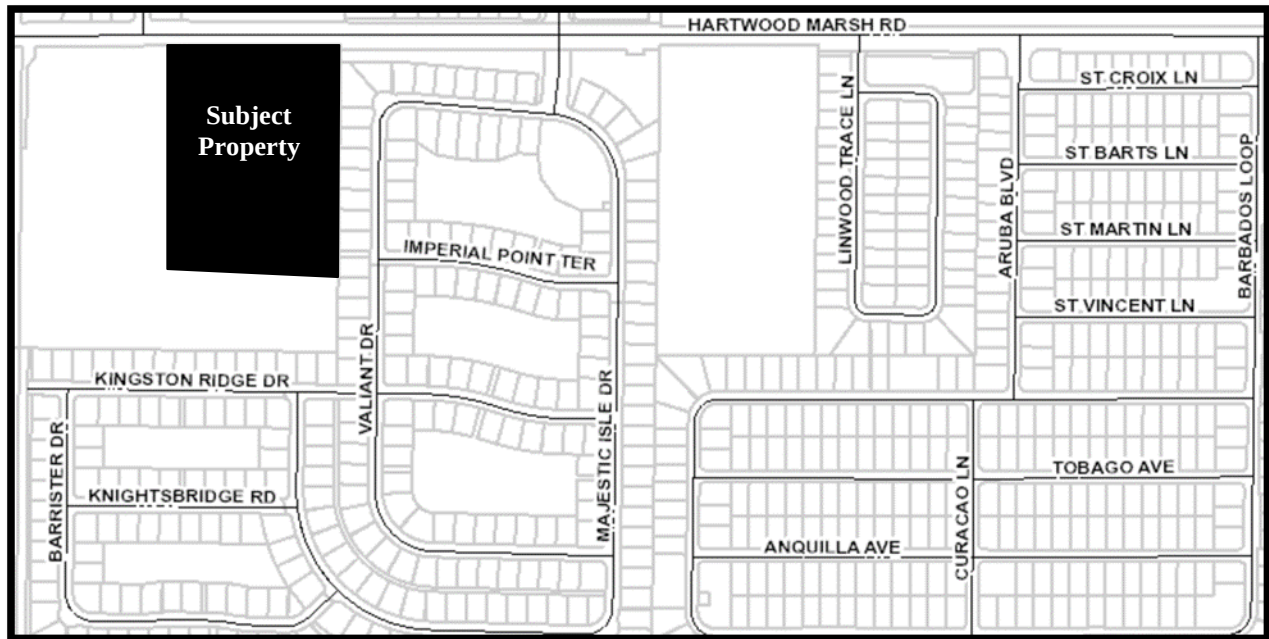
SECTION 3.

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. 2019-40

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida, this ____ day of _____.

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

CLERMONT FLU MAP

Master Planned Development

Small Scale Comp Plan Amendment Request:

FROM: Low Density Residential

TO: High Density Residential

PF

COMMERCIAL

High Density Residential

Low Density Residential

Legend

- City Limits
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Residential/Office
- Office
- Downtown MU
- Commercial
- Conservation
- Industrial
- Master Planned Development
- Parks
- Public Fac/Institutional

POINT OF COMMENCEMENT
NW CORNER OF SW 1/4
SECTION 10-23-26

HARTWOOD MARSH ROAD

POINT OF BEGINNING

S00°37'09"W
14.84'

N89°59'29"E 1336.68'

N89°59'21"E S89°50'27"E

S R/W LINE PER
MAP BOOK 8,
PAGES 23-23

N LINE OF NW 1/4, SW 1/4
SECTION 10-23-26

608.84'

209.51' 236.51'
35.16'

S R/W LINE PER
ORB 393, PG 935

1.50'

RIGHT OF WAY
ORB 4131, PAGE 136

W LINE OF NW 1/4, SW 1/4
SECTION 10-23-26

NW 1/4, SW 1/4
SECTION 10-23-26

PROPOSED PARCEL
AREA: 269,912 SF
OR 6.196 AC±

N90°00'00"W
439.44'

E LINE OF NW 1/4, SW 1/4
SECTION 10-23-26

REGENCY HILLS PHASE 1
PLAT BOOK 41, PAGES 32-36

REGENCY HILLS PHASE 2
PLAT BOOK 49, PAGES 51-56

REGENCY HILLS PHASE 3
PLAT BOOK 49, PAGES 57-61

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N00°00'39"W	1.81'

S LINE OF NW 1/4, SW 1/4
SECTION 10-23-26

LEGEND:

--- CENTERLINE
--- RIGHT OF WAY LINE
ORB OFFICIAL RECORDS BOOK
SF SQUARE FEET
R/W RIGHT-OF-WAY

GENERAL NOTES:

1. THE PURPOSE OF THIS SKETCH IS TO DELINEATE THE DESCRIPTION ATTACHED HERETO. THIS DOES NOT REPRESENT A BOUNDARY SURVEY.
2. THE SURVEYOR HAS NOT ABSTRACTED THE LANDS SHOWN HEREON FOR EASEMENTS AND OR RIGHT-OF-WAY RECORDS.
3. THE BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF THE SW 1/4, SECTION 10-23-26, BEING N89°59'29"E, ASSUMED PER PLAT BOOK 48, PAGES 32-36.

PREPARED FOR:

**THE FIRST BAPTIST
CHURCH OF CLERMONT, INC.**

SKETCH OF DESCRIPTION

CERTIFICATION:

I HEREBY CERTIFY THAT THIS LEGAL DESCRIPTION AND SKETCH IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS LEGAL DESCRIPTION AND SKETCH MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J - 17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027 OF THE FLORIDA STATUTES. SUBJECT TO NOTES AND NOTATIONS SHOWN HEREON.

THIS 17th DAY OF September, 2019

Digitally signed by Gregory S. Locklin
DN: cn=Gregory S. Locklin, o=Locklin & Associates, Inc.,
ou=Quality Control, email=greglocklin@gmail.com, c=US
Date: 2019.09.17 09:18:36 -0400

Gregory S Locklin, Professional Land Surveyor No. 5619
Land Surveyor Business License No. 6906
VALID ONLY WITH SIGNATURE AND EMBOSSED SEAL



LOCKLIN & ASSOCIATES, INC.

SURVEYORS & MAPPERS

315 SPRINGVIEW DRIVE

SANFORD, FL. 32773

WORK: 407/878-2737 MOBILE: 407/580-0916

EMAIL: greglocklin@gmail.com

No.	DATE	REVISION
-----	------	----------

DRAWN BY: GSL

CHECKED BY: GSL

DRAWING FILE:
GERMANA2LG1.DWG

DATE:
9/17/19

PROJECT No.
GERMANA2

SCALE:
1" = 300'

SHEET
OF 2 2

LEGAL DESCRIPTION

A PORTION OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 IN SECTION 10, TOWNSHIP 23 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, LESS ANY ROAD RIGHT OF WAY CONTAINED THEREIN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 10; THENCE N89°59'29"E ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 10, A DISTANCE OF 1336.68 FEET TO A POINT; THENCE S00°37'09"W ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 10, A DISTANCE OF 14.84 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S00°37'09"W ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 10, A DISTANCE OF 610.07 FEET TO A POINT; THENCE N90°00'00"W, A DISTANCE OF 439.44 FEET TO A POINT; THENCE N00°00'00"W A DISTANCE OF 608.84 FEET A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF HARTWOOD MARSH ROAD; THENCE N89°59'21"E ALONG SAID SOUTH RIGHT-OF-WAY LINE PER OFFICIAL RECORD BOOK 393, PAGE 935, A DISTANCE OF 209.51 FEET TO A POINT; THENCE N00°00'39"W, A DISTANCE OF 1.81 FEET TO A POINT; THENCE S89°50'27"E, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 236.51 FEET TO THE POINT OF BEGINNING.

CONTAINING 269,912 SQUARE FEET OR 6.196 ACRE, MORE OR LESS.



LOCKLIN & ASSOCIATES, INC.

SURVEYORS & MAPPERS

**315 SPRINGVIEW DRIVE
SANFORD, FL 32773**

VOICE: (407) 273-0356 FAX/DATA: 282-7850

Digitally signed by Gregory S. Locklin
DN: cn=Gregory S. Locklin, o=Locklin &
Associates, Inc., ou=Quality Control,
email=greglocklin@gmail.com, c=US
Date: 2019.09.17 09:39:21 -04'00'

A handwritten signature in black ink, appearing to be 'G. Locklin', written over a horizontal line.

SHEET 1 OF 2

Comp 1909-0002

paid ck 1401

**CITY OF CLERMONT
COMPREHENSIVE PLAN AMENDMENT
Application**

DATE: 08/30/19

FEE: \$755.00

Project Name (if applicable): Clermont- Hartwood Marsh Senior Housing Community

Applicant: First Baptist Church of Clermont

Contact Person: William Lawson

Address: 498 W. Montrose Street

City: Clermont State: Florida Zip: 34711

Phone: 352-394-4221 Fax: _____

E-Mail: billy@progressiveplumbing.com

OWNER: First Baptist Church of Clermont

Address: 498 W. Montrose Street

City: Clermont State: Florida Zip: 34711

Phone: 352-394-4221 Fax: _____

E-Mail: billy@progressiveplumbing.com

General Location: Hartwood Marsh Road east of Hancock Road

Legal Description (include copy of survey): See Attached

Property size (in acres or square feet): 6.19 Acres (Approximate)

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

Existing (Actual) Land Use: Undeveloped. Approved Church campus project

Existing Zoning: R-1

Existing Future Land Use: Low Density Residential

Proposed Future Land Use: High Density Residential

Type of development proposed: Senior Housing Community

Proposed density (dwelling units/acre) or intensity: 139 Residents

Proposed Zoning District: PUD

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).

The proposed project will consist of a Senior Living Facility. A single building will be provided consisting of a 1-Story Memory Care wing for approximate 32 residents, a 1 1/2 story amenity wing, and a 3 story Assisted Living wing for approximately 100 residents. The exterior of the project encompasses residential style material for enhance compatibility with the surrounding neighborhood.

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

APPLICANT'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE:

Before me, the undersigned authority personally appeared

William E. Lawson

_____, 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 Low Density Residential to High Density Residential 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.

WILLIAM E. LAWSON
Affiant - Applicant Name (print)

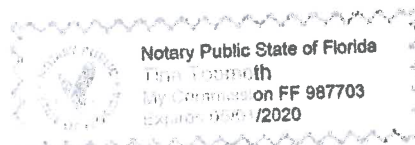
X William E. Lawson
Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

or personally known by me this 30th day of August, 2019.

X Glenn Deamoth
Notary Public, State of Florida at Large

My Commission Expires: 05/01/2020



OWNER'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE:

Before me, the undersigned authority personally appeared

William E. Lawson

_____ 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 Low Density Residential to High Density Residential for the property legally described on the attachment of this application.
3. That the owner of said property has appointed William E. Lawson 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.

WILLIAM E. LAWSON X

Affiant - Applicant Name (print)

William E. Lawson

Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

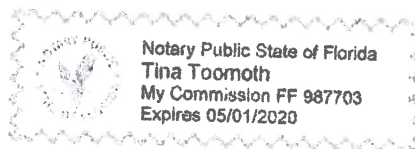
or personally known by me this 30th day of August, 2019.

X

Tina Toomoth

Notary Public, State of Florida at Large

My Commission Expires: 05/01/2020



CITY OF CLERMONT
NOTICE OF PROPOSED LAND
USE CHANGE
Small-Scale Comprehensive
Plan Amendment
ORDINANCE NO. 2019-40

The City of Clermont will hold public hearings on Tuesday, October 1, 2019 at 6:30 p.m. before the Planning and Zoning Commission; and Tuesday, October 8, 2019 at 6:30 p.m. (1st reading of the adoption ordinance) and Tuesday, October 22, 2019 (final reading of the adoption ordinance) at 6:30 p.m. before the City Council to consider a proposed change to the City's Future Land Use Map. The map amendment would change the Future Land Use designation for the 6.19 +/-acre parcel below from Clermont Low Density Residential to Clermont High Density Residential. Alternate Key 1593905.



Location:
Vacant parcel located at the Southeast corner of Hartwood Marsh Road and Hancock Road
(Alternate Key #1593905, 6.19 acres +/-)

Ordinance No. 2019-40
An Ordinance of the City of Clermont, Florida, adopting the small-scale comprehensive plan amendment for the City of Clermont, Florida, pursuant to the Local Government Comprehensive Planning Act, Chapter 163, Part II, Florida Statutes; setting forth the authority for adoption of the small-scale comprehensive plan amendment; setting forth the purpose and intent of the small-scale comprehensive plan amendment; providing for the adoption of the small-scale comprehensive plan amendment; establishing the legal status of the small-scale comprehensive plan amendment; providing a severability clause; and providing an effective date.

The public hearings are in the Council chambers of City Hall, 685 W. Montrose Street, and are open to public comment. Please call (352) 241-7305 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

D051128 - September 18 & October 15, 2019

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

PLEASE READ CAREFULLY • SUBMIT CORRECTIONS ONLINE

LF-D051128 (100%)

ADVERTISER: CITY OF CLERMONT-LEGALS
SALES PERSON: LFD001
SIZE: 2X10
PUBLICATION: LF-DAILY COMMERCIAL

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NEXT RUN DATE: 09/18/19
PROOF DUE: 09/17/19 12:59:55



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date	
Tuesday, October 1, 2019	
Agenda Item Name	
Ordinance No. 2019-41 <i>Hartwood Marsh Senior Facility Rezoning</i>	
Requested Action	
Recommend denial of Ordinance No. 2019-41	
Staff Report	
The owner, First Baptist Church of Clermont, is requesting to rezone approximately 6.19 acres of the 38 acres parent parcel to a Planned Unit Development (PUD) to allow for development of an Assisted Living Facility. The current zoning of the property is R-1 Single Family Medium Density Residential zoning. The R-1 zoning category allows a church use with a Conditional Use Permit. The City Council approved on February 27, 2018 a CUP (Resolution No. 2018-03) to allow a Master Planned Church Facility with ancillary uses to support the church ministry. The Master Development Plan included a Concept Plan with different uses as a school, recreation field, multi-purpose buildings and a parking garage. The plan also included an Assisted Living Facility, which required a new/ separate approval process. The Assisted Living Facility is not a permitted use in the R-1 zoning and not compatible or allowed in the Low Density Residential Land Use. The applicant is also requesting a land use change from Low Density to High Density Residential.  The applicant has provided a conceptual site plan, prepared by Germana Engineering, showing the proposed layout of the Assisted Living Facility. The Assisted Living Facility parcel as proposed; will be sold; developed and operated by a private developer or company and is not part of the church facility. The project will consist of a three (3) story Assisted Living Facility, for up to 100 residents and a one (1) story Memory Care building/wing for up to 32 residents and a one (1) story Commons/Amenity building/wing for the residents. The maximum building area (Total) shall not exceed 62,000 square feet. The applicant is not requesting any waivers to the Land Development Code. Staff has reviewed the application as submitted and finds the proposed development plan does not meet the standards and intent of Section 122-315, Review Criteria for a PUD. The intensity of the commercial development is	

not consistent with the surrounding zoning and residential uses. (1) The parcel is not suitable in location and character for the uses and structures proposed and is in conflict with the surrounding development pattern. (2) The proposed development in relation to major transportation facilities and the ability to minimize the generation of increased traffic to local and collector streets in residential neighborhoods. (3) The physical character and development of the site in relation to surrounding properties is out of character with the less intense residential neighborhoods. Therefore, staff recommends denial of Ordinance 2019- 41 for a (PUD) Planned Unit Development rezoning for subject property.

Additional Analysis

Fiscal Impact Summary

Fiscal Impact

Fund Number and Description

Available Budget Amount

Exhibits Attached (copies of original agreements)

- | | | |
|----|--|--|
| 1. | Ord. 2019-41 Hartwood Marsh Senior Living Facility PUD | Ord. 2019-41 Hartwood Marsh Senior Living Facility PUD.pdf |
| 2. | Zoning Map | Zoning Map.pdf |
| 3. | Hartwood Marsh Senior Housing Community-CONCEPT | Hartwood Marsh Senior Housing Community-CONCEPT.pdf |
| 4. | Hartwood Marsh SHC Elevations-Concept | Clermont-Hartwood Marsh SHC.pdf |
| 5. | REZ Application | REZ Application.pdf |
| 6. | ORDINANCE 2019-41 Legal AD | ORDINANCE 2019-41.pdf |



CITY OF CLERMONT
ORDINANCE NO. 2019-41

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

A PORTION OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 IN SECTION 10, TOWNSHIP 23 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, LESS ANY ROAD RIGHT OF WAY CONTAINED THEREIN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 10; THENCE N89°59'29E ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 10, A DISTANCE OF 1336.68 FEET TO A POINT; THENCE S00°37'09W ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 10, A DISTANCE OF 14.84 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S00°37'09W ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 10, A DISTANCE OF 610.07 FEET TO A POINT; THENCE N90°00'00"W, A DISTANCE OF 439.44 FEET TO A POINT; THENCE N00°00'00"W A DISTANCE OF 608.84 FEET A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF HARTWOOD MARSH ROAD; THENCE N89°59'21"E ALONG SAID SOUTH RIGHT-OF-WAY LINE PER OFFICIAL RECORD BOOK 393, PAGE 935, A DISTANCE OF 209.51 FEET TO A POINT; THENCE N00°00'39"W, A DISTANCE OF 1.81 FEET TO A POINT; THENCE S89°50'27"E, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 236.51 FEET TO THE POINT OF BEGINNING.

CONTAINING 269,912 SQUARE FEET OR 6.196 ACRE, MORE OR LESS.

LOCATION

Vacant property located at the northeast corner of Hartwood Marsh Road and Hancock Road
(Eastern portion of Alternate Key 1593905)

From: Single Family Medium Density Residential (R-1)
To: Planned Unit Development (PUD)



CITY OF CLERMONT
ORDINANCE NO. 2019-41

SECTION 2. General Conditions

This application for a Planned Unit Development to allow for a three (3) story Assisted Living Facility, for up to 100 residents and a one (1) story Memory Care building/wing for up to 32 residents and a one (1) story Commons/Amenity building/wing for the residents. The maximum building area (Total) shall not exceed 62,000 square feet, 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 Exhibit A - Planned Unit Development (PUD) Conceptual Development Plan prepared by Germana Engineering, LLC. Formal construction plans incorporating all conditions stated in this Ordinance shall be submitted for review and approved by the Site Review Committee prior to the issuance of a Zoning Clearance or any other development permits.
3. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.

SECTION 3. Land Uses and Specific Conditions

1. The project may consist of a three (3) story Assisted Living Facility for up to 100 residents and a one (1) story Memory Care building/wing for up to 32 residents and a one (1) story Commons/Amenity building/wing for the residents. The maximum building area (Total) shall not exceed 62,000 square feet.
2. Building Setbacks

From Hartwood Marsh Road	70 feet from the property line
Side Setback (Neighborhood)	50 feet from the property line
Side Setback (Church)	15 feet from the property line
Rear Setback	20 feet from the property line
3. Landscape Buffers

Hartwood Marsh Road	30 feet wide Landscape Buffer
East Buffer (Neighborhood)	30 feet wide Landscape Buffer
South Buffer (Rear)	20 feet wide Landscape Buffer
West Buffer	34 feet wide Landscape Buffer
4. All landscape buffers shall provide an additional 30 percent more plant material, which includes trees and shrubs, to enhance the site and provide the appropriate buffers for the adjacent less intense residential zoning and uses.



CITY OF CLERMONT
ORDINANCE NO. 2019-41

5. Architectural features and building height shall not exceed 50 feet, measured at the highest point. Elevators are required for the three (3) story buildings.
6. The buildings shall be designed and constructed in a manner that is similar to the architectural style and elevations as presented in Exhibit B – Elevations and shall meet the City of Clermont’s Architectural Standards. The exterior of the project shall encompass Residential style materials and façade treatments to enhance compatibility with the surrounding residential neighborhoods.
7. The project shall be developed according to the C-1 Light Commercial zoning district in the Land Development Code, unless expressly stated above.

SECTION 4.

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

SECTION 5.

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

SECTION 6.

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

Exhibit A



Exhibit B





CITY OF CLERMONT
ORDINANCE NO. 2019-41

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

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

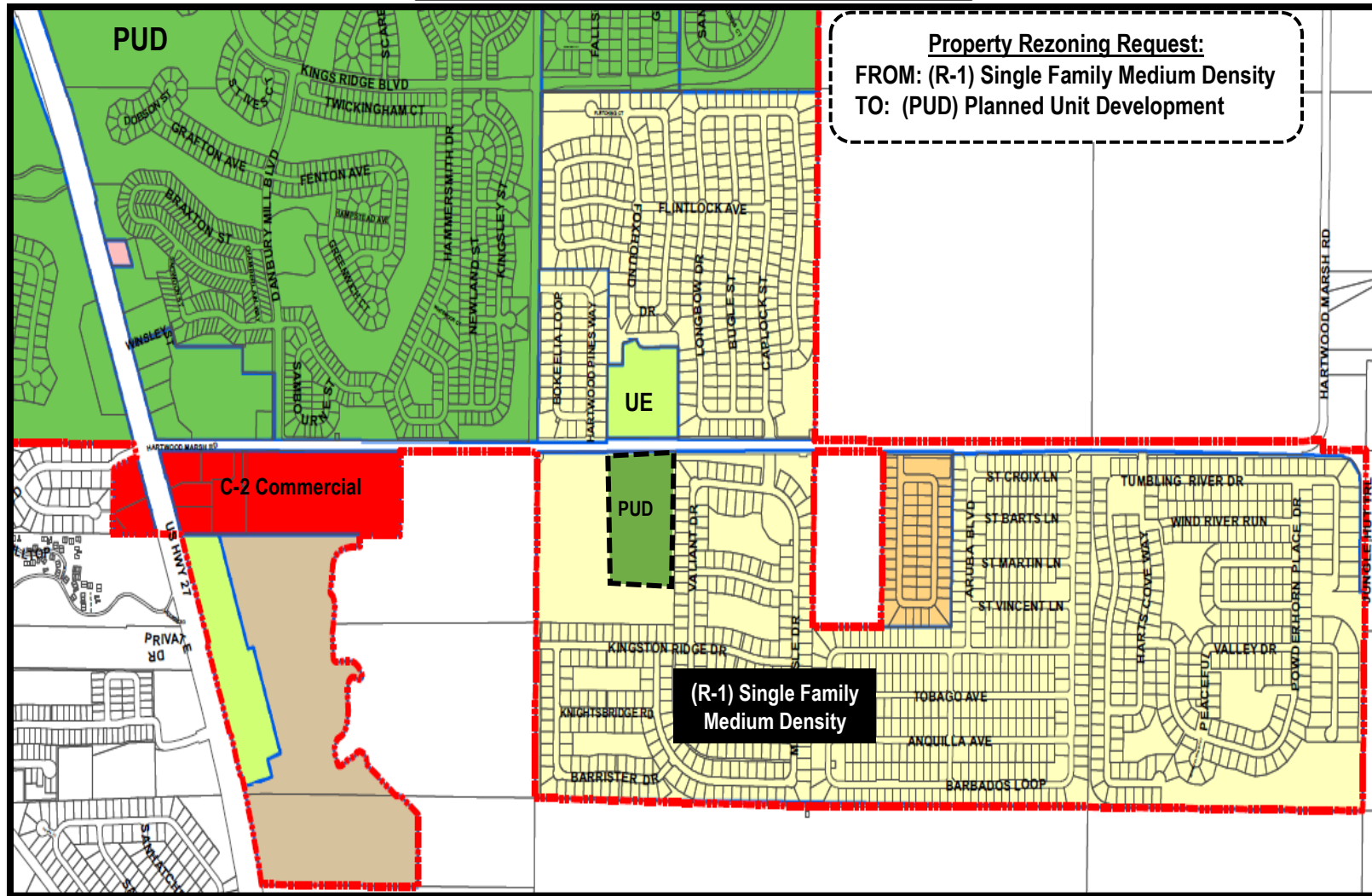
Tracy Ackroyd Howe, MMC, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Zoning Map

Property Rezoning Request:
FROM: (R-1) Single Family Medium Density
TO: (PUD) Planned Unit Development

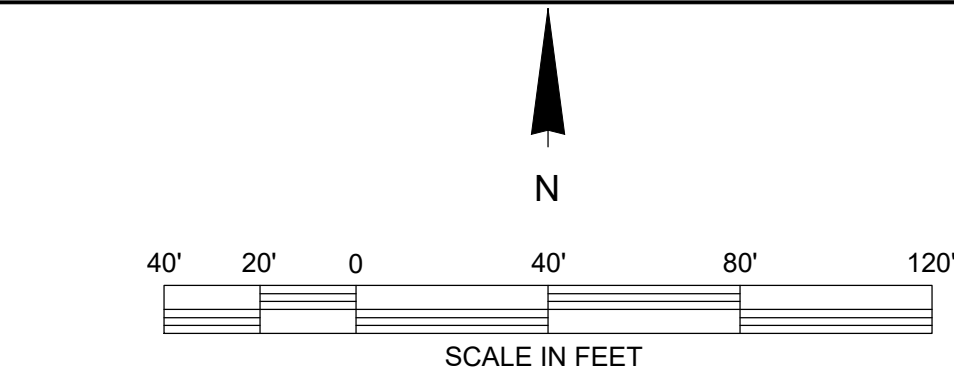
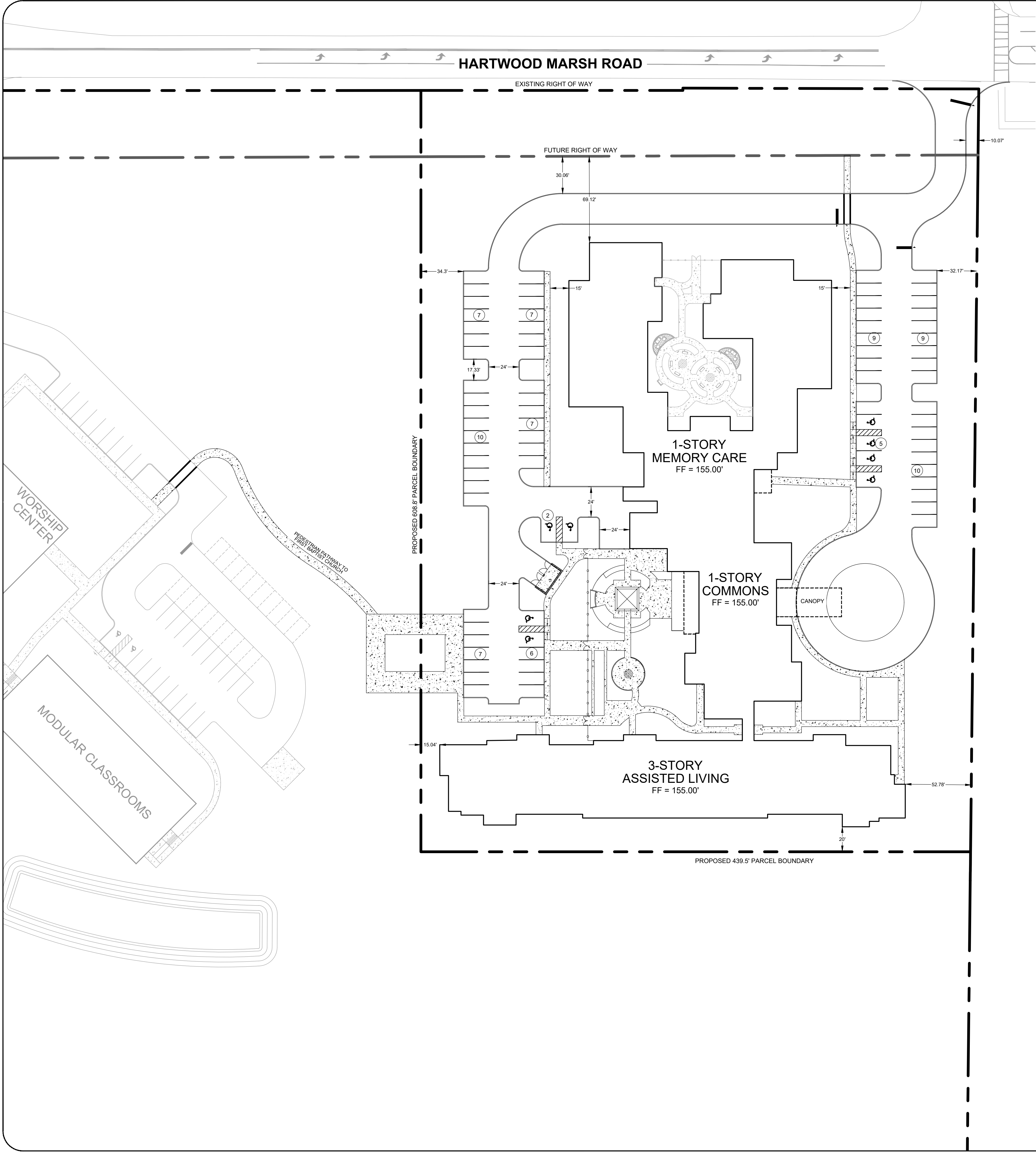


Legend

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



LEGEND

- PROPERTY LINE
- PROPOSED CONCRETE
- PARKING COUNT
- PAVEMENT CENTERLINE

NOTES

- PROJECT SITE SHALL COMPLY WITH THE FLORIDA ACCESSIBILITY CODE FOR BUILDING CONSTRUCTION, 2017 EDITION.

SITE DATA

- SITE AREA = 6.19 AC / 269,821 SF (INCLUDES 0.27 AC / 11,817 SF FUTURE RW DEDICATION)

SITE LOCATION

HANCOCK ROAD AND HARTWOOD MARSH
CLERMONT, FLORIDA 34711
SECTION 10, TOWNSHIP 23 SOUTH, RANGE 26 EAST

SITE DESCRIPTION

TAX PARCEL (ALT KEY): 1593905
ZONING: PUD

SETBACK AND LANDSCAPE BUFFER INFORMATION

FRONT SETBACK: 70'
SIDE SETBACK (NEIGHBORHOOD): 50'
SIDE SETBACK (FBCC): 15'
REAR SETBACK: 20'

NORTH LANDSCAPE BUFFER: 30'
EAST LANDSCAPE BUFFER: 30'
SOUTH LANDSCAPE BUFFER: 20'
WEST LANDSCAPE BUFFER: 34'

BUILDING DATA

BUILDING TYPE: 1-STORY / 3-STORY ASSISTED LIVING FACILITY
FINISHED FLOOR: 155.00'
BUILDING HEIGHT: 48' - 0"
BUILDING AREA (TOTAL): 61,542 SF

PARKING CALCULATIONS

REQUIRED PARKING (ADULT CONGREGATE LIVING FACILITY)

(1 SPACE / 4 BEDS) * (132 BEDS) = 33 SPACES REQUIRED

(1 SPACE / 4 EMPLOYEES) * (48 EMPLOYEES) = 12 SPACES REQUIRED

TOTAL PARKING REQUIRED = 45 SPACES

PROVIDED PARKING = 79 SPACES PROVIDED

REQUIRED HANDICAP PARKING

50-100 SPACES PROVIDED: 2 HANDICAP REQUIRED

PROVIDED HANDICAP PARKING = 8 SPACES PROVIDED

PRELIMINARY
NOT FOR CONSTRUCTION
NOT FOR PERMITTING
08-07-19

CHRISTOPHER M. GERMANA, P.E.
FLORIDA PROFESSIONAL ENGINEER # 61682
FIRM CERTIFICATE OF AUTHORIZATION # 29279

REVISIONS		DATE
No.		
CONCEPT SITE PLAN		
HARTWOOD MARSH SENIOR HOUSING COMMUNITY		
CLERMONT, FLORIDA		
PROJECT # GEO152019		
GERMANA ENGINEERING AND ASSOCIATES, LLC		
1120 WEST MINNEOLA AVENUE		
CLERMONT, FLORIDA 34711		
TEL: 352/242-9329		
WWW.GERMANAENGINEERING.COM		
CERTIFICATE OF AUTHORIZATION NUMBER: 29279		
COPYRIGHT © 2019		
SCALE: 1" = 40'		
DATE: -		
SHEET		
CONCEPT		













CITY OF CLERMONT
REZONING
APPLICATION

REZ 1909-0002

paid ck 070488

DATE: _____

FEE: \$542.⁰⁰
+ cost of advertisement

PROJECT NAME (if applicable): Hartwood Marsh Senior Living

APPLICANT: First Baptist Church of Clermont

CONTACT PERSON: William Lawson

Address: 498 W. Montrose Street

City: Clermont State: Florida Zip: 34711

Phone: 352-394-4221 Fax: _____

E-Mail: billy@progressiveplumbing.com

OWNER: First Baptist Church of Clermont

Address: 498 W. Montrose Street

City: Clermont State: Florida Zip: 34711

Phone: 352-394-4221 Fax: _____

Address of Subject Property: 2751 Hartwood Marsh Road

Legal Description (include copy of survey): See Attached

Acreage: 6.19 (Approx) Land Use: Low Density Residential
(City verification required)

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



CITY OF CLERMONT
REZONING
APPLICATION
Page 2

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

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

The proposed project will consist of a Senior Living Facility. A single building will be provided consisting of a 1-story Memory Care wing for approximately 32 residents, and 1-1/2 story community amenity wing, and a 3-story Assisted Living wing for approximately 100 residents. The exterior of the project encompasses residential style materials for enhance compatibility with the surrounding neighborhood.

William E Lawson
Applicant Name (print)

X William E Lawson
Applicant Name (signature)

William E Lawson
Owner Name (print)

X William E Lawson
Owner Name (signature)

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

PROPERTY RECORD CARD

General Information

Owner Name:	FIRST BAPTIST CHURCH OF CLERMONT INC	Alternate Key:	1593905
Mailing Address:	498 W MONTROSE ST CLERMONT, FL 34711-2259 Update Mailing Address	Parcel Number:	10-23-26-0003-000-00500
		Millage Group and City:	000C (CLERMONT)
		Total Certified Millage Rate:	17.6638
		Trash/Recycling/Water/Info:	My Public Services Map
Property Location:	HARTWOOD MARSH RD CLERMONT FL 34711 Update Property Location	Property Name:	-- Submit Property Name
		School Information:	School Locator & Bus Stop Map School Boundary Maps
Property Description:	NW 1/4 OF SW 1/4--LESS THAT PORTION OF THE 50 FT R/W LYING IN SW 1/4 & BEING 25 FT ON EACH SIDE OF THE CENTERLINE DESCRIBED AS FOLLOWS: FROM NW COR OF SW 1/4 RUN S 0-24-03 W ALONG W LINE 46.55 FT FOR POB, RUN N 89-48-48 E 1108.60 FT, N 89-46-19 E 1545.03 FT TO A POINT ON E LINE OF SAID SW 1/4 AT A POINT 25 FT S OF NE COR THEREOF & THE POINT OF TERMINUS OF THE SAID CENTERLINE & LESS FROM W 1/4 COR OF SEC RUN S 0-25-18 W 26 FT ALONG W LINE OF NW 1/4 OF SW 1/4 TO S R/W LINE OF HARTWOOD MARSH RD FOR POB, CONT S 0-25-18 W 424 FT, S 89-07-12 E 20.40 FT, N 0-52-48 E 342.35 FT, N 41-44-07 E 49.03 FT, N 0-24-31 E 45.55 FT TO S R/W LINE OF HARTWOOD MARSH RD, S 89-50-55 W ALONG SAID S R/W LINE 55.50 FT TO POB FOR RD R/W-- ORB 2036 PG 1486		
NOTE: This property description is a condensed/abbreviated version of the original description as recorded on deeds or other legal instruments in the public records of the Lake County Clerk of Court. It may not include the Public Land Survey System's Section, Township, Range information or the county in which the property is located. It is intended to represent the land boundary only and does not include easements or other interests of record. This description should not be used for purposes of conveying property title. The Property Appraiser assumes no responsibility for the consequences of inappropriate uses or interpretations of the property description.			

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class Value	Land Value
------	----------	----------	-------	-------	-----------	------	-------------	------------

Advertising Receipt

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

Account Number: 7101866
Order Number: 10090736
Phone: (352) 241-7331
Date: 09/25/19
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	09/18/2019	10/15/2019	\$337.04

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. 2019-41

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

LOCATION

Vacant parcel located at the northeast corner of Hartwood Marsh Road and Hancock Road (eastern portion of Alternate Key 1593905, 6.19 acres +/-)

LEGAL DESCRIPTION

A PORTION OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 IN SECTION 10, TOWNSHIP 23 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, LESS ANY ROAD RIGHT OF WAY CONTAINED THEREIN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 10; THENCE N89°59'29"E ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 10, A DISTANCE OF 1336.68 FEET TO A POINT; THENCE S00°37'09"W ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF

SAID SECTION 10, A DISTANCE OF 14.84 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S00°37'09"W ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 10, A DISTANCE OF 610.07 FEET TO A POINT; THENCE N90°00'00"W, A DISTANCE OF 439.44 FEET TO A POINT; THENCE N00°00'00"W A DISTANCE OF 608.84 FEET A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF HARTWOOD MARSH ROAD; THENCE N89°59'21"E ALONG SAID SOUTH RIGHT-OF-WAY LINE PER OFFICIAL RECORD BOOK 393, PAGE 935, A DISTANCE OF 209.51 FEET TO A POINT; THENCE N00°00'39"W, A DISTANCE OF 1.81 FEET TO A POINT; THENCE S89°50'27"E, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 236.51 FEET TO THE POINT OF BEGINNING. CONTAINING 269,912 SQUARE FEET OR 6.196 ACRE, MORE OR LESS.

FROM: Single Family Medium Density Residential (R-1) Zoning District
TO: Planned Unit Development (PUD) District

This Clermont Planning & Zoning Commission will consider this request on Tuesday, October 1, 2019 at 6:30 p.m. A public meeting to consider the request will be held before the City Council on Tuesday, October 8, 2019 at 6:30 p.m. for Introduction and for Final Adoption on Tuesday, October 22, 2019. All meetings will be held at City Hall, Council Chamber, 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: 10090736
September 18, 2019 &
October 15, 2019

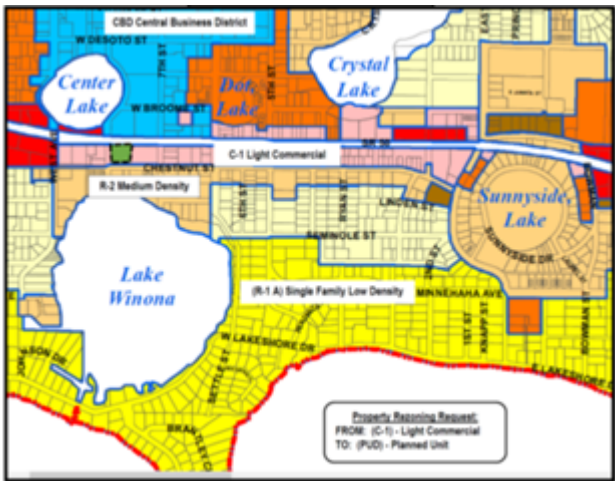
Payment Info	
Ad Price	\$337.04
Tax	\$0.00
Sub Total	\$337.04
Prepaid Amount	\$0.00
Balance Due	\$337.04

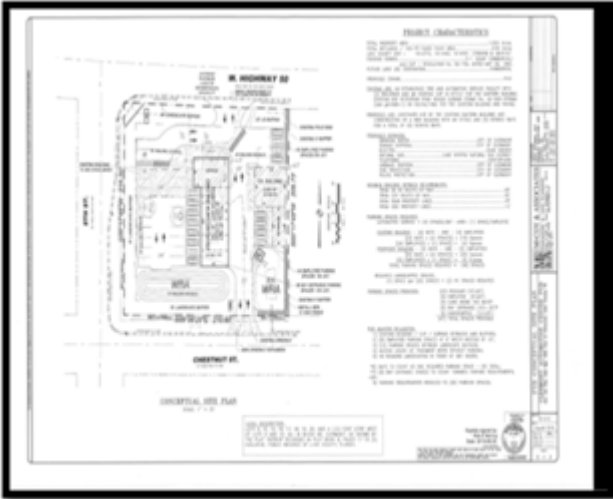


CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date	
Tuesday, October 1, 2019	
Agenda Item Name	
Ordinance No. 2019-45 <i>Clermont Auto Center Rezoning</i>	
Requested Action	
Recommend approval of Ordinance No. 2019-45.	
Staff Report	
The applicant is requesting a rezoning from C-1 Light Commercial to a Planned Unit Development (PUD) to allow for redevelopment of an existing automotive service and repair center on 1.10 +/- acres. The property is located on the corner of State Road 50 and 8th Street. The rezoning of the subject property to Planned Unit Development will allow more development flexibility to expand and redevelopment the existing auto service center.  The applicant has provided Exhibit A - PUD Site Development Plan showing the proposed layout of the site. The project may consist of a new 4,150 square foot automotive service building and office with five (5) service bays, and to allow the existing 2,320 square foot service building with four (4) service bays and existing 18 foot x 40 foot storage building, the existing retention pond, and existing five (5) foot wide landscape buffer (east) to remain as permitted with the Conditional Use Permit (Resolution No. 92-755).	



Staff has reviewed the PUD Development Plan, which allows some development to the Land Development Code. The applicant has requested several waivers to the Land Development Code.

These waivers include the following:

1. Allow the existing auto garage building with four (4) service bays, and storage building, retention pond and existing five (5) foot landscape buffer as permitted with CUP (Resolution No. 92-755) as approved.
2. Allow eight (8) employee parking spaces to be 9 feet wide and 20 feet deep (9'x20'.
3. Allow twelve (12) parking spaces in a row without a Landscape Break/Island.
4. To allow access/drive isles have 22' foot pavement width without parking.
5. To allow a reduction of parking requirements to (30) parking spaces.

Staff has reviewed the application as submitted and finds the proposal meets the intent of Section 122-315, Review Criteria for a PUD. (1) The site has access to an arterial roadway, State Road 50, which is a major transportation facility with sufficient traffic capacity. (2) The proposed rezoning to Planned Unit Development (PUD) will not change the existing use and character of site to the surrounding properties. The redevelopment of the site with a new building and landscaping will improve the existing site conditions. Public utilities are readily available and the City can provide all services. Staff recommends approval of Ordinance No. 2019-45.

Additional Analysis

Fiscal Impact Summary

Fiscal Impact

Fund Number and Description

Available Budget Amount

Exhibits Attached (copies of original agreements)

- | | | |
|----|-------------------------|-----------------------------|
| 1. | Ordinance 2019-45 Final | Ordinance 2019-45 Final.pdf |
| 2. | Location Map | Location Map.pdf |

3.	Zoning Map	Zoning Map.pdf
4.	Site Plan	Site Plan.pdf
5.	Clermont Auto Rezoning-Application 8-2019- Scanned	Clermont Auto Rezoning-Application 8-2019- Scanned.pdf
6.	ORDINANCE 2019-45 AD	ORDINANCE 2019-45.pdf



CITY OF CLERMONT
ORDINANCE NO. 2019-45

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

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

SECTION 1.

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

LEGAL DESCRIPTION

CLERMONT LOTS 9,10,15,16,17,18,19,20 and 13.5 FT STRIP WEST OF LOTS 9 and 10; ALL IN BLOCK 85, CLERMONT, AS SHOWN BY THE PLAT THEREOF RECORDED IN PLAT BOOK 8, PAGES 17 TO 23, INCLUSIVE, Public Records of Lake County, Florida, Alternate Key 1614783. Containing a total of 1.02 Acres, more or less.

LOCATION

789 West Highway 50
Alternate Key 1614775, 1614783, 1614791, 2785098, and 2879157

From: Light Commercial Zoning District (C-1)
To: Planned Unit Development Zoning District (PUD)

SECTION 2. General 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 Exhibit A - Planned Unit Development (PUD) Conceptual Development Plan prepared by McCoy and Associates. Formal construction plans incorporating all conditions stated in this Ordinance shall be submitted for review and approved by the Site Review Committee prior to the issuance of a Zoning Clearance or any 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.



CITY OF CLERMONT
ORDINANCE NO. 2019-45

SECTION 3. Land Uses and Specific Conditions

1. The project may consist of a new 4,150 square foot automotive service building and office with five (5) service bays, and to allow the existing 2,320 square foot service building with four (4) service bays and existing 18 foot x 40 foot storage building, the existing retention pond, and existing five (5) foot wide landscape buffer (east) to remain as permitted with the Conditional Use Permit (Resolution No. 92-755).
2. Building Setbacks

From State Road 50	50 feet from the property line
Side Street (8 th Street)	25 feet from the property line
Side Yard Setback	12 feet from the property line
Rear Yard Setback (Chestnut Street)	25 feet from the property line
3. Landscape Buffers

State Road 50 (Front)	20 foot wide Buffer
East Buffer (Side)	To remain as Existing
Chestnut Street (Rear)	15 foot wide Buffer
8 th Street (Side Street)	15 foot wide Buffer
4. Sidewalks shall be constructed adjacent to any streets' right-of-way for pedestrian safety and to meet ADA requirements.
5. The architectural features and building height shall not exceed 55 feet, measured at the highest point. The buildings shall be designed and constructed to meet the City of Clermont's Architectural Design Standards.
6. The project may be developed to allow a maximum of 12 parking spaces in a row without a landscape island break.
7. The existing 2,320 square foot auto service building with four (4) service bays, existing 18 foot x 40 foot storage building, the existing retention pond as approved by St. Johns River Water Management District (permit 41988-1) setbacks and the existing five (5) foot landscape buffer (east side), as permitted with the Conditional Use Permit (Resolution No. 92-755).
8. The project shall be developed according to the C-1 General Commercial zoning district in the Land Development Code, unless expressly stated above.
9. The project may be developed to allow eight (8) employee parking spaces be 9 foot wide instead of requirements of the Land Development Code.
10. The project may be developed to allow a 22 foot access aisles pavement width without parking.
11. The project may be developed with no building landscaping in front of bay doors, but landscaping will be required around the office building.



CITY OF CLERMONT
ORDINANCE NO. 2019-45

12. The project may be developed to allow a reduction of required parking spaces to a total of 30 parking spaces for the site.
13. No outside storage of tires, vehicles or auto equipment is allowed. Any overnight vehicle storage must be located inside of bays.
14. All fencing shall be ornamental wrought iron or metal, or decorative wood fencing, as approved by the Site Review Committee.

SECTION 4.

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

SECTION 5.

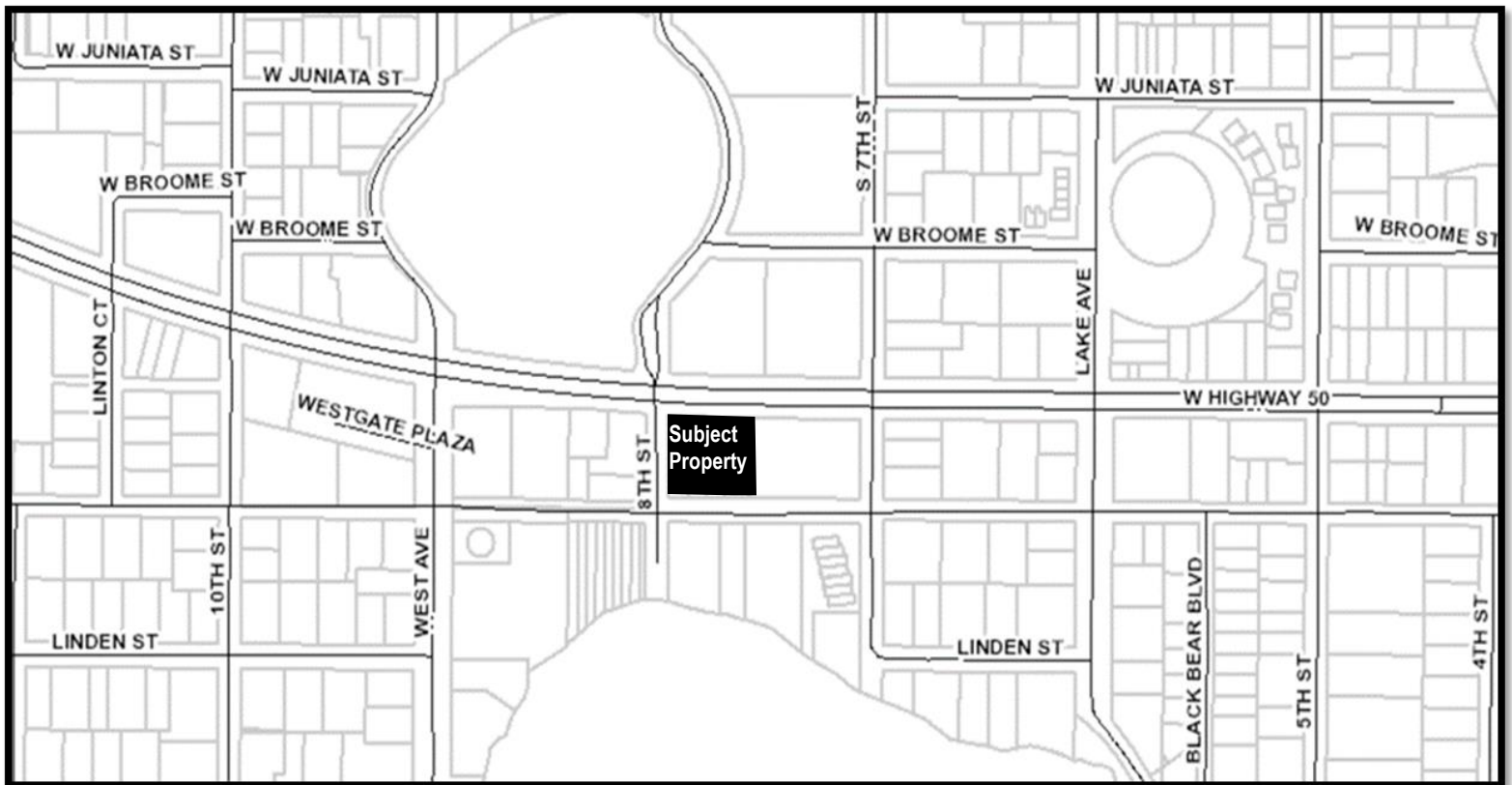
Should any Section or part of this Section be declared invalid by any court of competent jurisdiction, such adjudications shall not apply to or affect any other provision of this Ordinance, except to the extent that the entire Section or part of the Section may be inseparable in meaning and effect from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

SECTION 6.

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

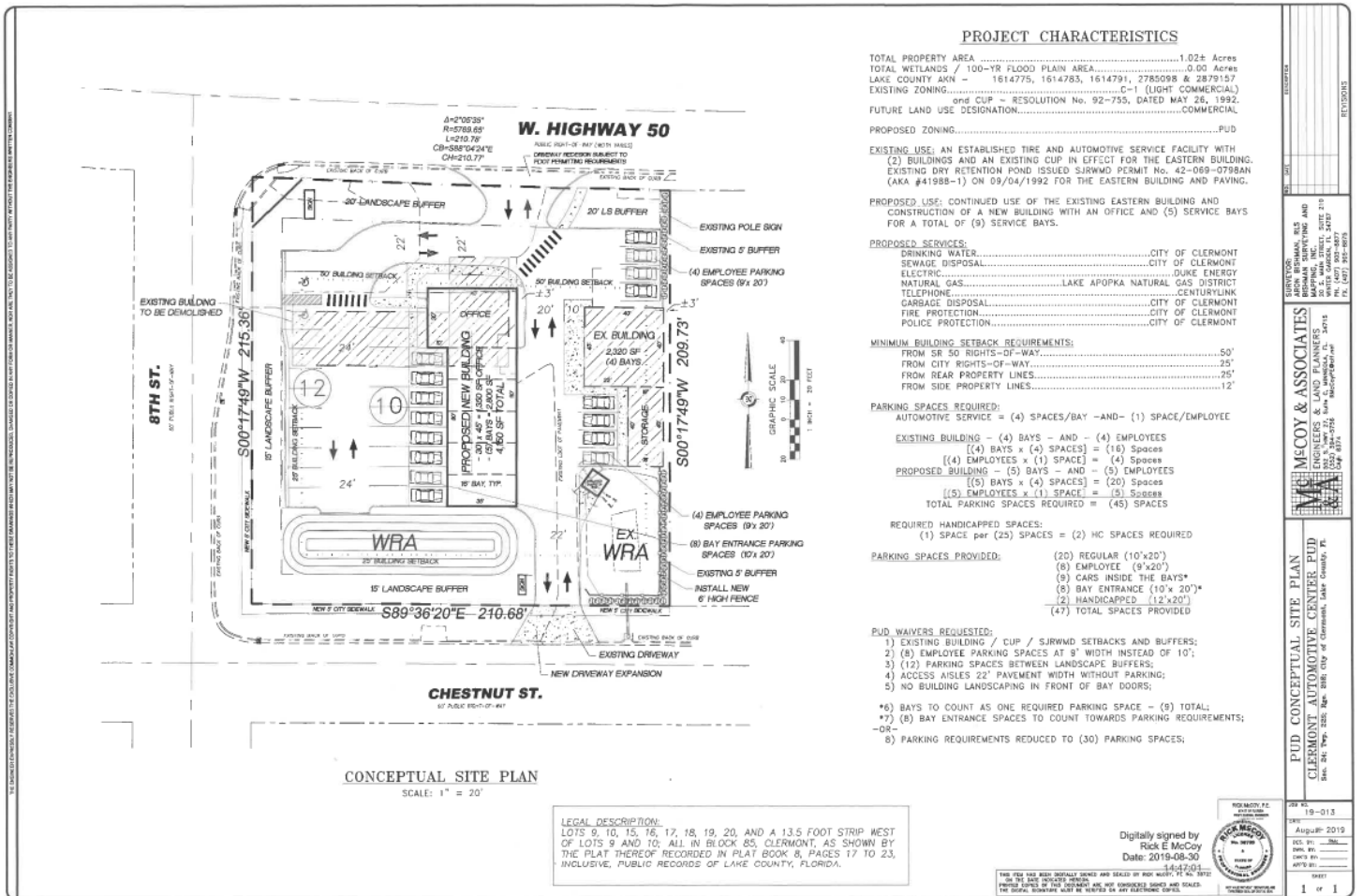
CITY OF CLERMONT
ORDINANCE NO. 2019-45

Location Map:



CITY OF CLERMONT ORDINANCE NO. 2019-45

Exhibit A





CITY OF CLERMONT
ORDINANCE NO. 2019-45

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

CITY OF CLERMONT

Gail L. Ash, Mayor

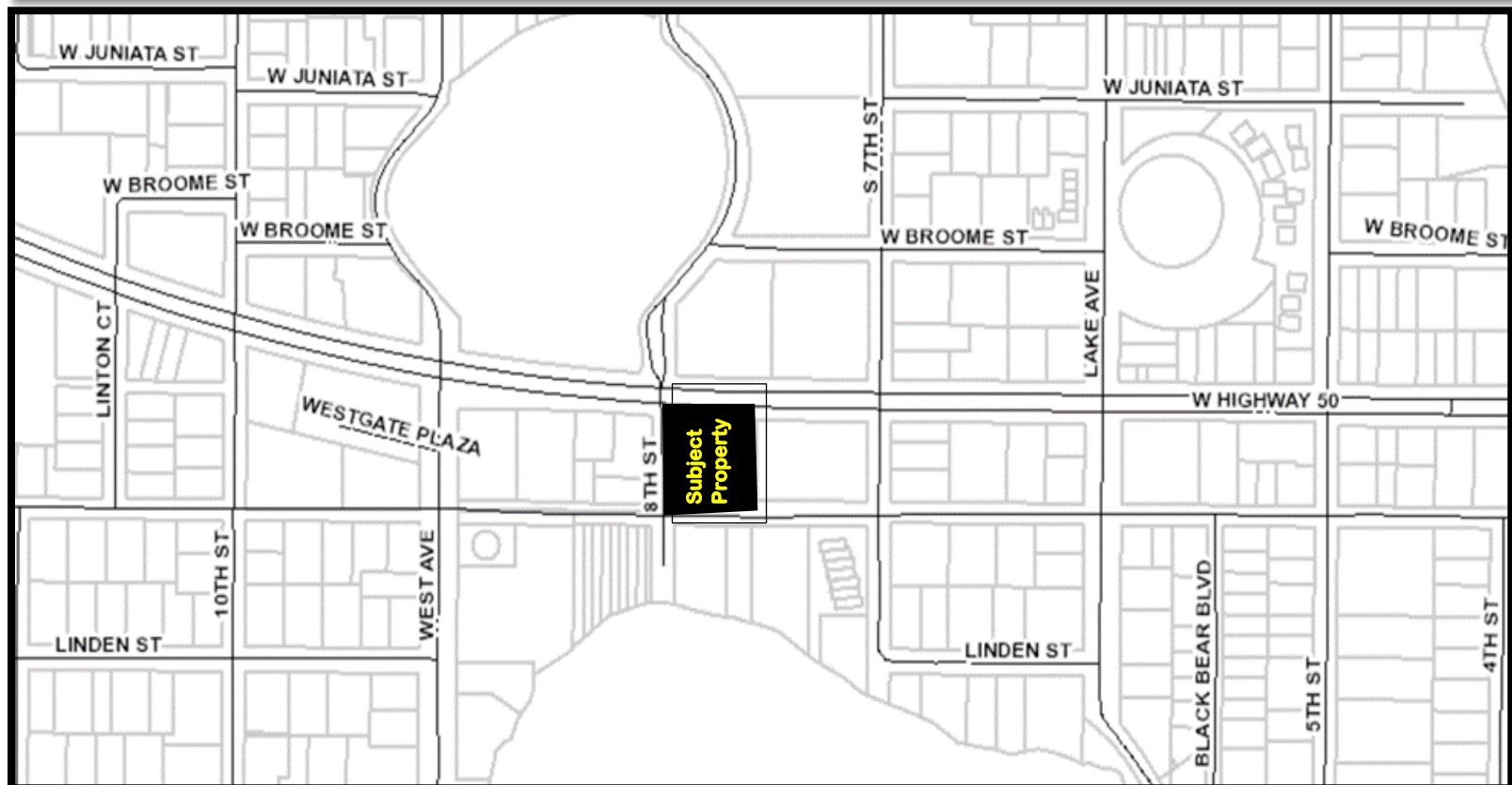
ATTEST:

Tracy Ackroyd Howe, MMC, City Clerk

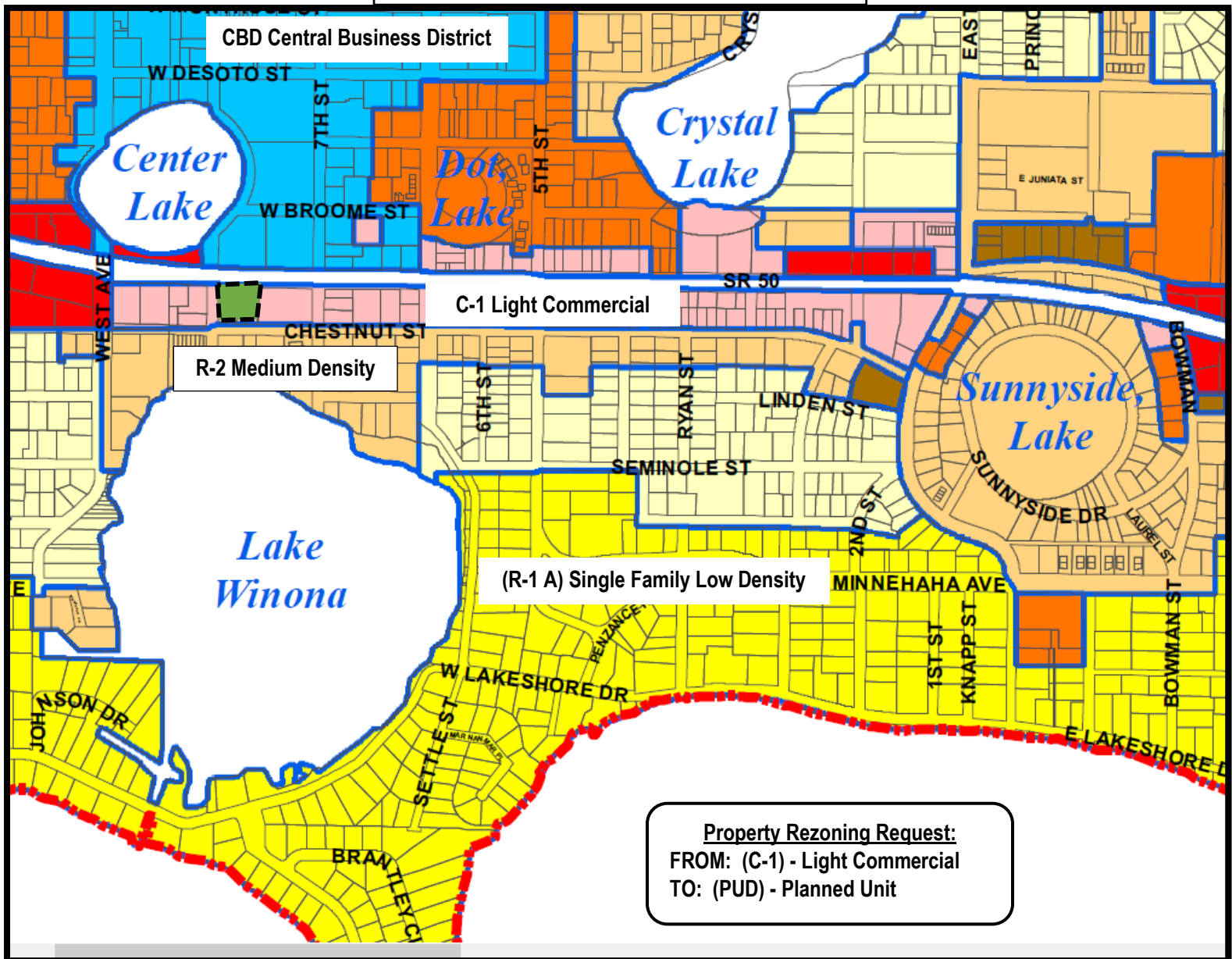
Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

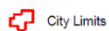
LOCATION MAP



ZONING MAP



Legend

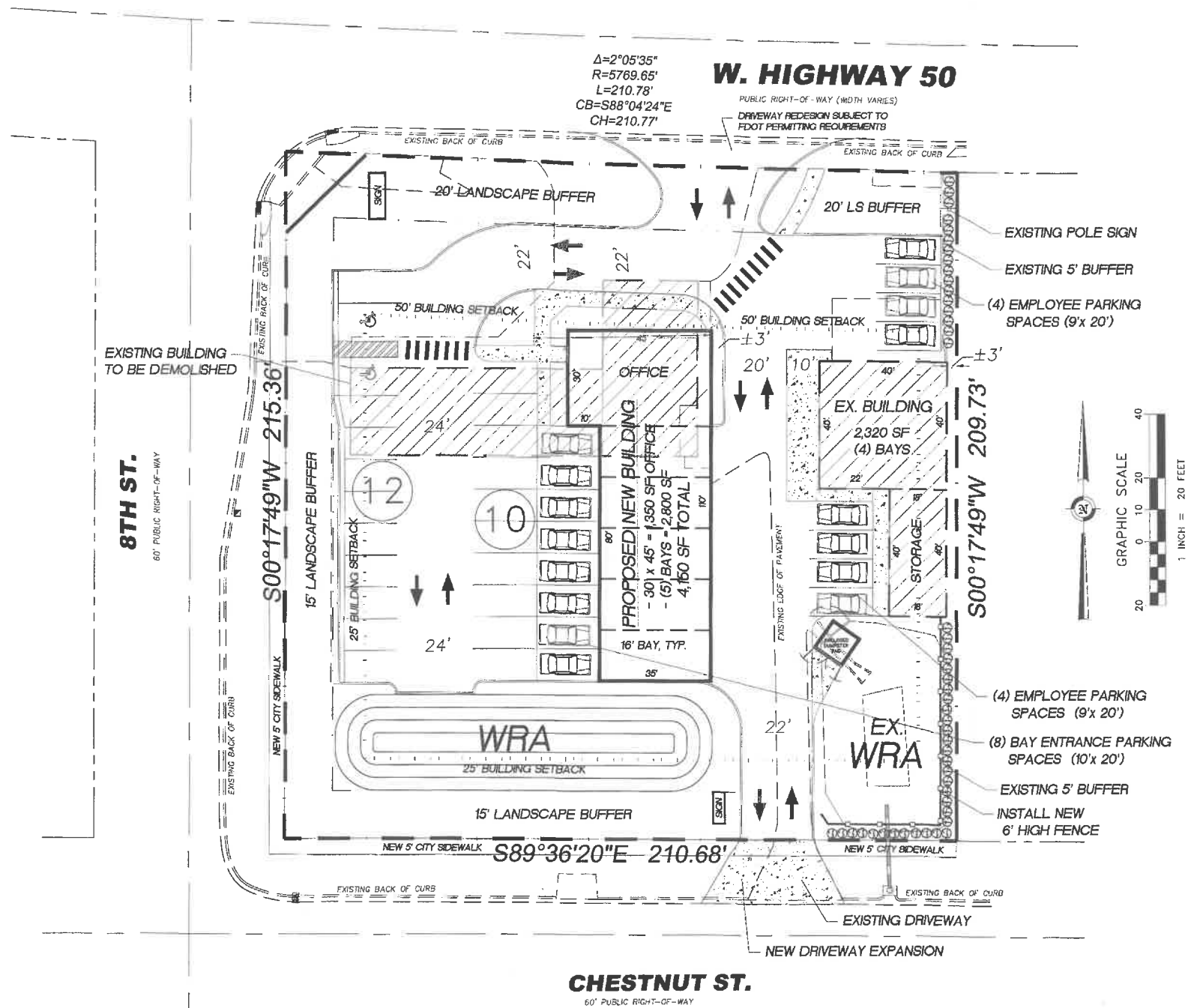


City Limits

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

THE ENGINEER EXPRESSLY RESERVES THE EXCLUSIVE COMMON-LAW 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 ENGINEER'S WRITTEN CONSENT.



CONCEPTUAL SITE PLAN
SCALE: 1" = 20'

LEGAL DESCRIPTION:
LOTS 9, 10, 15, 16, 17, 18, 19, 20, AND A 13.5 FOOT STRIP WEST OF LOTS 9 AND 10; ALL IN BLOCK 85, CLERMONT, AS SHOWN BY THE PLAT THEREOF RECORDED IN PLAT BOOK 8, PAGES 17 TO 23, INCLUSIVE, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

PROJECT CHARACTERISTICS

TOTAL PROPERTY AREA1.02± Acres
TOTAL WETLANDS / 100-YR FLOOD PLAIN AREA.....0.00 Acres
LAKE COUNTY AKN - 1614775, 1614783, 1614791, 2785098 & 2879157
EXISTING ZONING.....C-1 (LIGHT COMMERCIAL)
and CUP - RESOLUTION No. 92-755, DATED MAY 26, 1992.
FUTURE LAND USE DESIGNATION.....COMMERCIAL

PROPOSED ZONING.....PUD

EXISTING USE: AN ESTABLISHED TIRE AND AUTOMOTIVE SERVICE FACILITY WITH (2) BUILDINGS AND AN EXISTING CUP IN EFFECT FOR THE EASTERN BUILDING. EXISTING DRY RETENTION POND ISSUED SJRWMD PERMIT No. 42-069-0798AN (AKA #41988-1) ON 09/04/1992 FOR THE EASTERN BUILDING AND PAVING.

PROPOSED USE: CONTINUED USE OF THE EXISTING EASTERN BUILDING AND CONSTRUCTION OF A NEW BUILDING WITH AN OFFICE AND (5) SERVICE BAYS FOR A TOTAL OF (9) SERVICE BAYS.

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

MINIMUM BUILDING SETBACK REQUIREMENTS:
FROM SR 50 RIGHTS-OF-WAY.....50'
FROM CITY RIGHTS-OF-WAY.....25'
FROM REAR PROPERTY LINES.....25'
FROM SIDE PROPERTY LINES.....12'

PARKING SPACES REQUIRED:
AUTOMOTIVE SERVICE = (4) SPACES/BAY -AND- (1) SPACE/EMPLOYEE

EXISTING BUILDING - (4) BAYS - AND - (4) EMPLOYEES
[(4) BAYS x (4) SPACES] = (16) Spaces
[(4) EMPLOYEES x (1) SPACE] = (4) Spaces
PROPOSED BUILDING - (5) BAYS - AND - (5) EMPLOYEES
[(5) BAYS x (4) SPACES] = (20) Spaces
[(5) EMPLOYEES x (1) SPACE] = (5) Spaces
TOTAL PARKING SPACES REQUIRED = (45) SPACES

REQUIRED HANDICAPPED SPACES:
(1) SPACE per (25) SPACES = (2) HC SPACES REQUIRED

PARKING SPACES PROVIDED:
(20) REGULAR (10'x20')
(8) EMPLOYEE (9'x20')
(9) CARS INSIDE THE BAYS*
(8) BAY ENTRANCE (10'x 20')*
(2) HANDICAPPED (12'x20')
(47) TOTAL SPACES PROVIDED

PUD WAIVERS REQUESTED:
1) EXISTING BUILDING / CUP / SJRWMD SETBACKS AND BUFFERS;
2) (8) EMPLOYEE PARKING SPACES AT 9' WIDTH INSTEAD OF 10';
3) (12) PARKING SPACES BETWEEN LANDSCAPE BUFFERS;
4) ACCESS AISLES 22' PAVEMENT WIDTH WITHOUT PARKING;
5) NO BUILDING LANDSCAPING IN FRONT OF BAY DOORS;

*6) BAYS TO COUNT AS ONE REQUIRED PARKING SPACE - (9) TOTAL;
*7) (8) BAY ENTRANCE SPACES TO COUNT TOWARDS PARKING REQUIREMENTS;
-OR-
8) PARKING REQUIREMENTS REDUCED TO (30) PARKING SPACES;

Digitally signed by
Rick E McCoy
Date: 2019-08-30
14:47:01

THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY RICK MCCOY, PE No. 38722 ON THE DATE INDICATED HEREON. PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED. THE DIGITAL SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.



PUD CONCEPTUAL SITE PLAN
CLERMONT AUTOMOTIVE CENTER PUD
Sec. 24; Twp. 22S; Rge. 25E; City of Clermont, Lake County, FL.

JOB NO. 19-013
DATE August 2019
DES. BY: RMc
DWN. BY:
CHK'D BY:
APP'D BY:
SHEET 1 OF 1

McCOY & ASSOCIATES
ENGINEERS & LAND PLANNERS
552 S. HWY 27, Suite C, MINNEOLA, FL 34715
(352) 394-5756
RMcCoyPE@att.net
CA# 8374

SURVEYOR:
ARON BISHMAN, RLS
BISHMAN SURVEYING AND
MAPPING, INC.
20 S. MAIN STREET, SUITE 210
WINTER GARDEN, FL 34787
PH. (407) 905-8877
FX. (407) 905-8875

REVISIONS



CITY OF CLERMONT
REZONING
APPLICATION

DATE: August 28, 2019

FEE: \$542.⁰⁰
+ cost of advertisement

PROJECT NAME (if applicable): CLERMONT AUTOMOTIVE & TIRE CENTER, INC.

APPLICANT: Jimmy Crawford, Esq.

CONTACT PERSON: Jimmy Crawford

Address: 702 West Montrose Street

City: Clermont State: FL Zip: 34711

Phone: 352-432-8644 Fax: 352-432-8699

E-Mail: jcrawford@cmhlawyers.com

OWNER: Clermont Automotive & Tire Center, Inc.

Address: 789 W. Highway 50

City: Clermont State: FL Zip: 34711

Phone: 352-394-6262 Fax: _____

Address of Subject Property: 789 West Highway 50, Clermont, FL 34711

Legal Description (include copy of survey): Lots 9, 10, 15, 16, 17, 18, 19, 20 and a 13.5 foot strip West of Lots 9 and 10; All in Block 85, Clermont, as shown by the Plat thereof recorded in Plat Book 8, Pages 17 to 23, Inclusive, Public Records of Lake County, Florida

Acreage: 1.1 acre Land Use: Commercial
(City verification required)

Present Zoning: C-1 Light Commercial Proposed Zoning: PUD (C-2)
(City verification required)



CITY OF CLERMONT
REZONING
APPLICATION
Page 2

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

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

Continued use as allowed by CUP (Resolution No. 92-755) as an established tire and automotive service facility utilizing the existing eastern building and construction of a new replacement building with office and (5) service bays (for a total of 9 service bays).

PUD Waivers Requested:

- 1) Existing Building/CUP SJRWMD Setbacks & Buffers; 2) (8) Employee Parking Spaces at 9' Width instead of 10'; 3)(12) Parking spaces Between Landscape Buffers; 4) Access Aisles 22' Pavement Width Without Parking; 5) No Building Landscaping in Front of Bay doors; 6) Each Inside Bay to Count as One Required Parking Space (9) Total, 7) Outside Bay Door Spaces to Count Toward Parking Requirements; OR 8) Parking Requirements to (30) Parking Spaces.

Applicant Name (print)

X

Applicant Name (signature)

Owner Name (print)

X

Owner Name (signature)

SUSANA GIBSON
STEVEN P. GIBSON

Susana Gibson
Steven P. Gibson

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



**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?

Continued use as allowed by CUP (Resolution No. 92-755) as an established tire and automotive service facility utilizing the existing eastern building and construction of a new replacement building with office and (5) service bays (for a total of 9 service bays).

PUD Waivers Requested:

1) Existing Building/CUP SJRWMD Setbacks & Buffers; 2) (8) Employee Parking Spaces at 9' Width instead of 10'; 3)(12) Parking spaces Between Landscape Buffers; 4) Access Aisles 22' Pavement Width Without Parking; 5) No Building Landscaping in Front of Bay doors; 6) Each Inside Bay to Count as One Required Parking Space (9) Total, 7) Outside Bay Door Spaces to Count Toward Parking Requirements; OR 8) Parking Requirements to (30) Parking Spaces.

Jimmy D. Crawford
Applicant Name (print)

X [Signature]
Applicant Name (signature)

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

63-215/631

No. 4572

JOHN K. BICKERTON 10-09
JOAN M. BICKERTON
8706 SOUTHERN BREEZE DR.
ORLANDO, FL 32836-5009

DATE 8/30/2019 MP

\$ 542.00

Pay to the order of City of Clemon

Five hundred forty two and no/100 Dollars



SUNTRUST

ACH RT 061000104

Reasoning Clemon Automotive, Inc. John K. Bickerton

⑆063102152⑆1000088198815⑆4572

Heat
Reactive
INK

MP

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: 10090697
Phone: (352) 241-7331
Date: 09/23/19
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	09/17/2019	10/15/2019	\$230.24

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. 2019-45

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

LOCATION

789 West Highway 50, Clermont, FL
Alternate Key 1614775, 1614783,
1614791, 2785098, and 2879157

LEGAL DESCRIPTION

CLERMONT LOTS
9,10,15,16,17,18,19,20 and 13.5 FT
STRIP WEST OF LOTS 9 and 10; ALL
IN BLOCK 85, CLERMONT, AS
SHOWN BY THE PLAT THEREOF RE-
CORDED IN PLAT BOOK 8, PAGES 17
TO 23, INCLUSIVE, Public Records of
Lake County, Florida, Alternate Key
1614783. Containing a total of 1.02
Acres, more or less.

FROM: City C-1 Light Commercial
Zoning District
TO: City Planned Unit Development
(PUD) District

This Clermont Planning & Zoning
Commission will consider this request
on Tuesday, October 1, 2019 at 6:30
p.m. A public meeting to consider
the request will be held before the
City Council on Tuesday, October 8,
2019 at 6:30 p.m. for Introduction
and for Final Adoption on Tuesday,

October 22, 2019. All meetings will
be held at City Hall, Council Chamber,
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: 10090697
September 17, 2019

Payment Info	
Ad Price	\$230.24
Tax	\$0.00
Sub Total	\$230.24
Prepaid Amount	\$0.00
Balance Due	\$230.24