



CITY OF CLERMONT
PLANNING AND ZONING COMMISSION AGENDA
6:30 PM, Tuesday, July 7, 2020
City Hall – 685 W. Montrose Street, Clermont, FL

CALL TO ORDER
PLEDGE OF ALLEGIANCE
MINUTES
REPORTS
NEW BUSINESS

Item 1 - Resolution 2020-30R

Table to August 4, 2020

Artwalk Eatery CUP

Item 2 - Ordinance No 2020-24

Governor's Lake PUD Amendment

Consider ordinance to amend a Planned Unit Development (PUD) for property located at the southeast corner of US Highway 27 and Citrus Tower Blvd.

Item 3 - Ordinance No. 2020-16

Hartwood Marsh Assisted Living Facility CPA

Consider Future Land Use change from low density residential to high density residential for property located at the southeast corner Hartwood Marsh and Hancock Road.

Item 4 - Ordinance No. 2020-17

Hartwood Marsh Assisted Living Facility

Consider Rezoning from R-1 Single Family Medium Density Residential to Planned Unit Development (PUD) for property located at the southeast corner of Hartwood Marsh Road and Hancock Road.

Item 5 - Resolution 2020-29R

Woodhouse Spa CUP

Consider a Conditional Use Permit to allow for a structure to be more than 3,000 square feet in the CBD Central Business District for property located at the southeast corner of West Ave. and Osceola Street.

Item 6 - Resolution 2020-21R

South Lake Hospital Bed Expansion CUP

South Lake Hospital is requesting a new inpatient tower with up to 110 beds and rerouting of the main entrance to Legend's Way at their South Lake Health Campus.

Item 7 - Resolution 2020-33R

Clermont Oncology CUP

The applicant is requesting an amendment to a Conditional Use Permit to re-designate the uses on Parcel I in the Lost Lake Reserve Development to allow office use. The 5.5 +/- acre project is located on the Northwest corner of Steve's Road and Citrus Tower Blvd.

CITY OF CLERMONT
PLANNING AND ZONING COMMISSION AGENDA
6:30 PM, Tuesday, July 7, 2020
City Hall – 685 W. Montrose Street, Clermont, FL

Item 8 - Ordinance No. 2020-25
Medical Marijuana Dispensary

Consider ordinance to allow Medical Marijuana Dispensaries as a permitted use in designated zoning districts.

Item 9 - Ordinance No 2020-28
School Concurrency Amendment

Consider ordinance to amend Clermont Code of Ordinances, Chapter 90 Concurrency Management, Section 90-31 School Concurrency.

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.

Pursuant to Executive Order 20□52 of the State of Florida, and the City of Clermont Resolution 202-□14R, a Virtual or Semi□ Virtual meeting of the Clermont City Council, and its boards and committees, may be held and simulcast from Clermont City Hall. The purpose of a virtual or semi□-virtual meeting is to convene in order to ensure the continuity of government, the delivery of essential services, protecting the interests of property owners and preserving the public health, welfare and safety. Meetings shall be hosted from the City Council Chambers at Clermont City Hall 685 W. Montrose Street, Clermont, FL 34711.

Please note that Governor DeSantis' Executive Order 20□69 suspended the requirement of a quorum to be present in person or requires a local government body to meet at a specific public place. The Executive Order also allows local government bodies to utilize communications media technology, such as telephonic and video conferencing for local government body meetings.

Meetings that are being broadcast live are viewable at the City's YouTube Channel: <https://www.youtube.com/cityofclermontgovernment>

The public shall have the following communication avenues to address the City Council or the Board as may be permitted by law:

1. The public or applicant may address the council or board in person via a live video conference feed available at 685 W. Montrose Street, Clermont, FL 34711 where City will provide and operate technology to facilitate dialog. The location shall be established according to the Center for Disease Control guidelines and other reasonable precautions shall be implemented, maintained and monitored by the City.
2. The public or applicant may send a comment or statement to be entered at the Council or Board meeting at the appropriate time. The email address shall

CITY OF CLERMONT
PLANNING AND ZONING COMMISSION AGENDA
6:30 PM, Tuesday, July 7, 2020
City Hall – 685 W. Montrose Street, Clermont, FL

be: cityclerk@clermontfl.org

- 3.** The public or applicant may mail or deliver to City Hall on or before 2 p.m. EST of the day of the meeting to which the statement applies. The written statement shall be read at the Council or Board meeting at the appropriate time.

These procedures shall remain in place until the State of Florida moves into State Reopening Plan Phase 2 allowing fifty (50) or more people to gather in a single place, and/or the City Manager relaxes the restrictions put in place under the declaration of local emergency and Resolution 2020-14R.

Please visit www.clermontfl.gov for detailed instructions on how to access the virtual stream and provide public comment using any of the previously mentioned options. Meeting agendas are available on the city website and will be posted on the exterior doors of City Hall.

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
PLANNING AND ZONING COMMISSION AGENDA
6:30 PM, Tuesday, July 7, 2020
City Hall – 685 W. Montrose Street, Clermont, FL

Meeting Date		
Tuesday, July 7, 2020		
Agenda Item Name		
Ordinance No 2020-24 <i>Governor's Lake PUD Amendment</i>		
Requested Action		
Recommend approval of Ordinance No 2020-24		
Staff Report		
The owner, South Lake Connector, LLC is requesting to amend a Planned Unit Development PUD (Ordinance No 2017-02); the property is also known as (Kings Crossing Commercial), this amendment request will allow the subject property be removed from the Lost Lake DRI Master Development Order, (Ordinance No. 464-M); which was approved on November 26, 2002. The property is located at the southeast corner of Citrus Tower Blvd. and US Hwy 27. The current PUD zoning allows C-1 Light Commercial permitted uses. The City Council approved on January 10, 2017 (Ordinance No 2017-02) rezoning the property from C-1 to Planned Unit Development. At that time, the existing stormwater pond (labeled Tract F) in the Master Development Plan was relocated as part of the platting process and approved by Lake County. The conceptual plan submitted and approved with the PUD identified the pond relocation and allocated C-1 uses over the former pond tract. Currently that portion of the property identified as (Lost Lake Tract F) is being sold to the Veterans Administration for the new VA outpatient clinic, currently under review for final site plan approval and construction. There is a legal issue with the title insurance and closing of the property, which is requiring the former (Lost Lake Tract F) be removed from the DRI Master Development Plan. There are no other changes to the Planned Unit Development (PUD). Staff has reviewed the applicant's request and is currently working with the City's Attorney regarding the legal process for this matter. Staff recommends approval of Ordinance 2020-24 amending the Planned Unit Development as permitted by the City Attorney.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Final 20-24 - PUD Govenors Lake PUD Amendment (FORMATTED)	Final 20-24 - PUD Govenors Lake PUD Amendment (FORMATTED).pdf	
2. Kings Crossing Commercial PUD Maps	Kings Crossing Commercial PUD Maps.pdf	

CITY OF CLERMONT
PLANNING AND ZONING COMMISSION AGENDA
6:30 PM, Tuesday, July 7, 2020
City Hall – 685 W. Montrose Street, Clermont, FL

3.	2020 PUD Amendment Application	2020 PUD Amendment Application.pdf
4.	ORDINANCE NO 2020-24-Legal AD	ORDINANCE NO 2020-24-Legal AD.pdf

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.

Pursuant to Executive Order 20-52 of the State of Florida, and the City of Clermont Resolution 202-14R, a Virtual or Semi- Virtual meeting of the Clermont City Council, and its boards and committees, may be held and simulcast from Clermont City Hall. The purpose of a virtual or semi-virtual meeting is to convene in order to ensure the continuity of government, the delivery of essential services, protecting the interests of property owners and preserving the public health, welfare and safety. Meetings shall be hosted from the City Council Chambers at Clermont City Hall 685 W. Montrose Street, Clermont, FL 34711.

Please note that Governor DeSantis' Executive Order 20-69 suspended the requirement of a quorum to be present in person or requires a local government body to meet at a specific public place. The Executive Order also allows local government bodies to utilize communications media technology, such as telephonic and video conferencing for local government body meetings.

Meetings that are being broadcast live are viewable at the City's YouTube Channel: <https://www.youtube.com/cityofclermontgovernment>

The public shall have the following communication avenues to address the City Council or the Board as may be permitted by law:

- 1. The public or applicant may address the council or board in person via a live video conference feed available at 685 W. Montrose Street, Clermont, FL 34711 where City will provide and operate technology to facilitate dialog. The location shall be established according to the Center for Disease Control guidelines and other reasonable precautions shall be implemented, maintained and monitored by the City.**
- 2. The public or applicant may send a comment or statement to be entered at the Council or Board meeting at the appropriate time. The email address shall be: cityclerk@clermontfl.org**
- 3. The public or applicant may mail or deliver to City Hall on or before 2 p.m. EST of the day of the meeting to which the statement applies. The written statement shall be read at the Council or Board meeting at the appropriate time.**

CITY OF CLERMONT
PLANNING AND ZONING COMMISSION AGENDA
6:30 PM, Tuesday, July 7, 2020
City Hall – 685 W. Montrose Street, Clermont, FL

These procedures shall remain in place until the State of Florida moves into State Reopening Plan Phase 2 allowing fifty (50) or more people to gather in a single place, and/or the City Manager relaxes the restrictions put in place under the declaration of local emergency and Resolution 2020-14R.

Please visit www.clermontfl.gov for detailed instructions on how to access the virtual stream and provide public comment using any of the previously mentioned options. Meeting agendas are available on the city website and will be posted on the exterior doors of City Hall.

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
ORDINANCE NO. 2020-24

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 CONFLICT, SEVERABILITY, RECORDING, AN EFFECTIVE DATE, AND PUBLICATION.

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

SECTION 1:

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

LEGAL DESCRIPTION

Parcel 1 (Existing C-1 Zoning):

The northeast quarter of the northeast quarter of Section 5, Township 23 South, Range 26 East, Lake County, Florida, and that portion of the northwest quarter of the northeast quarter lying east and north of U.S. Highway 27 of Section 5, Township 23 South, less the right-of-way for U.S. Highway 27; also less the right-of-way for South Lake Connector as shown in deed to Lake County recorded in O.R. Book 2595, Page 1130; also less retention pond as shown in easement recorded in O.R. Book 2899, Page 1262, Public Records of Lake County, Florida. Parcel Identification Number: 05-23-26-000100000100 (AK 1707307)

AND

Parcel 2 (Acquired Lost Lake Reserve Tract):

Clermont, Lost Lake Sub Tract F--less from southwest corner of SE 1/4 of Sec 32-22-26 runs 89-56-38E 1449.42 ft. to easterly right-of-way line of Citrus Tower Blvd for Point of Beginning, said point being on a on-tangent curve concave southwesterly having a radius of 400 ft., a central angle of 11-39-40, an arc length of 81.41 ft. & a chord bearing of north 19-11-15 west to a point of cusp of said curve, thence south 5-01-05 E 84.71 ft. to south line of SE 1/4 of Sec. 32, north 89-56-38 west 9.12 ft. to Point of Beginning of road right-of-way-- PB 50 PGS 64- 69 and Tract 4, Lost Lake, according to the map or plat thereof as recorded in Plat Book 50, Page 64, Public Records of Lake County, Florida. Parcel Identification Numbers: 2822261200-004-00000 & 2822261200-00F-00000 (AK 3821839 & 3821852)



CITY OF CLERMONT
ORDINANCE NO. 2020-24

Containing 80.45 acres more or less, and being subject to any easements, rights-of-way or restrictions of record.

LOCATION

Southeast corner of South US Hwy 27 and Citrus Tower Blvd

To amend the Planned Unit Development (PUD), Ordinances No 2017-02

SECTION 2: GENERAL CONDITIONS

This application for an amendment to the Planned Unit Development (PUD – Ordinance No 2017-02) to allow for a mixed-use development with C-1 Light Commercial uses; be granted subject to the following conditions:

1. The conditions as set forth in this Planned Unit Development shall be legally binding upon any heirs, assigns and successors in title or interest.
2. The property shall be developed in substantial accordance with the PUD Conceptual Master Plan – Kings Crossing Commercial Complex, prepared by McCoy & Associates, dated September 2016. Formal construction plans incorporating all conditions stated in this permit shall be submitted for review and approved by the Site Review Committee prior to the issuance of a zoning clearance or other development permits.
3. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.

SECTION 3: LAND USES AND SPECIFIC CONDITIONS

1. The property will be permitted for C-1 Light Commercial use. Buildings may be greater than 5,000 square feet but no more than 20,000 square feet.



CITY OF CLERMONT
ORDINANCE NO. 2020-24

2. Setbacks for Commercial buildings
From US Hwy 27: 50 feet from the property line
From Citrus Tower Blvd: 25 feet from the property line
Side: 12 feet from the property line
Rear: 25 feet from the property line
3. Driveway access and parking for the project may be below the centerline of US 27 or Citrus Tower Blvd. and will be subject to the approval of the City Engineer.
4. Parking stall reduction from 20 feet deep to 18 feet deep with an additional 2 foot grassed/mulched section in lieu of wheelstops may be used in parking areas, where appropriate.
5. Retaining wall height up to 18 feet in height may be allowed to deal with the extreme grades on the site between the building area and the lakefront swale area adjacent to Lake Felter.
6. A reduced 10 foot wide landscape buffer, approximately 210 lineal feet along US Hwy 27, is requested due to the additional 10 feet of right of way in this area. The 10 foot landscape buffer will start at the southwest corner of the project and run northward for approximately 210 feet and then resume the required 20 foot wide landscape buffer.
7. Use of existing canopy trees/planted pines in lieu of a planted buffer in the southeast portion of the project adjacent to Lake Felter, where appropriate, may be used.
8. The project may have three commercial center ground identification signs, one at each entrance, for multi-tenant use. The sign on US Highway 27 may be up to 15 feet high, 10 feet wide, and have a signage area up to 75 square feet. The two ground identification signs along Citrus Tower Boulevard may be up to 10 feet high, 10 feet wide and have a signage area up to 60 square feet.
9. Interior perimeter landscape buffers between properties ~~is not required~~ shall be 10 feet shared or placed within the lot. The project will still have to be developed in accordance of Chapter 118, Vegetation.
10. Any fencing viewed by the public shall be an ornamental metal type.
11. The project shall be developed according to the C-1 Light Commercial zoning designation in the Land Development Code, unless expressly stated above.



CITY OF CLERMONT
ORDINANCE NO. 2020-24

SECTION 4: CONFLICT

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

SECTION 5: SEVERABILITY

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

SECTION 6: RECORDING

This Ordinance shall be recorded in the public records of Lake County, Florida.

SECTION 7: EFFECTIVE DATE

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

Location map:





CITY OF CLERMONT
ORDINANCE NO. 2020-24

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida
on this _____ day of _____, 20____.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Exhibit - Location Map
Kings Crossing Commercial PUD

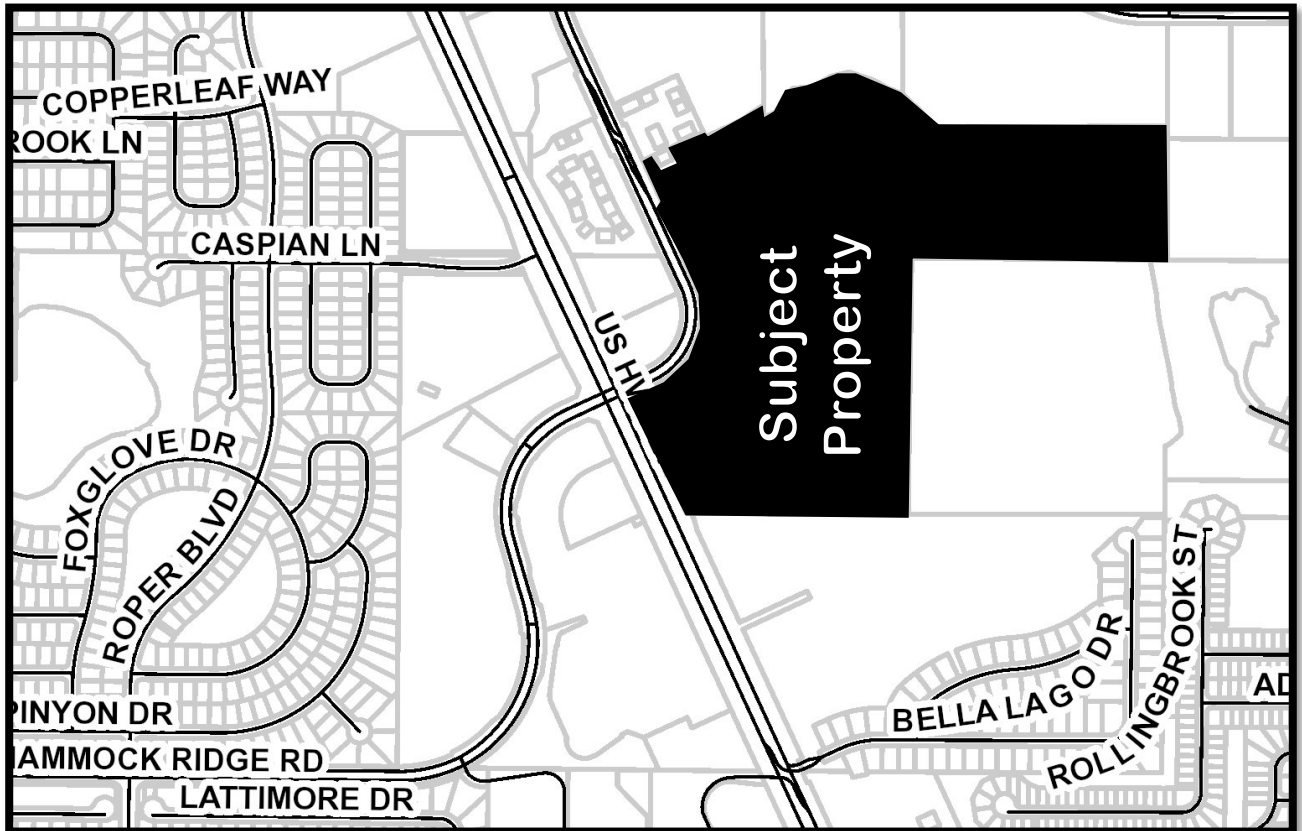
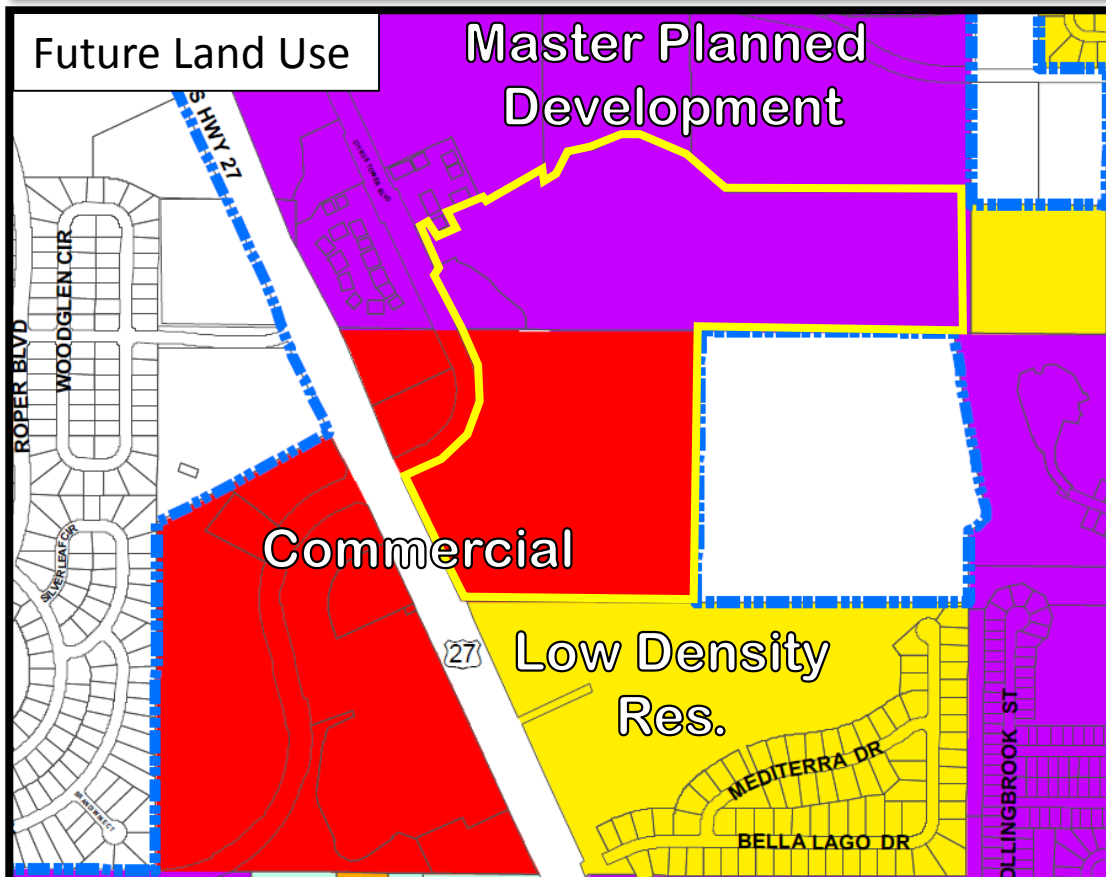
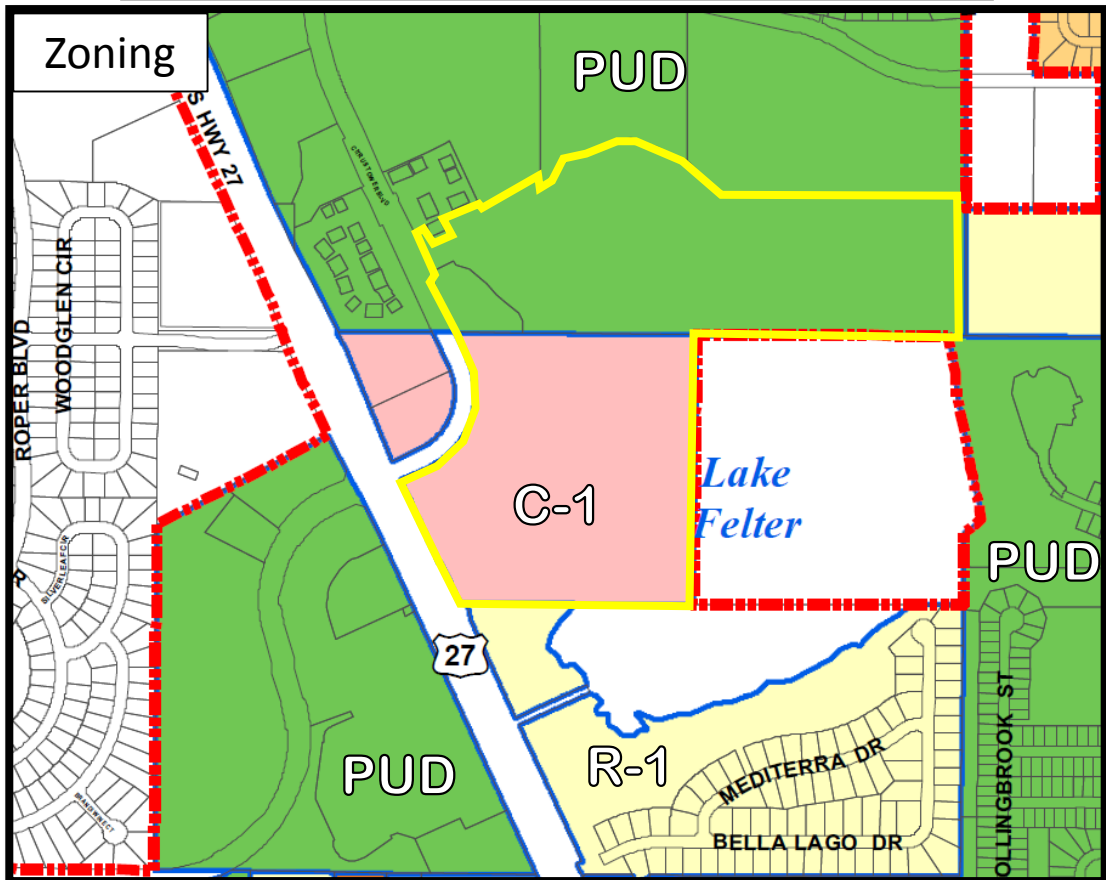


Exhibit – Zoning and Future Land Use Map
Kings Crossing Commercial PUD





**CITY OF CLERMONT
REZONING
APPLICATION**

DATE: 5-1-20

FEE: \$542.⁰⁰
+ cost of advertisement

PROJECT NAME (if applicable): Governors' Lake F/K/a Kings Crossing Commercial

APPLICANT: Jimmy D. Crawford

CONTACT PERSON: " "

Address: 702 West Montrose Street

City: Clermont State: Florida Zip: 34711

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

E-Mail: j.crawford@cmhlawyers.com

OWNER: South Lake Connector, LLC

Address: PO Box 120355

City: Clermont State: Florida Zip: 34712

Phone: 352 432 8644 Fax: 352 432 8699

Address of Subject Property: N/A - SE Corner of U.S. 27 & Citrus Tower Blvd (South)

Legal Description (include copy of survey): SEE ATTACHED

Acres: 80.45 total Land Use: Commercial
11.07 Useable (City verification required)

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



**CITY OF CLERMONT
REZONING
APPLICATION
Page 2**

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

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

See attached Statement in Support.

Jimmy D. Crawford
Applicant Name (print)

X [Signature]
Applicant Name (signature)

Randall B. Langley
Owner Name (print)

X [Signature]
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



**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 attached Statement in Support.

Jimmy D. Crawford
Applicant Name (print)

X [Signature]
Applicant Name (signature)

Randall B. Langley
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

STATEMENT IN SUPPORT
AMENDMENT TO ORDINANCE 2017-2

City of Clermont Ordinance 2017-2 rezoned the King's Crossing (Now, Governors' Lake) property ("Property") at the southeast corner of U.S. Hwy 27 and Citrus Tower Blvd. (south) from C-1 to PUD. At that time, there was an existing stormwater pond near the northern edge of the Property, which handled wastewater from Citrus Tower Road, and was covered by a Lake County drainage easement. The pond was also included in the Lost Lake DRI (labeled Tract F, no development classification).

The Lake County drainage easement allowed the owner/developer to relocate the pond, which the owner/developer has done as a part of the current platting process (See Partial Release of Easement, OR Book 5455, Pages 1699-1703, Public Records of Lake County, Florida – copy attached for your convenience). The concept plan approved by Ordinance 2017-2 recognized this pond relocation, and allocated C-1 uses over the former pond location.

It was our intention and belief at the time that Ordinance 2017-2 removed the small portion of the Property that was included in the Lost Lake DRI from the DRI, which was approved by City of Clermont PUD/DRI DO. The statutory process involved at that time was governed by Section 380.06(19), Florida Statutes, and required a Notice of Proposed Change form to be completed (it was, copy attached) and the local government to approve the change as a zoning matter (it was – Ordinance 2017-2).

Currently the portion of the Property formerly designated as Lost Lake Tract F is being sold to a developer of a Veterans' Administration Health Clinic, which is badly needed in South Lake County and the City of Clermont. An issue has arisen with the title insurance issuer, which is requiring a clarification or verification that the former Tract F is removed from the Lost Lake DRI. Ordinance 2017-2 did not specifically state so.

Therefore, we are requesting amendment to Ordinance 2017-2 ONLY to clarify this issue.

We would suggest that a new sentence/provision be added to Section 4 of Ordinance 2017-2 to state: "The property is removed from the jurisdiction of City of Clermont Ordinance No. 461-M (and any amendments thereto), also known as the "Lost Lake Development of Regional Impact". This language is a suggestion only, we would defer to the City's language drafting, as needed.

Thank you for your assistance and attention to this very important matter.



Jimmy D. Crawford



**CITY OF CLERMONT
REZONING
FILING INSTRUCTIONS**

Any person requesting a Rezoning shall file a complete application and pay a fee as established by resolution of the City Council in the Development Services Department on or before the 1st day of the month; Complete applications may then be scheduled for Public Hearings the following month - on the 1st Tuesday (Planning & Zoning Commission), 2nd Tuesday (City Council first reading only) and 4th Tuesday (City Council adoption). All applications must be complete, and include applicable site plans and/or pertinent descriptive materials in order to be processed. Dependent upon the scope and/or magnitude of a particular project, scheduling of one or more City Council workshop(s) may also be necessary and additional time may be required prior to being scheduled for public hearings.

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.

The Applicant shall provide the following information with this application:

- ▶ Completed application. Include all signatures:
 - ◊ Applicant's signature (if different from owner of record)
 - ◊ Owner's signature (owner of record) 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.
- ▶ Proof of ownership – (i.e. Lake County Property record card, tax receipt, deed, or tax receipt)
- ▶ Plot plan (drawn to scale) of the property involved showing the location of existing buildings or structures and the location of proposed buildings or structures which specifically delineates and illustrates the extent of the rezoning request. Maximum size for plans is 11" x 17" (two full size copies for detail as needed, depending on rezoning)
 - a. Name, address and phone number of the applicant.
 - b. North arrow, date and scale.
 - c. Property lines, existing structures, proposed structures and contiguous streets.
 - d. A short description of the proposed structural usage.
 - e. A topographical map with five (5) foot contour lines (if deemed necessary for clarification purposes by City staff).
- ▶ Fee: \$542.⁰⁰ plus the cost of the advertisement

Advertising Receipt

CITY OF CLERMONT
Paola Vasquez
P.O. BOX 120219
CLERMONT, FL 34712

Account Number: 7101866
Order Number: 10096490
Phone: (352) 241-7331
Date: 05/08/20
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	05/18/2020	06/08/2020	\$357.48

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. 2020-24

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

Southeast corner of South
US Hwy 27 and Citrus Tower Blvd

LEGAL DESCRIPTION

Parcel 1 (Existing C-1 Zoning):
The Northeast Quarter of the Northeast Quarter of Section 5, Township 23 South, Range 26 East, Lake County, Florida, and that portion of the Northwest Quarter of the Northeast Quarter lying East and North of U.S. Highway Number 27 of Section 5, Township 23 South, less the Right of Way for U.S. Highway Number 27; also less the Right of Way for South Lake Connector as shown in Deed to Lake County recorded in O.R. Book 2595, Page 1130; also less Retention Pond as shown in Easement recorded in O.R. Book 2899, Page 1262, Public Records of Lake County, Florida. Parcel Identification Number: 05-23-26-000100000100 (AK 1707307)

AND

Parcel 2 (Acquired Lost Lake Reserve Tract):

Clermont, Lost Lake Sub Tract F-less from SW Cor of SE 1/4 of Sec 32-22-26 runs 89-56-38E 1449.42 ft to E'ly r/w line of Citrus Tower Blvd for POB, said point being on a on-tangent curve concave Sw'ly having a radius of 400 ft, a central angle of 11-39-40, an arc length of 81.41 ft & a chord bearing of N 19-11-15 W to a point of cusp of said curve, thence S 5-01-05 E 84.71 ft to S line of SE 1/4 of Sec 32, N 89-56-38 W 9.12 ft to POB of rd r/w- PB 50 PGS 64- 69 and Tract 4, Lost Lake, according to the map or plat thereof as recorded in Plat Book 50, Page 64, Public Records of Lake County, Florida. Parcel Identification Numbers: 2822261200-004-00000 & 2822261200-00F-00000 (AK 3821839 & 3821852)

Containing 80.45 acres more or less, and being subject to any easements, rights-of-way or restrictions of record.

FROM C-1 Light Commercial
TO Planned Unit Development
(PUD Amendment)

The Planning & Zoning Commission will consider this request on Tuesday, June 2, 2020 at 6:30 p.m.; a public meeting to consider the request will be held before the City Council on Tuesday, June 9, 2020 at 6:30 p.m. (Introduction) and on Tuesday, June 23, 2020 at 6:30 p.m. for (Final Enactment).

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

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

Tracy Ackroyd Howe, MMC
City Clerk

Ad No: 10096490
May 18, 2020 &
June 08, 2020

Payment Info	
Ad Price	\$357.48
Tax	\$0.00
Sub Total	\$357.48
Prepaid Amount	\$0.00
Balance Due	\$357.48



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date

Tuesday, July 7, 2020

Agenda Item Name

Ordinance No. 2020-16

Hartwood Marsh Assisted Living Facility CPA

Requested Action

Recommend approval of Ordinance No 2020-16.

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 6.056 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) buildings Assisted Living Facility on site. The six (6) acre parcel is part of the 38 acre master parcel owned by the First Baptist Church and approved for a church facility and supportive accessory uses to the church, with a Conditional Use Permit (Resolution No 2018-03). The church Master Concept Plan, which is not an approved site plan; required an amendment to the CUP for the Assisted Living Facility; because the use is not permitted in Low Density Residential Land Use.

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 Future Land Use Map 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 and provisions of the land development code are met to ensure adequate 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 consistent with the surrounding areas. The proposed commercial development will provide a less intense use than other commercial uses, and because most residents living at the Assisted Living Facility may have limited mobility and the need to use a vehicle, may provide less traffic impacts to the local transportation systems. The Comprehensive Plan allows some less intense commercial uses that can provide low impact and critical support services to the surrounding neighborhoods; and are consistent with the general character of the adjacent residential uses.

Staff recommends approval of Ordinance No. 2020-16.

Additional Analysis

Fiscal Impact Summary

Fiscal Impact

Fund Number and Description

Available Budget Amount

Exhibits Attached (copies of original agreements)

1.	Ord 2020-16 Hartwood Marsh Senior Living CPA (2)	Ord 2020-16 Hartwood Marsh Senior Living CPA (2).pdf
2.	New Location Map	New Location Map.pdf
3.	2020-16 FLU Before	2020-17 FLU Before.pdf
4.	2020-16 FLU After	2020-17 FLU After.pdf
5.	Hartwood Marsh Senior Housing Community- DETAILED CONCEPT	Hartwood Marsh Senior Housing Community- DETAILED CONCEPT.pdf
6.	First Baptist Church of Clermont- MASTER PLAN (reduced file size)	First Baptist Church of Clermont- MASTER PLAN (reduced file size).pdf
7.	Elevations-Concept Plan	Elevations-Concept Plan.pdf
8.	HOA letter to Planning and Zoning Commission	HOA letter to Planning and Zoning Commission.pdf
9.	Public Comments	Public Comments.pdf
10.	CPA Application	CPA Application.pdf
11.	ORD 2020-16-Legal AD	ORD 2020-16-Legal AD.pdf



CITY OF CLERMONT
ORDINANCE NO. 2020-16

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 ¼ 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



CITY OF CLERMONT
ORDINANCE NO. 2020-16

LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 10, A DISTANCE OF 67.65 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 437.68 FEET TO A POINT; THENCE S89°59'04"W, A DISTANCE OF 464.18 FEET TO A POINT; THENCE N3°7'19'57"W, A DISTANCE OF 319.99 FEET TO A POINT; THENCE N00°00'00"W, A DISTANCE OF 181.31 FEET TO A POINT; THENCE N89°49'25"E, A DISTANCE OF 662.97 FEET TO THE POINT OF BEGINNING.

CONTAINING 263, 808 SQUARE FEET OR 6.056 ACRES, 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.

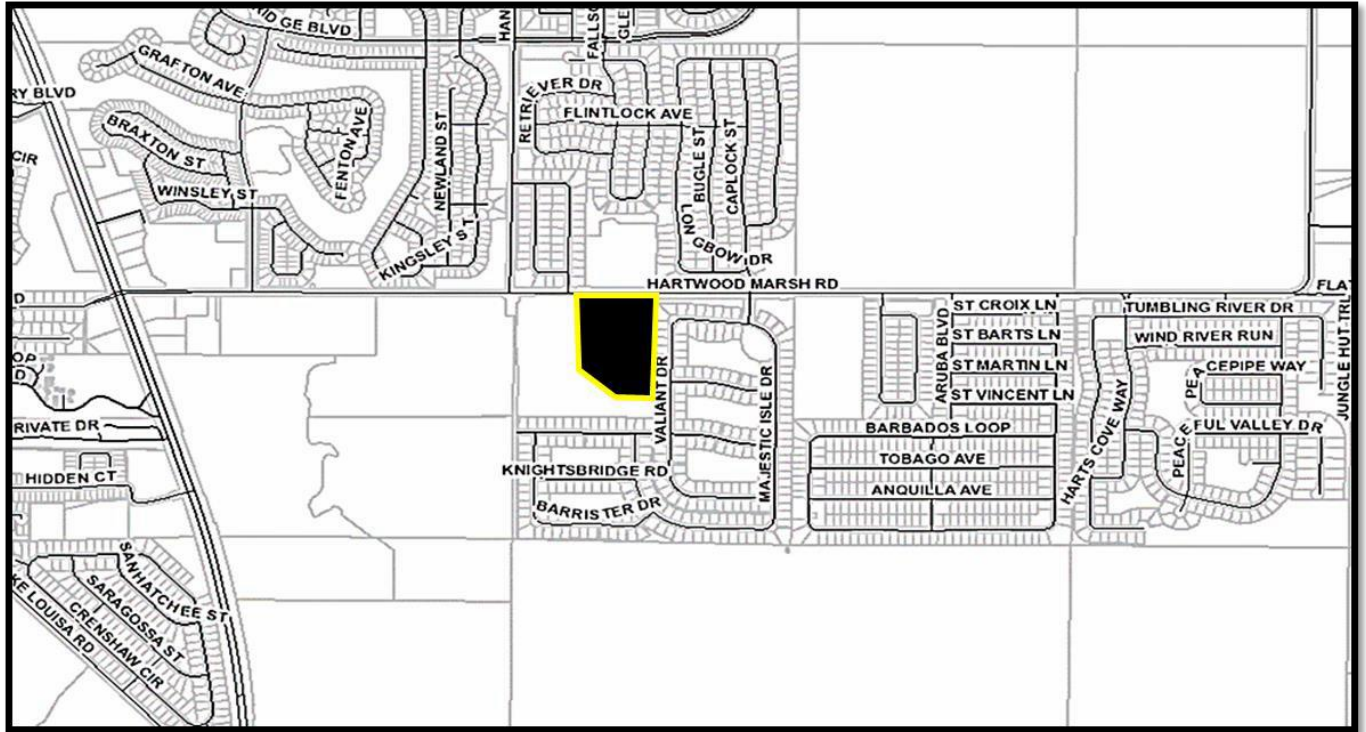
SECTION 3.

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. 2020-16

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida, this _____ day of July 2020.

Gail L. Ash, Mayor

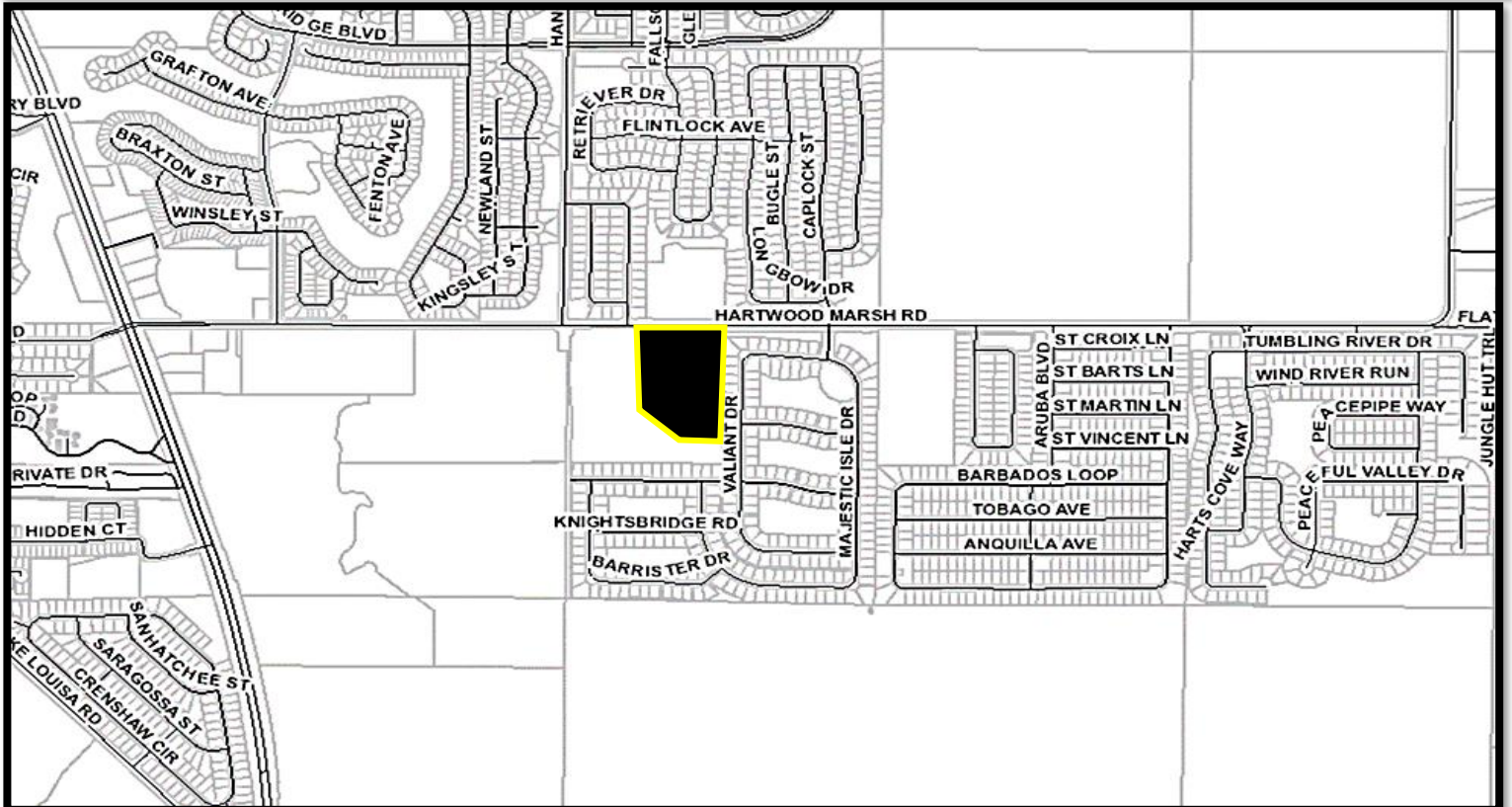
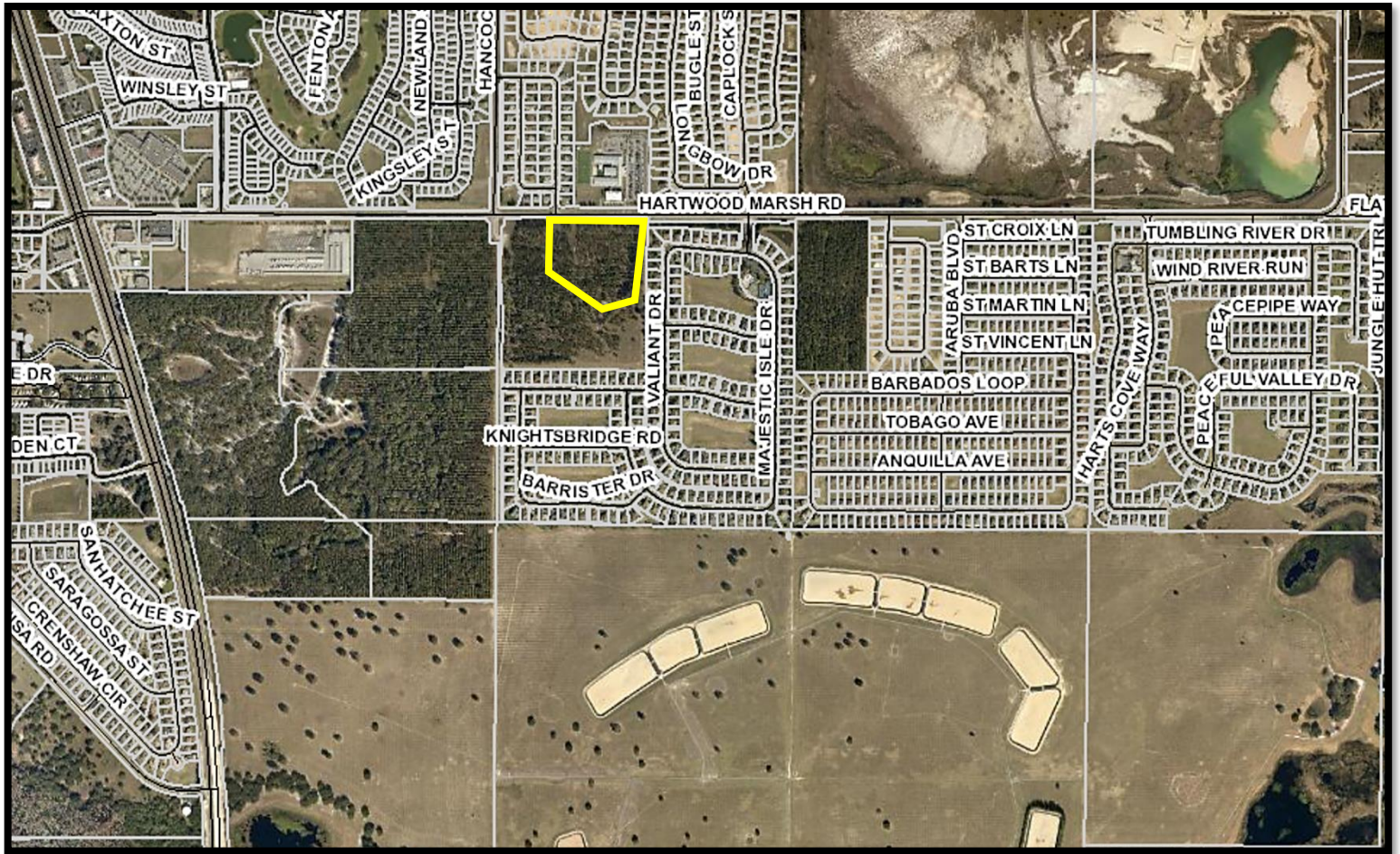
ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

LOCATION MAP





Future Land Use
2020 - 18

Before

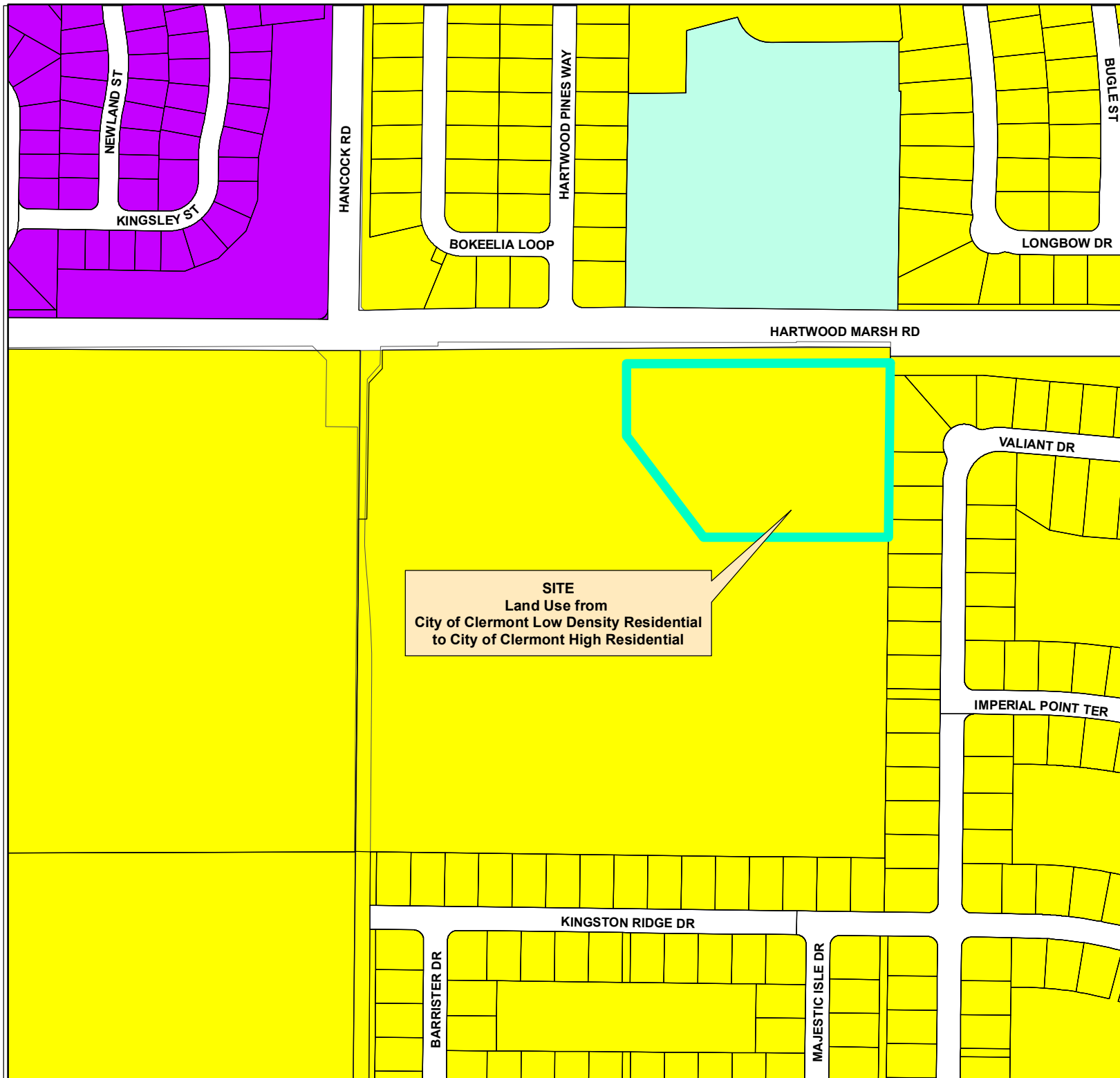
Legend

City Limits

Clermont FLU

Land Use

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





Future Land Use
2020 - 18

After

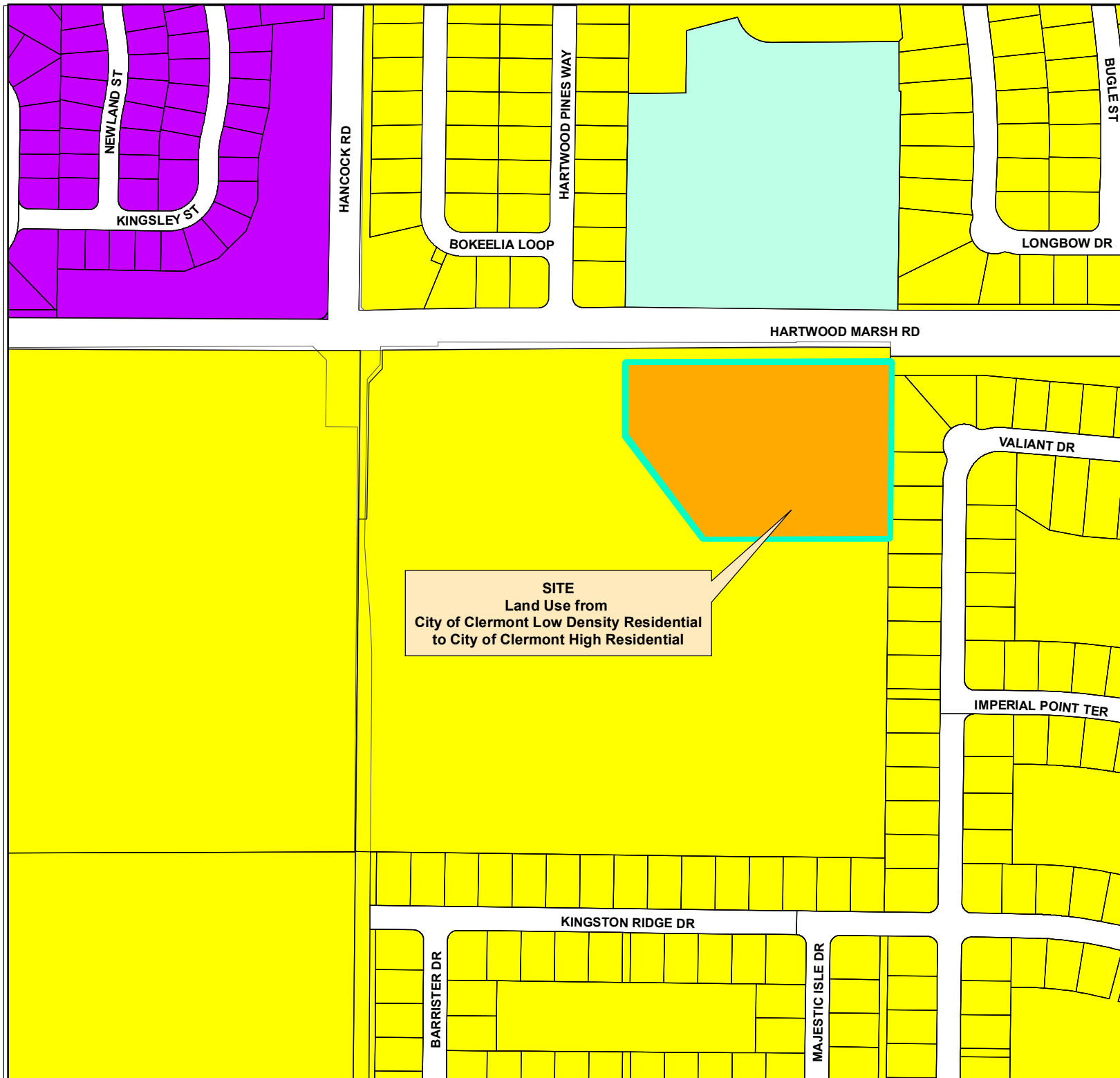
Legend

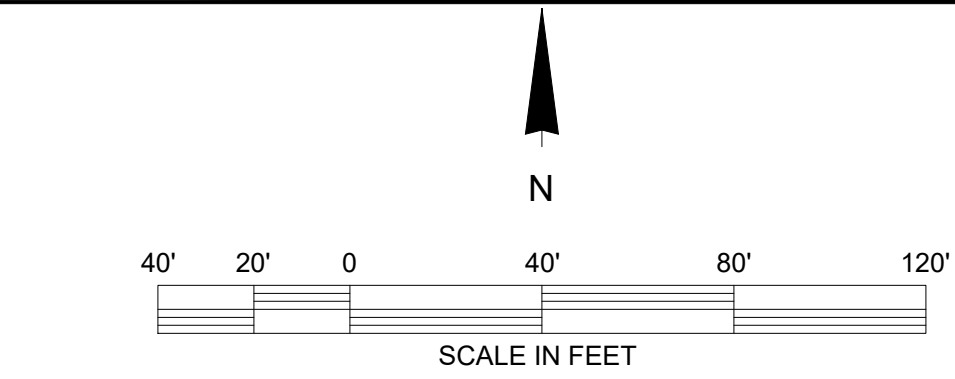
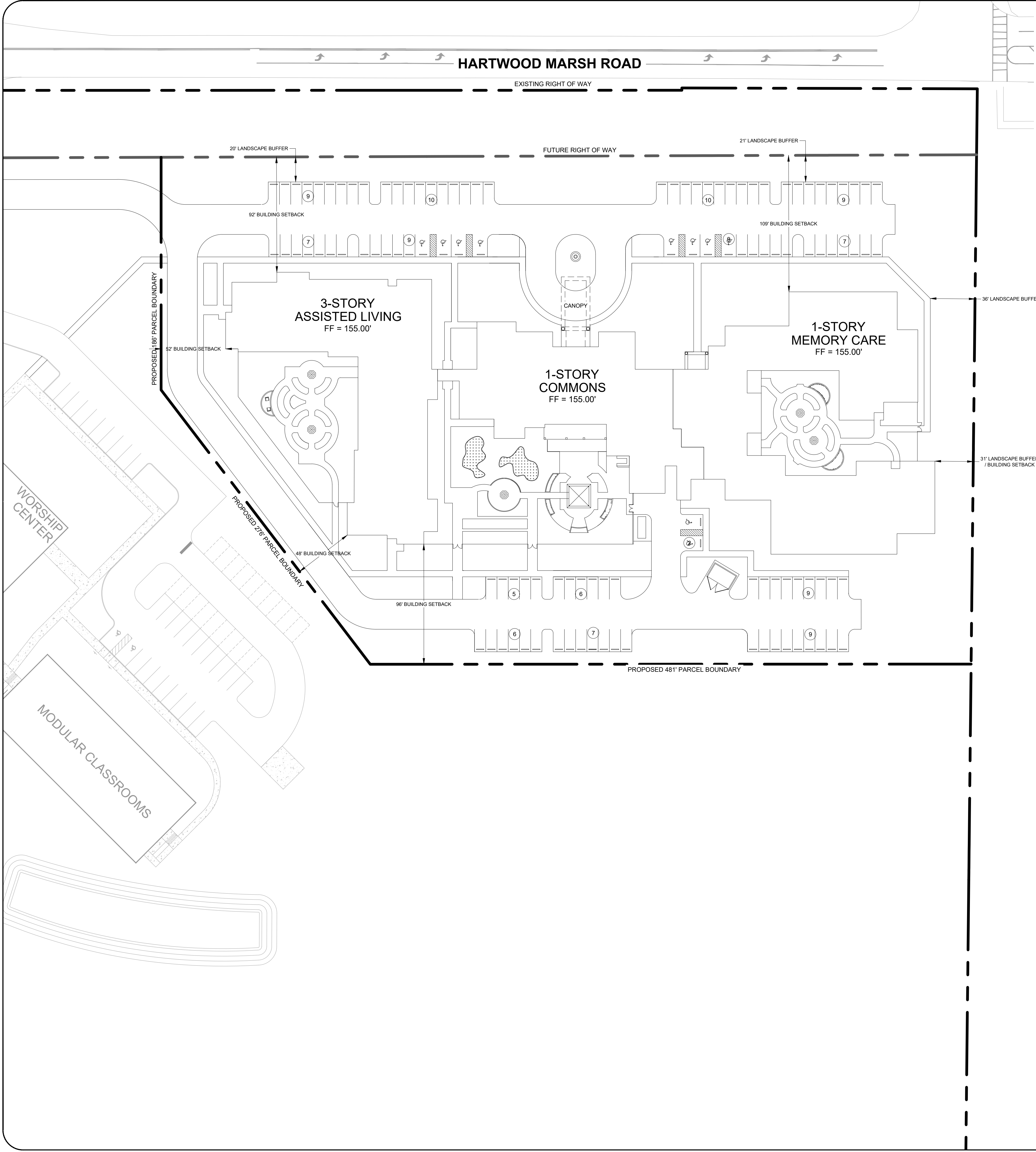


Clermont FLU

Land Use

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





LEGEND

- PROPERTY LINE
- PROPOSED CONCRETE
- (10) PARKING COUNT
- - - PAVEMENT CENTERLINE

NOTES

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

SITE DATA

- SITE AREA = 5.64 AC / 245,768 SF (DOESN'T INCLUDE FUTURE R/W 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
FUTURE R/W SETBACK: 92'
SIDE SETBACK (NEIGHBORHOOD): 31'
SIDE SETBACK (FBCC): 48'
REAR SETBACK (FBCC): 96'
FUTURE R/W LANDSCAPE BUFFER: 20'-21'
EAST NEIGHBORHOOD LANDSCAPE BUFFER: 31'/36'
- 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 = 112 SPACES PROVIDED

PRELIMINARY
NOT FOR CONSTRUCTION
NOT FOR PERMITTING
03-06-20

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 # GE0152019		
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		



GERMANA ENGINEERING AND ASSOCIATES, LLC 1120 WEST ANNIEOLA AVENUE CLERMONT, FL 34711 WWW.GERMANAENGINEERING.COM CERTIFICATE OF AUTHORIZATION NUMBER: 26279 COPYRIGHT © 2019		HARTWOOD MARSH SENIOR HOUSING COMMUNITY CLERMONT, FLORIDA		PROJECT # GE0162019	
SCALE: 1" = 50'		DATE: 12-12-19		SHEET	
MASTER		CONCEPT RENDERING MASTER PLAN		REVISIONS	
				DATE	
				No.	











Richard E. Larsen *†
Thomas R. Slaten, Jr †
Charles L. Eldredge, Jr.
Cheryl C. Slaten



LARSEN®
& ASSOCIATES, P. L.
ATTORNEYS AT LAW

MAIN OFFICE

5323 Millenia Lakes Blvd, Ste 300
Orlando, FL 32839
P 407.841.6555
Collections F 407.841.4349
General F 407.841.6686

† Shareholder
* Admitted in Florida and Illinois

May 28, 2020

City of Clermont
Development Services Department
685 W. Montrose Street
Clermont, Florida 34711
cityclerk@clermontfl.org

Re: Project: Clermont-Hartwood Marsh Senior Housing Community
Applicant: First Baptist Church of Clermont
Hearings: June 2 Planning and Zoning and June 23 City Council

Dear City of Clermont City Council:

I am writing on behalf of the 265 home Regency Hills of Clermont Homeowners Association, Inc. ("Association") to strongly oppose the Clermont-Hartwood Marsh Senior Housing Community project ("Project") proposed by First Baptist Church of Clermont. The Association's objections are similar to those raised last year when City staff and the Planning and Zoning Board recommended denial of the Project.

The Association consists of 265 single-family homes immediately adjacent to the east and south sides of the proposed Project. The Association is zoned R-1, meaning low density residential, as is the parcel for the proposed Project. The Project requires changing to high-density residential use to allow for a three story assisted living facility and related infrastructure. The Association and its homeowners strongly object to this change and the Project's likely impact on the Association and its residents for the following reasons:

- The proposed Project is not permitted and is not compatible or allowed in R-1 low-density residential land use.
- The requested change to high-density residential use does not meet the intent of Section 122-315 Review Criteria for a PUD as detailed immediately below.
- The Project's development intensity is not consistent with the surrounding low-density residential communities, especially Regency Hills of Clermont.
- The proposed three-story building is not suitable for the parcel's location and its size and character is in conflict with the surrounding development, especially Regency Hills of Clermont.

140 South Beach Street
Suite 310
Daytona Beach, FL 32114

10752 Deerwood Park Blvd. South
Suite 100
Jacksonville, FL 32256

Woodland Corporate Center
8270 Woodland Center Blvd
Tampa, FL 33614

- The Project will generate increased traffic from residents, visitors, employees and vendors, exacerbating already existing congestion on Hartwood Marsh Road, which all 265 homes use to enter and exit the community, and Hancock Road.
- City staff and the Planning and Zoning Board previously recommended denial of the Project, including rezoning the parcel.

For these reasons, the Association strongly opposes the proposed Project. Please let us know if you have any questions or desire additional information. Thank you for your time and attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tom Slaten", with a long horizontal flourish extending to the right.

Thomas R. Slaten, Jr.

Richard E. Larsen *†
Thomas R. Slaten, Jr †
Charles L. Eldredge, Jr.
Cheryl C. Slaten

† Shareholder
* Admitted in Florida and Illinois



MAIN OFFICE

5323 Millenia Lakes Blvd, Ste 300
Orlando, FL 32839
P 407.841.6555
Collections F 407.841.4349
General F 407.841.6686

June 29, 2020

City of Clermont
Development Services Department
685 W. Montrose Street
Clermont, Florida 34711
cityclerk@clermontfl.org

Re: Project: Clermont-Hartwood Marsh Senior Housing Community
Applicant: First Baptist Church of Clermont
Hearings: July 7th Planning and Zoning

Dear City of Clermont City Council:

I am writing on behalf of the 265 home Regency Hills of Clermont Homeowners Association, Inc. ("Association") to strongly oppose the Clermont-Hartwood Marsh Senior Housing Community project ("Project") proposed by First Baptist Church of Clermont. The Association's objections are similar to those raised last year when City staff and the Planning and Zoning Board recommended denial of the Project.

The Association consists of 265 single-family homes immediately adjacent to the east and south sides of the proposed Project. The Association is zoned R-1, meaning low density residential, as is the parcel for the proposed Project. The Project requires changing to high-density residential use to allow for a three story assisted living facility and related infrastructure. The Association and a majority of its homeowners strongly object to this change and the Project's likely impact on the Association and its residents for the following reasons:

- The proposed Project is not permitted and is not compatible or allowed in R-1 low-density residential land use.
- The requested change to high-density residential use does not meet the intent of Section 122-315 Review Criteria for a PUD as detailed immediately below.
- The Project's development intensity is not consistent with the surrounding low-density residential communities, especially Regency Hills of Clermont.
- The proposed three-story building is not suitable for the parcel's location and its size and character is in conflict with the surrounding development, especially Regency Hills of Clermont.

140 South Beach Street
Suite 310
Daytona Beach, FL 32114

10752 Deerwood Park Blvd. South
Suite 100
Jacksonville, FL 32256

Woodland Corporate Center
8270 Woodland Center Blvd
Tampa, FL 33614

- The Project will generate increased traffic from residents, visitors, employees and vendors, exacerbating already existing congestion on Hartwood Marsh Road, which all 265 homes use to enter and exit the community, and Hancock Road,
- City staff and the Planning and Zoning Board previously recommended denial of the Project, including rezoning the parcel.

For these reasons, the Association strongly opposes the proposed Project. Please let us know if you have any questions or desire additional information. Thank you for your time and attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tom Slaten", with a long horizontal flourish extending to the right.

Thomas R. Slaten, Jr.

To: Chairperson Herb Smith
Clermont Planning and Zoning Board

As 14 year residents of Hartwood Reserve, my wife and I warmly welcome the First Baptist Church of Clermont to the neighborhood. This part of the city has long needed a vibrant, growing worship community nearby; one that takes an active part in meeting our spiritual and educational needs. However, we are vehemently opposed to a third party owned and operated for profit assisted living facility on the same property owned by the 1st Baptist Church of Clermont.

In addition to potentially contributing to reducing the prices of real estate in this local area, please consider the following.

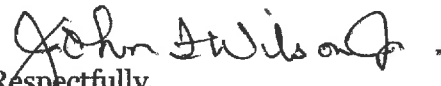
There is already a plethora of assisted living and senior independent living facilities in the Clermont area. There are six within a 5 mile radius and 16 within a 12 mile area. There are more units being built currently in the Hooks Road area to greatly increase the 150+ residential units that Cranes View Lodge already accommodates. In less than one mile is Orchard Heights, another large facility.

Realizing these are high profit centers and would potentially enhance the church's revenue stream, etc.; the support infrastructure consisting of maintenance, on-site staff; vendors would negatively affect the area. Additionally, when these facilities fail, they often turn into rehab centers, and other less desirable multi-dwellings (MDUs) etc.

The traffic at the Hancock-Hartwood Marsh intersection is already heavily impacted during the school year by the public and charter schools with huge morning and evening backups to Highway 27 and all the way to the Lake/Orange County line (and beyond). These delays and congestion:

- (1) block/impede my access to and from Harwood Marsh from my subdivision;
- (2) exacerbate morning and evening rush-hour commutes by as much as 30+ minutes on the weekdays;
- (3) greatly hinder emergency responders because of the narrow road often forcing vehicles off the roadway;
- (4) will necessitate the city spending large sums for the necessary modifications to the roadway;
- (5) will likely hamper the Lake County plans for the Wellness Way projects, and
- (6) necessitate severe changes to the County's approved Hartwood Marsh Road widening and alignments from 27 to Lake/Orange county line

We believe a better use of the property is for a long term enhancement plan for the church to grow by adding youth athletic fields, a private school, more worship facilities for adults and youth.


Respectfully,
John and Annie Wilson
4517 Powderhorn Place Drive
Clermont, FL 34711
(352) 897-7157 Home
John.f.wilson.jr@gmail.com

To: The City of Clermont City Council and Planning and Zoning Commission

Re: Proposed Assisted Living & Memory Care Facility

Hartwood Marsh Road near Hancock Rd.

Date: June 29, 2020

I see a zoning change request is coming before Zoning & Planning and The City Commission in July.

I ask you to approve this request for the good of the community.

There are I believe thousands of homes within 2 miles of this location that are in 55+ communities. I live in one...Kings Ridge. Should I, my wife, or another family member or friend find it necessary to move to an Assisted Living or Memory Care facility, having one so close would be a major benefit for visitation. Many Kings Ridge residents have siblings that have moved to Clermont from all over the country to be near each other. Having a senior care facility so close would help keep these family connections strong. Of course an additional benefit to those future senior residents who desire it would be the close proximity to a church that could provide additional spiritual support.

I am sure you will hear objections from some to this zoning change.

"It will increase traffic on Hartwood Marsh Rd and Hancock Rd substantially" they may say. Remember these residents cannot drive anywhere, and at a previous zoning meeting last fall, it was stated that shift changes for workers at the facility could be scheduled to fall during lower traffic periods. Most traffic in this area is generated by the residential building nearby.

"It will damage property values" they may say. This is not a gas station or shopping center, but a thoughtfully designed property that will fit in nicely in the area.

"What if the church wants to build apartments someday?" they may say. I doubt that is the church's mission and I suspect that could be limited in some way.

"It will increase noise from emergency vehicles" they may say. Obviously they are unaware that almost always emergency vehicles enter neighborhoods without sirens and horn.

Again I **urge you to approve the construction of this Senior Living facility** on this site. Have you ever seen a traffic jam caused by one of these? It will not burden the community and will even benefit younger families living nearby should they need to find care for their parents in the future.

Albert Bohn
2233 Kingsmill Way
Clermont, FL 34711

Michael Sheahan

2737 Valiant Drive ▪ Clermont, FL 34711-5248

e-mail: sheahanm51@gmail.com ▪ Cell phone: 407-401-0012

June 1, 2020

Attn: City Clerk of Clermont, FL

I'm writing to provide my feedback on the assisted living facility that the First Baptist Clermont Church is proposing. As plans for the church (now being built at Hartwood Marsh and Hancock Roads) have been developing over the years, let me offer my reactions during that timeframe.

The inclusion of soccer fields: I initially understood that the campus would include a series of soccer fields. I expressed my feedback about that, as I suspected that anticipated daily practices and games would add additional traffic and noise to the neighborhood.

The inclusion of the assisted living facility: Likewise, I understand that the assisted living facility, planned closer to my neighboring Regency Hills subdivision, may now be moved farther west within the parcel of land. As such, I again question how much traffic and noise would be added by such a facility. At the very least, it would probably make traffic at the intersection of the two roads substantially busier.

Moreover, does it make economic and health-wise sense? I also understand that studies within the community suggest there is already a sufficient local supply of such facilities. One need only drive along Hooks Street to see the steady growth of nearby competitors.

And though I certainly don't presume to hold any expertise about healthcare planning in the midst of a global pandemic, I do wonder about the wisdom of such an investment. That is, as some assisted living facilities have been associated with the spread of the Covid-19 virus, might such facilities eventually become a last choice for the elderly? I could see home healthcare replacing consumer desire for assisted living services, akin to the many home-delivery options fostered by the virus and its sheltering-in-place.

And finally... I don't mean to come across as taking umbrage with the aspirations of a dedicated faith community, nor with the city's progressive plans for continuing development. However, the concern over additional traffic and noise in the neighborhood always reemerges, especially in light of the conspicuous development along Hartwood Marsh Road over the past fifteen years.

I don't mean to come across as a curmudgeon, but I must admit that I'll be monitoring the noise level once the church begins its worship services. I hope that our subdivision won't be dealing with an issue reported in another area county, where a church's music ministry included an amped-up bass guitar, causing that municipality to eventually revisit its noise ordinances. And lest this concern be dismissed as curmudgeonly, I already have a relevant example, which ties together the various points raised above.

The Imagine South Lake Charter Middle School festival: In just the past year, my wife and I were jostled out of bed one morning, as the school was holding an outdoor festival. Various announcements and music were woefully loud (as is often the case, those given a microphone forget that sound systems don't require yelling into it). Worse yet, the event persisted through much of the morning.

Needless to say, we registered our displeasure, my wife on the Nextdoor Regency Hills Website, me in a direct e-mail to the school's principal. To my surprised disappointment, I didn't receive an acknowledgement that my e-mail was read or even received.

But moreover, to my point in providing this feedback in the first place, my wife and I concluded that day why the noise was especially annoying and irritating. That is, the church's new parcel of land had already been cleared of much of its trees. As such, the noise from the school had nowhere to go but down into our increasingly more wide-open subdivision.

As such, I strongly encourage our Planning and Zoning decision-makers to be their most proactively careful and thoughtful when considering a change that may significantly impact our subdivision and our quality of life.

Cordially,

A handwritten signature in black ink, appearing to read "Mike Abraham". The signature is fluid and cursive, with a long horizontal stroke at the end.

Nicholas Gonzalez

Sent: Tuesday, June 09, 2020 10:43 AM

From: robert nealy <apr.rigging@gmail.com>

Sent: Wednesday, June 3, 2020 12:42 AM

To: City Clerk

Subject: The First Baptist Church Of Clermont project

The Regency hills HOA has made many statements about the Assisted Living facilities and when asked to see the data to back this up I was told that the lawyer looked it over and it is fine. All that tells me is OK its all lies but we will not get sued. Here is a list of some of the statements that they have said.

"the excess capacity of existing Assisted Living facilities in Clermont which shows no need for the center and that sometimes when these types of facilities fail they are turned into rehab centers."

I would like to no how the HOA has more info then the developer and the financial backers that this project will fail and will most likely become a rehab center.

Please answer this my HOA will not

"If the Clermont City Council changes the zoning of this parcel to high-density, what's to stop them from changing any of the other low-density zoning along Hartwood Marsh to high-density zoning for apartment buildings? Wouldn't that have a negative effect on the quality of life and property values of all the single-family home communities along Hartwood Marsh?"

Is this statement true or just a scare tactic and isn't this project and every other future project judged on its own merit.

It is impossible to be for this or against this due to all the miss information that the HOA has told everyone, without any data to prove what they are saying. It makes it hard to listen to any RH resident with all the miss information with no data to back up what the HOA has said. It is sad that the HOA has made all the residents opinion void because of false or misleading info that they will not confirm.

Maybe the HOA will give you the info to help you make a fair decision. I have attached the letter for you also.

Thanks

Bob Nealy

Cell 407-619-7683

From: andyj7000@gmail.com <andyj7000@gmail.com>

Sent: Saturday, May 30, 2020 8:54 AM

To: City Clerk <CityClerk@clermontfl.org>

Subject: FBC of Clermont Zoning

To whom it may concern,

If this zoning is approved, it would increase traffic on an already very busy Harwood March Road and would ultimately decrease property values and overall quality of life. I am strongly voting against this plan.

Best Regards,
Andy

From: Darrell Delikat <sunny34711@gmail.com>
Sent: Friday, May 29, 2020 1:17 PM
To: City Clerk <CityClerk@clermontfl.org>
Subject: Rezoning of property at Hartwood Marsh and Hancock (Assisted Living Center)

Hi,

My name is Darrell Delikat. I live at 2762 Valiant Dr. (Regency Hills). I am asking that the council turns down the proposal to REZONE the property to a high density property. Once a property is rezoned apartment buildings could be built. When we look out of our back patio now all we see is a Huge gray wall of the church. We don't need more commercial building's put in the middle of beautiful homes. This is a very nice area with very nice homes. Clermont is a very nice place to live and it doesn't need a large 3 story complex in and around these great neighborhoods. Another issue is that Hancock road and Hartwood Marsh can't handle any more traffic. Another issue is if this monstrosity of a building is built there would be trucks coming and going all night long making deliveries. There would be lights on most of the night. I know first hand that seniors for the most part don't sleep much. Between their aches and pains and losing melatonin, why we age there would be lights on all hours of the night. Please keep our area as beautiful as it is now. NO HIGH DENSITY rezoning.

Sincerely,
Darrell Delikat

From: kari34711@gmail.com <kari34711@gmail.com>
Sent: Friday, May 29, 2020 9:54 AM
To: City Clerk <CityClerk@clermontfl.org>
Subject: FW: Regency Hills HOA-Assisted Living Center Again!

Dear Council,

See attached map... 2762 Valiant Drive

We voiced our disgust at the last meeting, and our feelings have not changed. Again, we are respectfully asking that the zoning and building of this project be rejected by City of Clermont. My husband and I have a lot of money invested into our home. We do not wish to have our property value decrease due to lack of privacy and beauty of our backyard.

When we used to go out on our patio, we had such a quiet wooded view. We could see the sun set while sitting back there. Now all we see is this Huge Church in our back yard being built. There is dust blowing into our patio not to mention the they have already dug up more of the beauty of Clermont.

This area has been reserved for housing developments and beautiful, tasteful homes have been built up around us, actually increasing the value of our homes.

It is unacceptable as homeowners to have a business complex behind our home, and if the zoning is changed, what would stop them from putting more commercial buildings. There isn't even enough trees to block our view or the noise of the Church being erected! They destroyed so much of Clermont's beauty.

Just changing the location of the buildings on the property does NOT change the fact that our area of Clermont should be sanctioned to family homes NOT commercial buildings. As it is, we are not happy with the church being back there.

The noise, lights and traffic will be unacceptable to us homeowners.

Yours In Health,

Kari Delikat
352-432-8073 – Office
352-353-4717 – Fax
www.kdbilling.com



From: Ri <ridymon@hotmail.com>
Sent: Sunday, May 31, 2020 11:14 AM
To: City Clerk <CityClerk@clermontfl.org>
Subject: First Baptist church June 2

I would like to express my opinion regarding the zoning change Request for the first Baptist Church at your meeting on June 2 at 7 PM.

I live on that road and cannot pass because of the traffic congestion each day. Adding another building there that requires increased traffic flow and will need infrastructure. It is not productive for my residential property.

Now, I would like to add that I believe this property is acres large and has access to route 27 from the other side. The state and county spent billions to widen it. Why can't they produce a plan that will allow them to build whatever they want on their acres as long as they exit and enter on 27 A Road clearly ready to handle any increase in traffic they may create.

I was really hoping that the actual church would utilize 27 as well and stay away from the intersection of our rumors and you got all together Thanks

Sent from my iPad

From: lifepak12man <lifepak12man@yahoo.com>
Sent: Thursday, May 28, 2020 12:36 PM
To: City Clerk <CityClerk@clermontfl.org>
Subject: Hartwood Marsh Senior Loving Community

Zoning Board and Clermont City Council members,

I am writing to voice my objection to and ask that you deny the request from First Baptist Church of Clermont for the zoning change from low density occupancy to high density occupancy for their property located at the SE corner of Hartwood Marsh Rd and Hancock Rd.

As I'm sure you are all aware, the traffic on Hartwood Marsh Rd is more than the road can handle at this time. It is near impossible to exit our Regency Hills subdivision and attempt to go westbound in the mornings when the school is in session, as well as in the afternoon when school lets out and early evenings during people's commutes home.

Approving this zoning change and approving this project will only add to the traffic issues we are experiencing, as well as result in further destruction of the green space buffering our subdivision from the First Baptist Church that is currently being built. This initial construction has resulted in an influx of rats, snakes, coyotes, squirrels and other rodents and pests, resulting in added costs to property owners to pay pest control companies to help eliminate this influx.

Enough of nature has been destroyed for high density units and new subdivisions and Clermont is outgrowing it's current infrastructure as it is. It's time the City of Clermont stop future projects like these and build a plan for improving what we already have, before taxing our systems further. I have to assume the fact since this is a church owned/planned facility, that they will be tax exempt?

Having worked in the public safety field for over 30 years, I know the burden these facilities have on our public safety departments in responding to an increased number of medical calls, thus further taxing an already over taxed fire and EMS system. Is the City of Clermont going to increase the number of firefighters and apparatus to help handle the increased call volume? Is Lake EMS going to station more ambulances in Clermont to help cover these added medical calls? All this with no tax subsidy from First Baptist of Clermont, which means all residents of Clermont will suffer from delayed medical responses and/or an increase in property taxes to cover these vital services.

Clermont is a beautiful place to live, let's not destroy that. Let's slow down and work on building up our infrastructure, to include road congestion issues, public safety, water and sewer and increasing the green spaces rather than continually destroying more and more for the greed of property owners making a quick buck.

Thank you for taking the time to consider my email and my families position on this and future projects, not only on Hartwood Marsh Rd, but the Hancock Rd extension and other roads and neighborhoods around Clermont.

Timothy L. Gray
2716 Kingston Ridge Dr.
Clermont, FL. 34711
(352) 988-3441
lifepak12man@yahoo.com

From: crichard69@aol.com <crichard69@aol.com>
Sent: Monday, June 01, 2020 7:03 PM
To: City Clerk <CityClerk@clermontfl.org>
Subject: Zoning of Hancock & Harwood Marsh

The proposed re-zoning of the area would have an adverse affect to the immediate area with no possible solution once the change has been implemented. Traffic in the area has been severely impacted already by the construction of new developments and with the new construction of the church and school traffic will naturally increase. The roads cannot accommodate any more traffic due to them being a 2 lane road with no possibility of expansion. It seems apparent that a detailed traffic study was not conducted especially during the school year and at rush hour(both AM and PM). If one was conducted it would reveal that the area cannot handle any more traffic. By re-zoning the area it would have an extreme negative impact to both housing prices and quality of life and safety of residents located on Hartwood Marsh. If an emergency were to occur during peak traffic hours any emergency responders and vehicles would not be able to navigate the road due to traffic blocking the road and entrances to subdivisions and school currently in the area. This could result in a potentially catastrophic incident where loss of life could occur all for the sake of profit. It is also extremely unfair to taxpayers in the area to have to sacrifice their quality of life and suffer the negative affects of increased traffic, pollution and safety. I speak from experience due to being in law enforcement for 20 years and have seen the adverse affects that increased traffic does to residents and communities. I myself was forced to increase my response time to emergency calls due to traffic issues which forced me to take indirect routes because of poorly planned construction. Just ask yourself if you or your family's safety is worth sacrificing for the sake of someone else's profit and I'm sure you will reject any notion of re-zoning.

Hunter's Run Resident

From: Anthoeth Leckie <tannyleck@yahoo.com>
Sent: Sunday, May 31, 2020 11:46 PM
To: City Clerk <CityClerk@clermontfl.org>
Subject: Re: Proposed Plan to Change Zoning

Dear Sir/Madam,

As a resident of the Hartwood Reserve community for the past ten years, we have seen several changes to the existing Hartwood Marsh road over these years. These changes have been disadvantageous to us as residents because of the significantly increased traffic along this two-way road. This problem has become even more exacerbated during the period when school is in session. As parents of a child who attends Imagine South Lake school, it has become more and more challenging taking our child to and from school, even with the police directing traffic.

Changing the zoning of this area from low-density to high-density will increase the traffic of visitors and vendors that the project would put onto the already over-loaded Hartwood Marsh Road, it would signal to other developers opportunities to build other facilities that fall under the high-density category negatively impacting residents of this area. Finally, there is already an excess capacity of existing Assisted Living facilities in Clermont and if one is truly needed, there are other high-density zone areas left in Clermont that can be utilized.

My husband and I are joining in solidarity with the other members of the surrounding community of the corner of Hancock Road and Hartwood Marsh Road, in requesting that you once again deny, the proposal to rezone this area to facilitate the building of an assisted living facility.

We thank you for the opportunity for our voices to be heard and we do hope that you will hold to your previous decision and keep this area a low density zoned area.

Sincerely,
Trevor & Anthoeth Leckie
Residents of Hartwood Reserve

From: Kelly McKee <kwm2090@yahoo.com>

Sent: Friday, May 29, 2020 10:41 AM

To: City Clerk <CityClerk@clermontfl.org>

Subject: Re: Important Neighborhood Meeting June 2nd Zoning Change for Assisted Living Facility on Hancock and Hartwood Marsh

I don't mind the assisted living facility at Hartwood Marsh and Hancock, so long as Hartwood Marsh and Hancock streets are expanded with lights, sidewalks, etc. to accommodate the growing traffic as part of the project (not after). This will also be crucial given the planned Olympus development nearby.

All building projects in Clermont/Lake county should require comparable updates to surrounding car, bus, bike and pedestrian traffic routes with appropriate green space.

Thanks
Kelly McKee
2738 Retriever Dr
Clermont, FL 34711
720-629-1185

From: Claudio Moraes <crmoraes@icloud.com>

Sent: Friday, May 29, 2020 5:43 PM

To: City Clerk <CityClerk@clermontfl.org>

Subject: Zoning Change for Assisted Living Facility on Hancock and Hartwood Marsh - June 2nd Meeting

Hello

I became aware of a meeting that will be held on June 2nd to discuss the "Zoning Change for Assisted Living Facility on Hancock and Hartwood Marsh".

I would like to express my thoughts and concerns related to this proposed change:

- This proposed change will add additional traffic of visitors and vendors onto an already over-loaded Hartwood and Marsh Lane roads
- There is already an excess capacity of existing Assisted Living facilities in Clermont which shows no need for the new center. In addition, if this facility fail and based on history they are turned into re-hab centers which brings more concerns and other unplanned issues that will need to be addressed
- The current planned structure and zoning of the area does not support more high-density constructions which would directly impact the qualify of life for all people living in the area
- There are several high-density zones in other areas of Clermont that could be leverage for this project and are placed in strategic locations to support it

Please understand and know that this project will impact the future of not only the area where hundreds are currently living but the future of Clermont as well when people look at the area for a possible place to live without having the certainty of what will happen.

Thank you for your consideration.

God bless you all,
Claudio

As a resident of Hunter's Run of Lake County who has concerns for the quality of life for my family and for the value of our home along Hartwood Marsh, we oppose the possible change in zoning proposed by The First Baptist Church of Clermont concerning its plan to build an Assisted Living Center.

Richard & Ingrid Nolan

From: Steve Rea <reastx@yahoo.com>
Sent: Friday, May 29, 2020 10:02 AM
To: City Clerk <CityClerk@clermontfl.org>
Subject: The First Baptist Church Of Clermont

Hello,

We were recently informed of an upcoming zoning change meeting which unfortunately we will not be able to attend but I wanted to inform you that we are opposed to any zoning changes in this area. Since moving in 5 years ago we've seen a substantial amount of new homes being built along Hartwood Marsh road as well as on Hancock Road. When we moved in we did expect and understand this growth in single family homes in this area but certainly did not expect any zoning changes to high density housing. We also fear that this will open the door to further zoning changes in this area. So please vote against this!

Thank you!

Stephen & Maria Rea
4225 Foxhound Dr

From: Dan Scott <dan@danscottsound.com>
Sent: Friday, May 29, 2020 1:29 PM
To: City Clerk <CityClerk@clermontfl.org>
Subject: First Baptist Church of Clermont Rezoning

To Whom it May Concern,
I'm writing ahead of the Planning and Zoning Commission meeting scheduled for June 2, 2020 to oppose changing the zoning at the intersection of Hartwood Marsh Rd. and Hancock Rd.

As a longtime resident of Clermont, I know this area has always had traffic issues, but as a new resident in the Hunter's Run neighborhood I now see first hand everyday that the stretch of Hartwood Marsh leading toward US 27 is at its max capacity and is dangerous to navigate for a good portion of every day. The Imagine elementary school at that same

intersection already causes backups on both sides of Hartwood Marsh and also on Hancock Rd. The new church and its additional facilities certainly won't help this and a large assisted living facility on the same plot would make things exponentially worse.

In addition, this stretch of Hartwood Marsh Rd. has become a hot spot of some of Clermont's nicest family neighborhoods. We, and almost all of our neighbors, moved here because the school zoning is good and the lots in these neighborhoods are more spacious than many other developments in the area. But one of the biggest reasons is that we are close to everything in town but not directly combating traffic on 50 or 27. By rezoning that parcel to high-density zoning you would be opening the gates to spread the traffic overload problems that we see in other parts of Clermont, surrounding these neighborhoods and driving down our property values. Not to mention the other problems with building a three-story eye-sore to intrude on the peace and privacy of Clermont's premiere neighborhoods.

I know I speak for most of the 320 homes in Hunter's Run and the hundreds of homes in the surrounding neighborhoods when I ask that you please deny the rezoning of this area.

Sincerely,
Dan Scott
Cell: (716) 310-9687

From: Mike & Sue Stenzel <mstenzel@cfl.rr.com>
Sent: Sunday, May 31, 2020 9:18 PM
To: Tracy Ackroyd <TAckroyd@clermontfl.org>
Cc: mstenzel@cfl.rr.com
Subject: Ordinances No 2020-17 & 2020-18

Tracy,

I'm sending you this email to let you know that I and my Wife disagree with these changes. We moved to the Hunters Run development in July of 2019 because of the surrounding area was Low Density Residential. This change will cause a large increase in traffic on a road that already is overwhelmed.

The requested changes in zoning fail to meet the criteria established by the City Of Clermont in the "CITY OF CLERMONT COMPREHENSIVE PLAN"

The nearest Low Density housing is well over a mile away.

This change would have a negative impact on hundreds of tax paying property owners in the immediate area. A impact that cannot be changed once the zoning changes have been made.

This can only be stopped now, by following the guidelines put forth by the City of Clermont in the Comprehensive Plan. This development would be better placed in a current Low Density authorized zone or somewhere in a new area that has not yet been determined and or developed within a mile of the structure.

Thank you for your time

Respectfully

Mike and Sue Stenzel
4200 Foxhound DR
Clermont FL 34711

From: John Wilson <john.f.wilson.jr@gmail.com>
Sent: Sunday, May 31, 2020 4:16 PM
To: City Clerk <CityClerk@clermontfl.org>
Cc: John Wilson <John.f.wilson.jr@gmail.com>
Subject: June 2nd Panning and Zoning Board Input

To: Chairperson Herb Smith
Clermont Planning and Zoning Board

Please read the following at the June 2nd meeting.

As 14 year residents of Hartwood Reserve, my wife and I warmly welcome the First Baptist Church of Clermont to the neighborhood. This part of the city has long needed a vibrant, growing worship community nearby; one that takes an active part in meeting our spiritual and educational needs. However, we are vehemently opposed to a third party owned and operated for profit assisted living facility on the same property owned by the 1st Baptist Church of Clermont.

In addition to potentially contributing to reducing the prices of real estate in this local area, please consider the following.

There is already a plethora of assisted living and senior independent living facilities in the Clermont area. There are six within a 5 mile radius and 16 within a 12 mile area. There are more units being built currently in the Hooks Road area to greatly increase the 150+ residential units that Cranes View Lodge already accommodates. In less than one mile is Orchard Heights, another large facility.

Realizing these are high profit centers and would potentially enhance the church's revenue stream, etc.; the support infrastructure consisting of maintenance, on-site staff; vendors would negatively affect the area. Additionally, when these facilities fail, they often turn into rehab centers, and other less desirable multi-dwellings (MDUs) etc.

The traffic at the Hancock-Hartwood Marsh intersection is already heavily impacted during the school year by the public and charter schools with huge morning and evening backups to Highway 27 and all the way to the Lake/Orange County line (and beyond). These delays and congestion already :

- (1) block/impede my access to and from Harwood Marsh from my subdivision;
- (2) exacerbate morning and evening rush-hour commutes by as much as 30+ minutes on the weekdays; minimal impact on weekends
- (3) greatly hinder emergency responders because of the narrow road often forcing vehicles off the roadway;
- (4) will necessitate the city spending large sums for the necessary modifications to the roadway;
- (5) will likely hamper the Lake County plans for the Wellness Way projects, and
- (6) necessitate costly changes to the County's approved Hartwood Marsh Road widening and alignments from Hiway 27 to Lake/Orange county line

We believe a better use of the property is for a long term enhancement plan for the church to grow by adding youth athletic fields, a private school, more worship facilities for adults and youth.

Respectfully,
John and Annie Wilson
4517 Powderhorn Place Drive
Clermont, FL 34711
(352) 897-7157 Home
John.f.wilson.jr@gmail.com

From: Desiree Titone BURRELL <restorationatdesireeswellness@gmail.com>

Sent: Tuesday, June 30, 2020 1:08 PM

To: City Clerk <CityClerk@clermontfl.org>

Subject: Living Facility on Hardwood Marsh and Hancock Clermont

Good Afternoon,

I am 100%for having a living facility for the elderly in this neighborhood. It will bring security for those who need a facility for their aging parents. There are many in this predicament that live in Hunters Run, Heritage Hills and Kings Ridge. I have spoken personally with numerous people always looking for a facility for their mom or dad. Please, let's think of our elderly and offer another alternative for them by allowing this facility to exist.

Thank you for your time and consideration

Desiree T Burrell

407 756 5216

From: Walt burel <flyrodz@yahoo.com>

Sent: Tuesday, June 30, 2020 1:40 PM

To: City Clerk <CityClerk@clermontfl.org>

Subject: To the attention of city council

This is a concise and sincere plea that you will allow for the construction of the senior living facility off Hardwood Marsh and Hancock.

We all, (God willing) will be seniors one day and we all as well have a obligation to care for and love our seniors! The proximity to Kings Ridge among many adult communities local is all the more reason as this facility would no doubt be immediately utilized by countless in our community.

I thank you for your time and consideration.

Walter Burrell

**CITY OF CLERMONT
COMPREHENSIVE PLAN AMENDMENT
Application**

DATE: 02-11-2020

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

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 _____ 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.

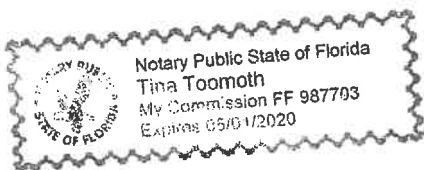
WILLIAM E. LAWSON
Affiant - Applicant Name (print)

X Will. Lawson
Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

or personally known by me this 12th day of February, 2020.

X Tina Toomoth
Notary Public, State of Florida at Large



My Commission Expires: 05/01/2020

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:

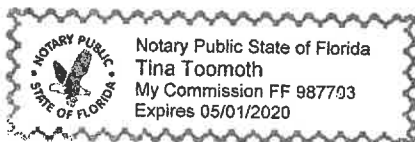
1. That he (she) affirms and certifies that he (she) understands and will comply with all ordinances, regulations and policies of Lake County, Florida, and that all statements and diagrams submitted herewith are true and accurate to the best of his (her) knowledge and belief, and further, that this application 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 X William E Lawson
Affiant - Applicant Name (print) Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

or personally known by me this 12th day of February, 2020.

X Tina Toomoth
Notary Public, State of Florida at Large



My Commission Expires: 05/01/2020



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date	
Tuesday, July 7, 2020	
Agenda Item Name	
Ordinance No. 2020-17 <i>Hartwood Marsh Assisted Living Facility</i>	
Requested Action	
Recommend approval of Ordinance No 2020-17.	
Staff Report	
The owner, First Baptist Church, is requesting to rezone approximately six (6) acres of the 38 acre master 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, which allows a church use with a Conditional Use Permit. The City Council approved on February 27, 2018 a CUP with 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 such as a school, recreation field, multi-purpose buildings and parking garage that was to be used in conjunction with the church ministry. The plan also included an Assisted Living Facility, which required a separate approval process. The Assisted Living Facility is not a permitted use in the R-1 zoning district and not allowed by the Comprehensive Plan for Low Density Residential Land Use. The applicant is also requesting a land use change from Low Density Residential 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 project as proposed; will be developed and operated by a private developers or company and is not part of the church facility. The applicant in 2019; presented a similar concept plan that would consist of three (3) buildings; which includes a three story building 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 conceptual plan has been redesigned to reconfigure the site to provide a layout to allow the three (3) story building be located interior to the project and away from the residential neighborhoods as a way to address some of the concerns from the surrounding neighborhoods. The total maximum building area shall not exceed	

62,000 square feet. The applicant is not requesting any waivers to the Land Development Code and all development must comply with Clermont Architectural Standards and Regulations. The applicant will be required to provide a Traffic Impact Analysis (TIA) for the proposed project and any traffic deficiencies identified will require mitigation at the applicants expense. To alleviate and help minimize traffic congestion the applicant has dedicated land for rights-of way for future road improvements to Hartwood Marsh Road and also on Hancock Road.

Staff has reviewed the application as submitted and finds the proposed development plan does meet the standards and intent of Section 122-314, Review Criteria for a Planned Unit Development (PUD). Staff finds the requested use will not be detrimental to the health, safety and general welfare of the surrounding areas. Staff recommends approval of Ordinance No. 2020-17, rezoning the subject property to Planned Unit Development (PUD).

Additional Analysis

Fiscal Impact Summary

Fiscal Impact

Fund Number and Description

Available Budget Amount

Exhibits Attached (copies of original agreements)

- | | | |
|-----|---|---|
| 1. | Ord. 2020-17 Hartwood Marsh Senior Living Facility PUD | Ord. 2020-17 Hartwood Marsh Senior Living Facility PUD.pdf |
| 2. | New Location Map | New Location Map.pdf |
| 3. | Zoning Map Before | Zoning Map Before.pdf |
| 4. | Zoning Map After | Zoning Map After.pdf |
| 5. | Concept Site Plan - Hartwood Marsh Senior Housing Community | Concept Plan - Hartwood Marsh Senior Housing Community.pdf |
| 6. | Color Render Master Plan- Hartwood Marsh Senior Housing Community | Color Render Master Plan- Hartwood Marsh Senior Housing Community.pdf |
| 7. | Elevations-Concept Plan | Elevations-Concept Plan.pdf |
| 8. | HOA letter to Planning and Zoning Commission | HOA letter to Planning and Zoning Commission.pdf |
| 9. | Public Comments | Public Comments.pdf |
| 10. | REZ Application | REZ Application.pdf |
| 11. | ORDINANCE NO 2020-17 (1) | ORDINANCE NO 2020-17 (1).pdf |



CITY OF CLERMONT
ORDINANCE NO. 2020-17

AN ORDINANCE UNDER THE CODE OF ORDINANCES OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CLERMONT REFERRED TO IN CHAPTER 122 OF ORDINANCE NO. 289-C, CODE OF ORDINANCES; REZONING THE REAL PROPERTIES DESCRIBED HEREIN AS SHOWN BELOW; PROVIDING FOR SEVERABILITY, 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 ¼ 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 67.65 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 437.68 FEET TO A POINT; THENCE S89°59'04"W, A DISTANCE OF 464..18 FEET TO A POINT; THENCE N3'7°19'57"W, A DISTANCE OF 319.99 FEET TO A POINT; THENCE N00°00'00"W, A DISTANCE OF 181.31 FEET TO A POINT; THENCE N89°49'25"E, A DISTANCE OF 662.97 FEET TO THE POINT OF BEGINNING.

CONTAINING 263, 808 SQUARE FEET OR 6.056 ACRES, 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: (R-1) Single Family Medium Density Residential
To: Planned Unit Development (PUD)**



CITY OF CLERMONT
ORDINANCE NO. 2020-17

SECTION 2. General Conditions

This application for a Planned Unit Development (PUD) to allow for a three (3) story Assisted Living Facility, with 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 total maximum building area 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 and building 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 and ½ half) 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)	30 feet from the property line
Side Setback (Church)	25 feet from the property line
Rear Setback	50 feet from the property line
3. Landscape Buffers

Hartwood Marsh Road	20 feet wide Landscape Buffer
East Buffer (Neighborhood)	30 feet wide Landscape Buffer
South Buffer (Rear)	15 feet wide Landscape Buffer
West Buffer	15 feet wide Landscape Buffer



CITY OF CLERMONT
ORDINANCE NO. 2020-17

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.
5. Architectural features and building height shall not exceed 50 feet, measured at the highest point. Elevators are required for the three (3) - story building.
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.
8. A Traffic Impact Analysis/Study is required for the Assisted Living Facility, any traffic deficiencies identified will require traffic concurrency mitigation at the owner/applicant’s cost for compliance. The applicant will be responsible for reimbursement of any cost and fees associated with the review and analysis of the traffic impact study by the City’s Traffic Engineer Consultant.
9. Improvements at the intersection of Hancock, South Hancock and Hartwood Marsh roads within the existing or to be dedicated right-of-way will be required (as approved by Lake County) to allow for the extension of South Hancock Road. This may include turn lane(s), sidewalk, trail, and sign modifications.
10. If required by Lake County, the developer shall be responsible to coordinate the modification of the existing traffic signal at Hartwood Marsh Road and Hancock Road, as needed with Lake County, to accommodate safe and efficient traffic flow from the project entrances.

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 – Conceptual Plan

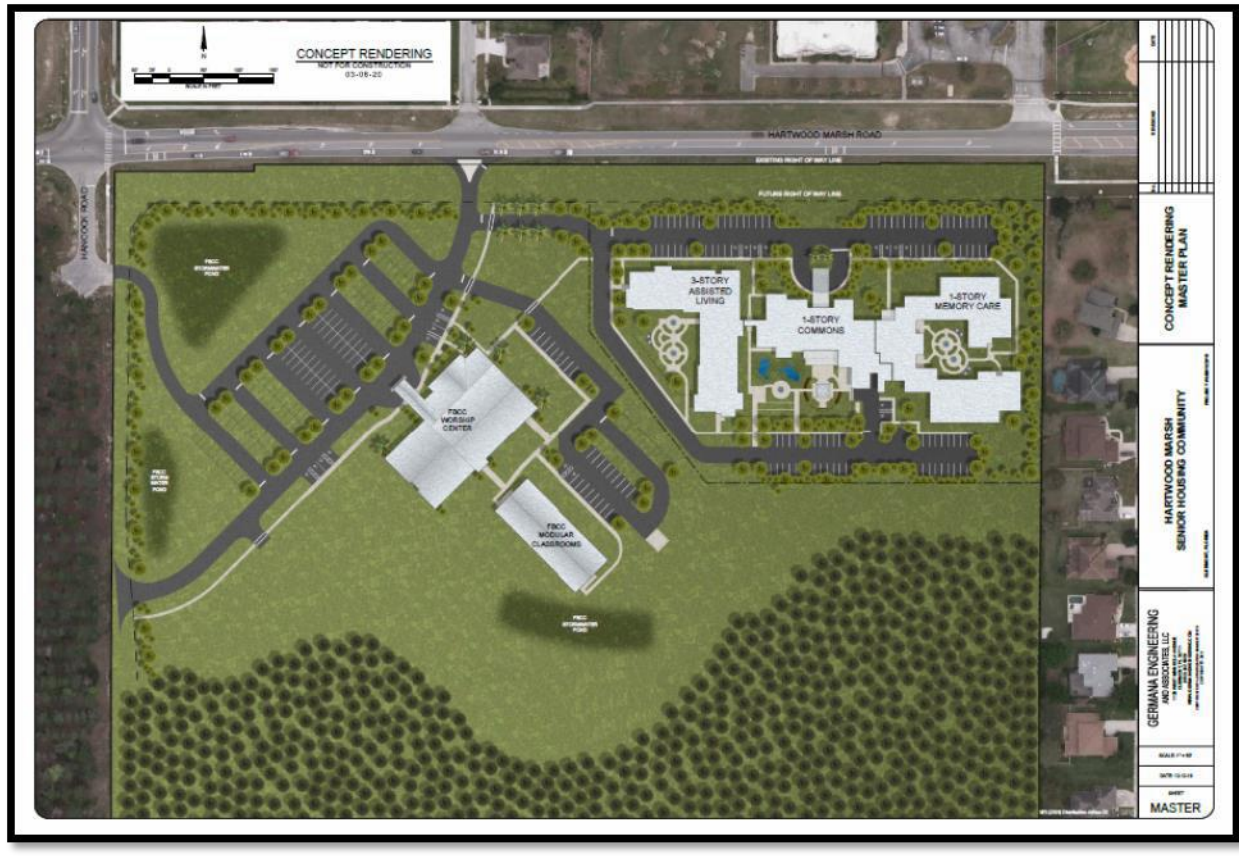


Exhibit B:





CITY OF CLERMONT
ORDINANCE NO. 2020-17

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this _____ day of July 2020.

CITY OF CLERMONT

Gail L. Ash, Mayor

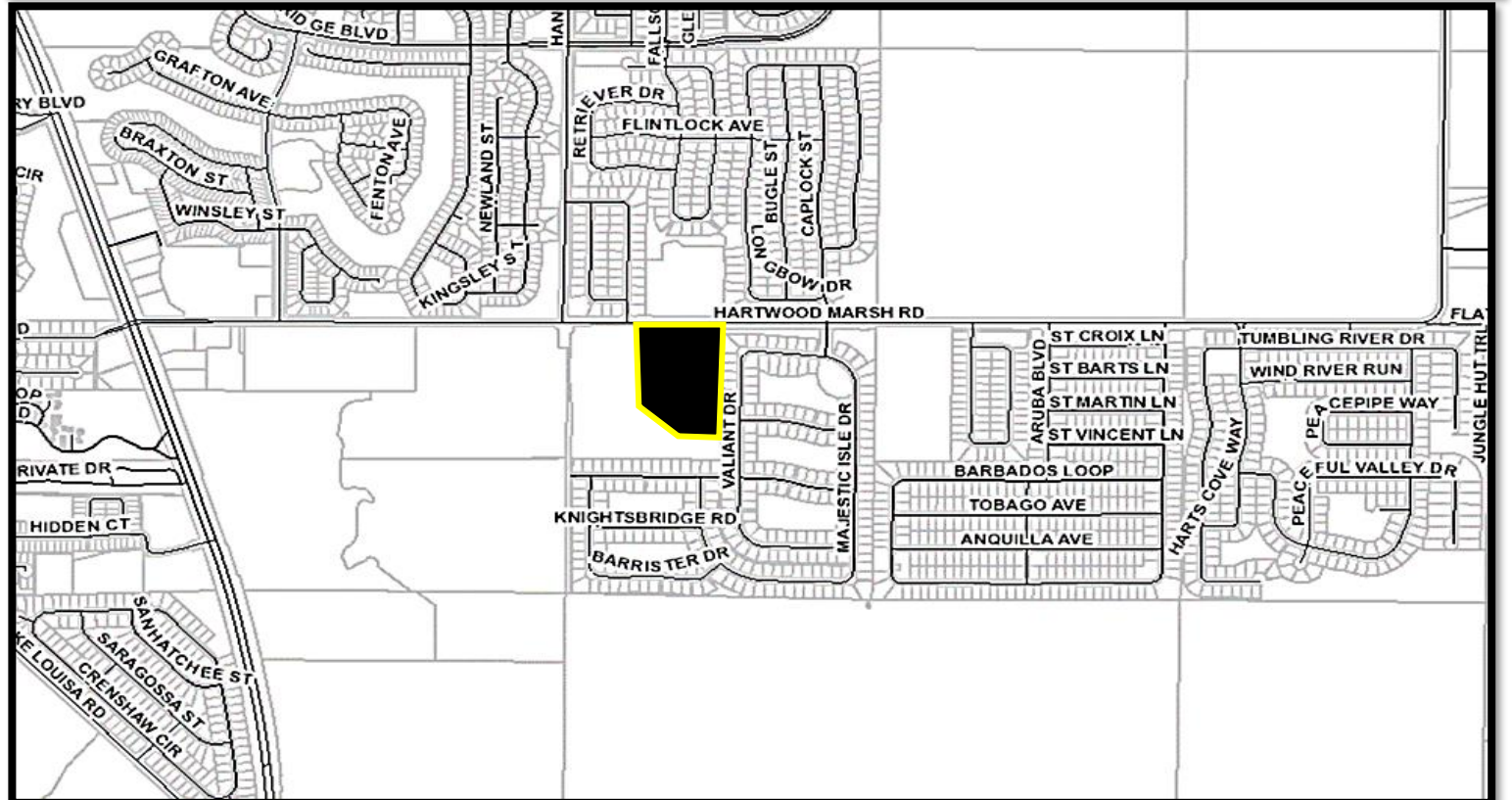
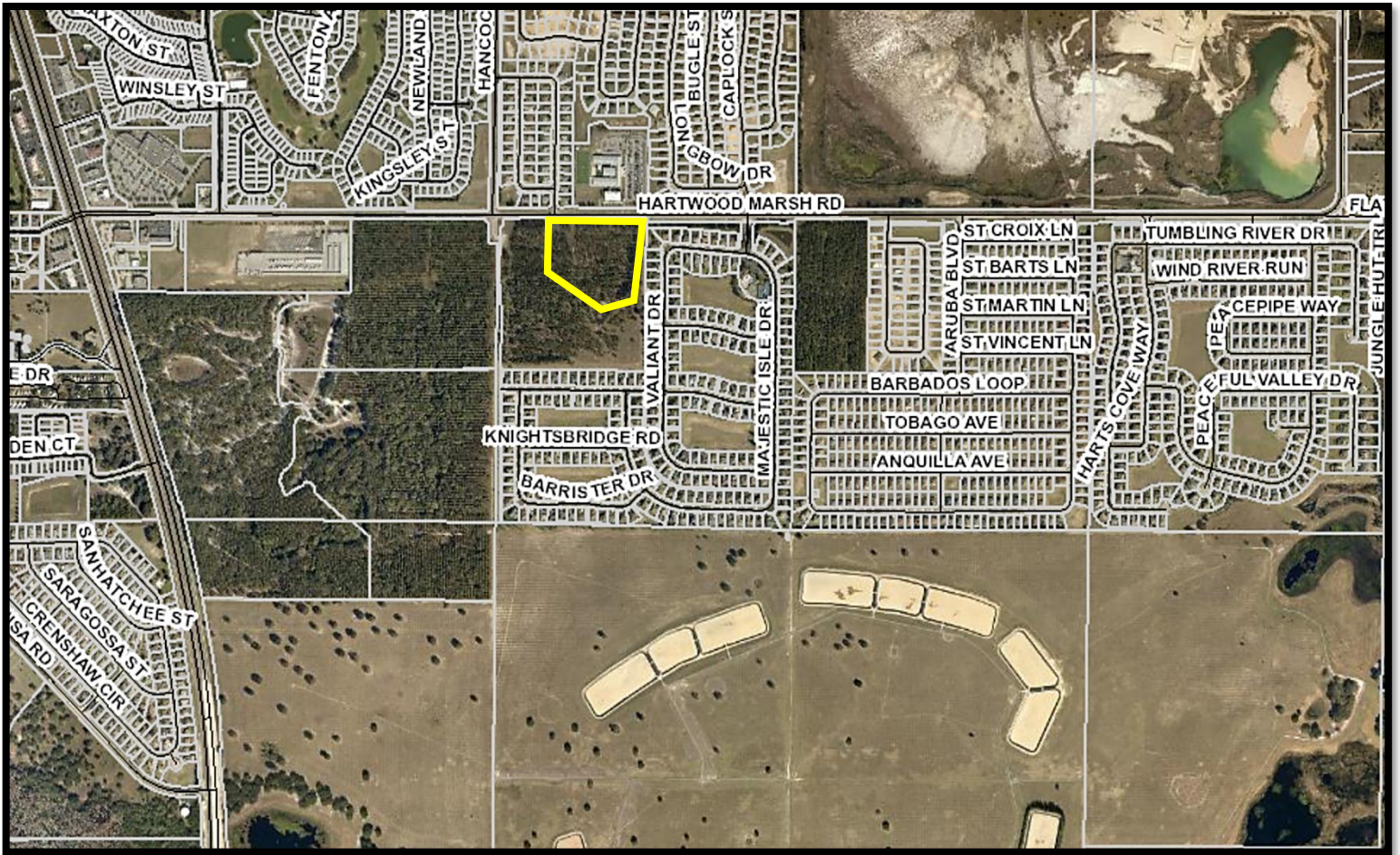
ATTEST:

Tracy Ackroyd Howe, MMC, City Clerk

Approved as to form and legality:

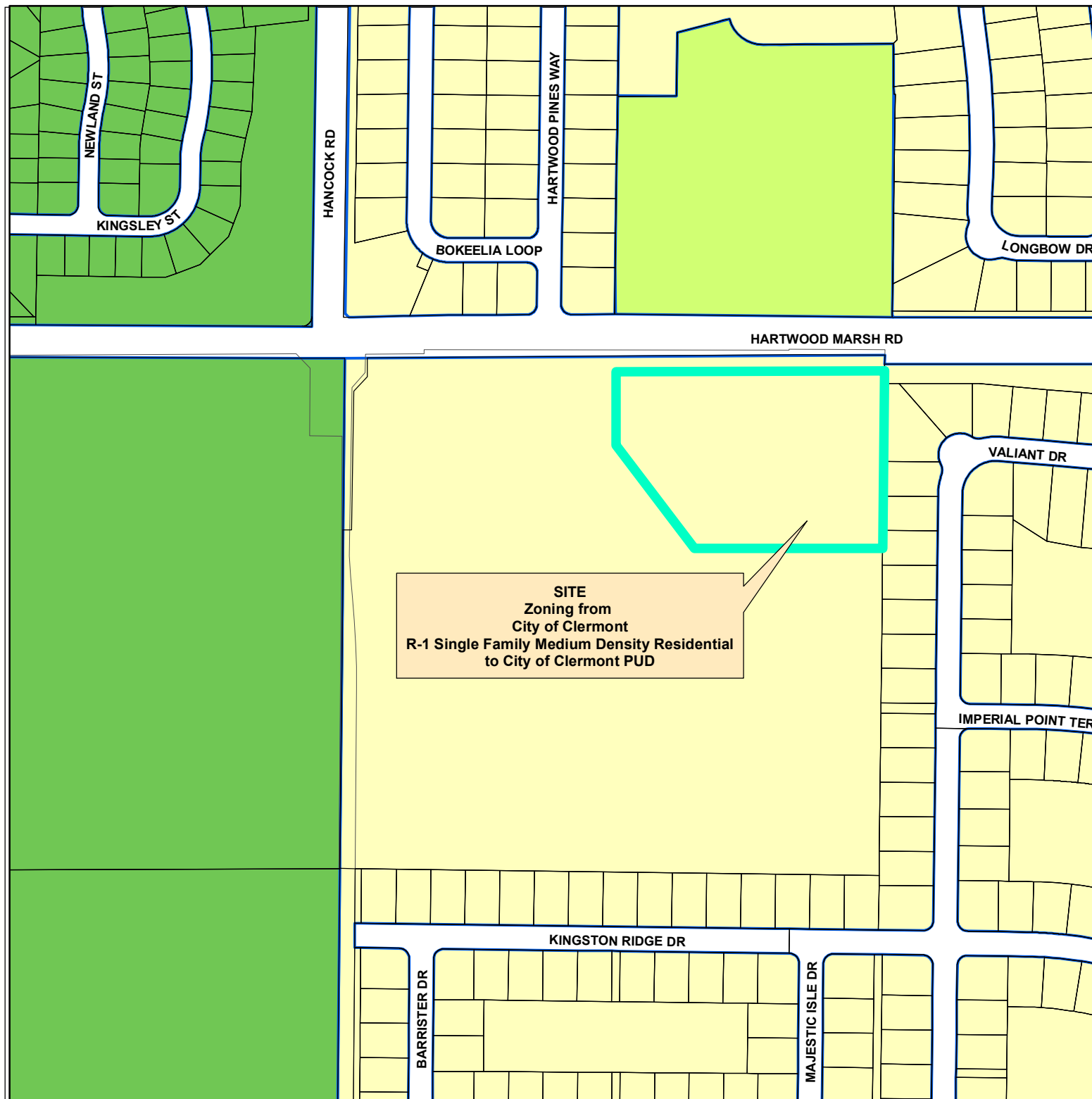
Daniel F. Mantzaris, City Attorney

LOCATION MAP





Zoning
Before



Legend

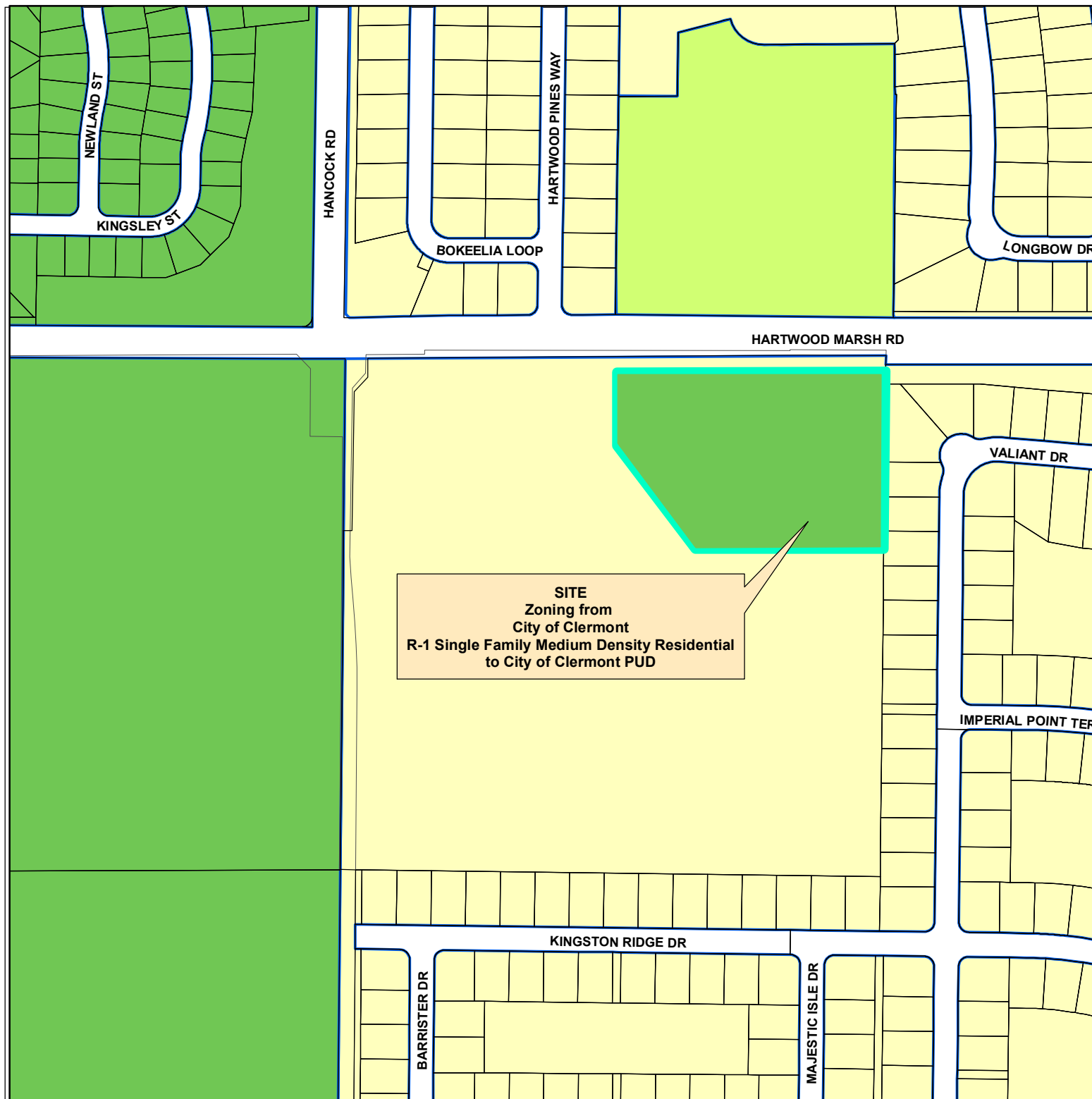
- City Limits
- CBD CENTRAL BUSINESS DISTRICT
- CD COMMERCE DISTRICT
- CDD COMMUNITY DEVELOPMENT DISTRICT
- C-1 LIGHT COMMERCIAL DISTRICT
- C-2 GENERAL COMMERCIAL DISTRICT
- M-1 INDUSTRIAL DISTRICT
- O-1 OFFICE DISTRICT
- PR PARKS AND RECREATION DISTRICT
- PUD PLANNED UNIT DEVELOPMENT
- R-1-A SINGLE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





Zoning

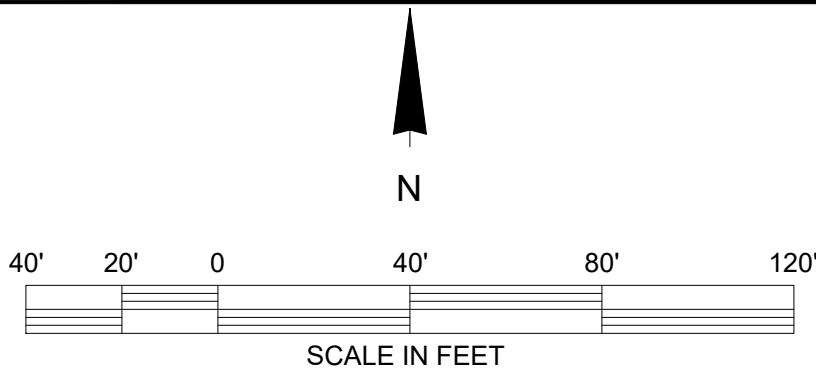
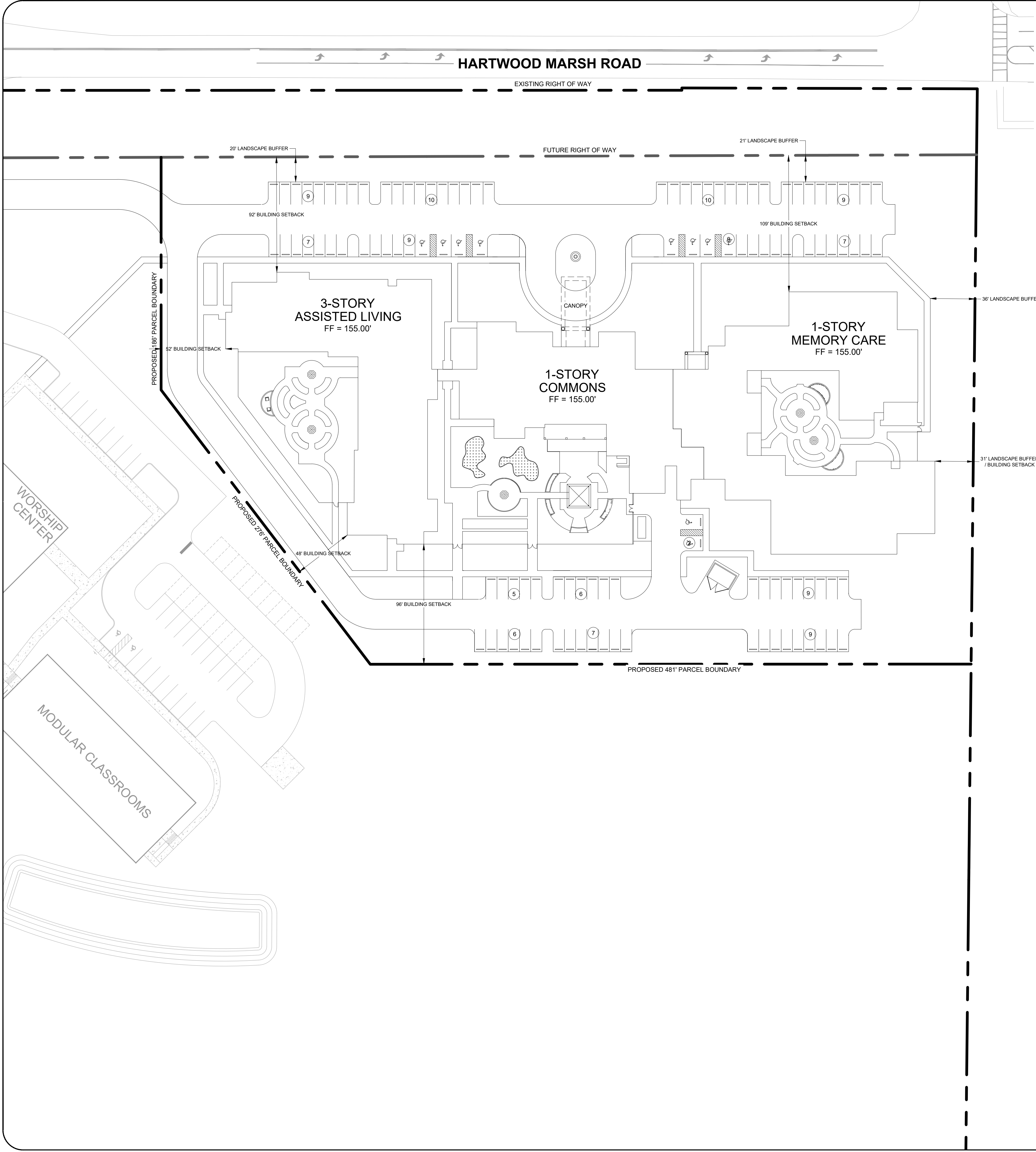
After



Legend

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





LEGEND

- PROPERTY LINE
- PROPOSED CONCRETE
- (10) PARKING COUNT
- - - PAVEMENT CENTERLINE

NOTES

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

SITE DATA

- SITE AREA = 5.64 AC / 245,768 SF (DOESN'T INCLUDE FUTURE R/W 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

FUTURE R/W SETBACK: 92'
SIDE SETBACK (NEIGHBORHOOD): 31'
SIDE SETBACK (FBCC): 48'
REAR SETBACK (FBCC): 96'

FUTURE R/W LANDSCAPE BUFFER: 20'-21'
EAST NEIGHBORHOOD LANDSCAPE BUFFER: 31'/36'

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 = 112 SPACES PROVIDED

DATE

REVISIONS

No.

CONCEPT
SITE PLAN

HARTWOOD MARSH
SENIOR HOUSING COMMUNITY

PROJECT # GE0152019

CLERMONT, FLORIDA

GERMANA ENGINEERING
AND ASSOCIATES, LLC

1120 WEST MINNEOLA AVENUE
CLERMONT, FLORIDA 34711
CL 8530 242-9329
WWW.GERMANAENGINEERING.COM
CERTIFICATE OF AUTHORIZATION NUMBER: 26279
COPYRIGHT © 2019

PRELIMINARY
NOT FOR CONSTRUCTION
NOT FOR PERMITTING
03-06-20

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

SCALE: 1" = 40'

DATE: -

SHEET

CONCEPT











Richard E. Larsen *†
Thomas R. Slaten, Jr †
Charles L. Eldredge, Jr.
Cheryl C. Slaten



LARSEN®
& ASSOCIATES, P. L.
ATTORNEYS AT LAW

MAIN OFFICE

5323 Millenia Lakes Blvd, Ste 300
Orlando, FL 32839
P 407.841.6555
Collections F 407.841.4349
General F 407.841.6686

† Shareholder
* Admitted in Florida and Illinois

May 28, 2020

City of Clermont
Development Services Department
685 W. Montrose Street
Clermont, Florida 34711
cityclerk@clermontfl.org

Re: Project: Clermont-Hartwood Marsh Senior Housing Community
Applicant: First Baptist Church of Clermont
Hearings: June 2 Planning and Zoning and June 23 City Council

Dear City of Clermont City Council:

I am writing on behalf of the 265 home Regency Hills of Clermont Homeowners Association, Inc. ("Association") to strongly oppose the Clermont-Hartwood Marsh Senior Housing Community project ("Project") proposed by First Baptist Church of Clermont. The Association's objections are similar to those raised last year when City staff and the Planning and Zoning Board recommended denial of the Project.

The Association consists of 265 single-family homes immediately adjacent to the east and south sides of the proposed Project. The Association is zoned R-1, meaning low density residential, as is the parcel for the proposed Project. The Project requires changing to high-density residential use to allow for a three story assisted living facility and related infrastructure. The Association and its homeowners strongly object to this change and the Project's likely impact on the Association and its residents for the following reasons:

- The proposed Project is not permitted and is not compatible or allowed in R-1 low-density residential land use.
- The requested change to high-density residential use does not meet the intent of Section 122-315 Review Criteria for a PUD as detailed immediately below.
- The Project's development intensity is not consistent with the surrounding low-density residential communities, especially Regency Hills of Clermont.
- The proposed three-story building is not suitable for the parcel's location and its size and character is in conflict with the surrounding development, especially Regency Hills of Clermont.

140 South Beach Street
Suite 310
Daytona Beach, FL 32114

10752 Deerwood Park Blvd. South
Suite 100
Jacksonville, FL 32256

Woodland Corporate Center
8270 Woodland Center Blvd
Tampa, FL 33614

- The Project will generate increased traffic from residents, visitors, employees and vendors, exacerbating already existing congestion on Hartwood Marsh Road, which all 265 homes use to enter and exit the community, and Hancock Road.
- City staff and the Planning and Zoning Board previously recommended denial of the Project, including rezoning the parcel.

For these reasons, the Association strongly opposes the proposed Project. Please let us know if you have any questions or desire additional information. Thank you for your time and attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tom Slaten", with a long horizontal flourish extending to the right.

Thomas R. Slaten, Jr.

Richard E. Larsen *†
Thomas R. Slaten, Jr †
Charles L. Eldredge, Jr.
Cheryl C. Slaten

† Shareholder
* Admitted in Florida and Illinois



MAIN OFFICE

5323 Millenia Lakes Blvd, Ste 300
Orlando, FL 32839
P 407.841.6555
Collections F 407.841.4349
General F 407.841.6686

June 29, 2020

City of Clermont
Development Services Department
685 W. Montrose Street
Clermont, Florida 34711
cityclerk@clermontfl.org

Re: Project: Clermont-Hartwood Marsh Senior Housing Community
Applicant: First Baptist Church of Clermont
Hearings: July 7th Planning and Zoning

Dear City of Clermont City Council:

I am writing on behalf of the 265 home Regency Hills of Clermont Homeowners Association, Inc. ("Association") to strongly oppose the Clermont-Hartwood Marsh Senior Housing Community project ("Project") proposed by First Baptist Church of Clermont. The Association's objections are similar to those raised last year when City staff and the Planning and Zoning Board recommended denial of the Project.

The Association consists of 265 single-family homes immediately adjacent to the east and south sides of the proposed Project. The Association is zoned R-1, meaning low density residential, as is the parcel for the proposed Project. The Project requires changing to high-density residential use to allow for a three story assisted living facility and related infrastructure. The Association and a majority of its homeowners strongly object to this change and the Project's likely impact on the Association and its residents for the following reasons:

- The proposed Project is not permitted and is not compatible or allowed in R-1 low-density residential land use.
- The requested change to high-density residential use does not meet the intent of Section 122-315 Review Criteria for a PUD as detailed immediately below.
- The Project's development intensity is not consistent with the surrounding low-density residential communities, especially Regency Hills of Clermont.
- The proposed three-story building is not suitable for the parcel's location and its size and character is in conflict with the surrounding development, especially Regency Hills of Clermont.

140 South Beach Street
Suite 310
Daytona Beach, FL 32114

10752 Deerwood Park Blvd. South
Suite 100
Jacksonville, FL 32256

Woodland Corporate Center
8270 Woodland Center Blvd
Tampa, FL 33614

- The Project will generate increased traffic from residents, visitors, employees and vendors, exacerbating already existing congestion on Hartwood Marsh Road, which all 265 homes use to enter and exit the community, and Hancock Road,
- City staff and the Planning and Zoning Board previously recommended denial of the Project, including rezoning the parcel.

For these reasons, the Association strongly opposes the proposed Project. Please let us know if you have any questions or desire additional information. Thank you for your time and attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tom Slaten", with a long horizontal flourish extending to the right.

Thomas R. Slaten, Jr.

To: Chairperson Herb Smith
Clermont Planning and Zoning Board

As 14 year residents of Hartwood Reserve, my wife and I warmly welcome the First Baptist Church of Clermont to the neighborhood. This part of the city has long needed a vibrant, growing worship community nearby; one that takes an active part in meeting our spiritual and educational needs. However, we are vehemently opposed to a third party owned and operated for profit assisted living facility on the same property owned by the 1st Baptist Church of Clermont.

In addition to potentially contributing to reducing the prices of real estate in this local area, please consider the following.

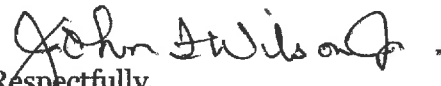
There is already a plethora of assisted living and senior independent living facilities in the Clermont area. There are six within a 5 mile radius and 16 within a 12 mile area. There are more units being built currently in the Hooks Road area to greatly increase the 150+ residential units that Cranes View Lodge already accommodates. In less than one mile is Orchard Heights, another large facility.

Realizing these are high profit centers and would potentially enhance the church's revenue stream, etc.; the support infrastructure consisting of maintenance, on-site staff; vendors would negatively affect the area. Additionally, when these facilities fail, they often turn into rehab centers, and other less desirable multi-dwellings (MDUs) etc.

The traffic at the Hancock-Hartwood Marsh intersection is already heavily impacted during the school year by the public and charter schools with huge morning and evening backups to Highway 27 and all the way to the Lake/Orange County line (and beyond). These delays and congestion:

- (1) block/impede my access to and from Harwood Marsh from my subdivision;
- (2) exacerbate morning and evening rush-hour commutes by as much as 30+ minutes on the weekdays;
- (3) greatly hinder emergency responders because of the narrow road often forcing vehicles off the roadway;
- (4) will necessitate the city spending large sums for the necessary modifications to the roadway;
- (5) will likely hamper the Lake County plans for the Wellness Way projects, and
- (6) necessitate severe changes to the County's approved Hartwood Marsh Road widening and alignments from 27 to Lake/Orange county line

We believe a better use of the property is for a long term enhancement plan for the church to grow by adding youth athletic fields, a private school, more worship facilities for adults and youth.


Respectfully,
John and Annie Wilson
4517 Powderhorn Place Drive
Clermont, FL 34711
(352) 897-7157 Home
John.f.wilson.jr@gmail.com

To: The City of Clermont City Council and Planning and Zoning Commission

Re: Proposed Assisted Living & Memory Care Facility

Hartwood Marsh Road near Hancock Rd.

Date: June 29, 2020

I see a zoning change request is coming before Zoning & Planning and The City Commission in July.

I ask you to approve this request for the good of the community.

There are I believe thousands of homes within 2 miles of this location that are in 55+ communities. I live in one...Kings Ridge. Should I, my wife, or another family member or friend find it necessary to move to an Assisted Living or Memory Care facility, having one so close would be a major benefit for visitation. Many Kings Ridge residents have siblings that have moved to Clermont from all over the country to be near each other. Having a senior care facility so close would help keep these family connections strong. Of course an additional benefit to those future senior residents who desire it would be the close proximity to a church that could provide additional spiritual support.

I am sure you will hear objections from some to this zoning change.

"It will increase traffic on Hartwood Marsh Rd and Hancock Rd substantially" they may say. Remember these residents cannot drive anywhere, and at a previous zoning meeting last fall, it was stated that shift changes for workers at the facility could be scheduled to fall during lower traffic periods. Most traffic in this area is generated by the residential building nearby.

"It will damage property values" they may say. This is not a gas station or shopping center, but a thoughtfully designed property that will fit in nicely in the area.

"What if the church wants to build apartments someday?" they may say. I doubt that is the church's mission and I suspect that could be limited in some way.

"It will increase noise from emergency vehicles" they may say. Obviously they are unaware that almost always emergency vehicles enter neighborhoods without sirens and horn.

Again I **urge you to approve the construction of this Senior Living facility** on this site. Have you ever seen a traffic jam caused by one of these? It will not burden the community and will even benefit younger families living nearby should they need to find care for their parents in the future.

Albert Bohn
2233 Kingsmill Way
Clermont, FL 34711

Michael Sheahan

2737 Valiant Drive ▪ Clermont, FL 34711-5248

e-mail: sheahanm51@gmail.com ▪ Cell phone: 407-401-0012

June 1, 2020

Attn: City Clerk of Clermont, FL

I'm writing to provide my feedback on the assisted living facility that the First Baptist Clermont Church is proposing. As plans for the church (now being built at Hartwood Marsh and Hancock Roads) have been developing over the years, let me offer my reactions during that timeframe.

The inclusion of soccer fields: I initially understood that the campus would include a series of soccer fields. I expressed my feedback about that, as I suspected that anticipated daily practices and games would add additional traffic and noise to the neighborhood.

The inclusion of the assisted living facility: Likewise, I understand that the assisted living facility, planned closer to my neighboring Regency Hills subdivision, may now be moved farther west within the parcel of land. As such, I again question how much traffic and noise would be added by such a facility. At the very least, it would probably make traffic at the intersection of the two roads substantially busier.

Moreover, does it make economic and health-wise sense? I also understand that studies within the community suggest there is already a sufficient local supply of such facilities. One need only drive along Hooks Street to see the steady growth of nearby competitors.

And though I certainly don't presume to hold any expertise about healthcare planning in the midst of a global pandemic, I do wonder about the wisdom of such an investment. That is, as some assisted living facilities have been associated with the spread of the Covid-19 virus, might such facilities eventually become a last choice for the elderly? I could see home healthcare replacing consumer desire for assisted living services, akin to the many home-delivery options fostered by the virus and its sheltering-in-place.

And finally... I don't mean to come across as taking umbrage with the aspirations of a dedicated faith community, nor with the city's progressive plans for continuing development. However, the concern over additional traffic and noise in the neighborhood always reemerges, especially in light of the conspicuous development along Hartwood Marsh Road over the past fifteen years.

I don't mean to come across as a curmudgeon, but I must admit that I'll be monitoring the noise level once the church begins its worship services. I hope that our subdivision won't be dealing with an issue reported in another area county, where a church's music ministry included an amped-up bass guitar, causing that municipality to eventually revisit its noise ordinances. And lest this concern be dismissed as curmudgeonly, I already have a relevant example, which ties together the various points raised above.

The Imagine South Lake Charter Middle School festival: In just the past year, my wife and I were jostled out of bed one morning, as the school was holding an outdoor festival. Various announcements and music were woefully loud (as is often the case, those given a microphone forget that sound systems don't require yelling into it). Worse yet, the event persisted through much of the morning.

Needless to say, we registered our displeasure, my wife on the Nextdoor Regency Hills Website, me in a direct e-mail to the school's principal. To my surprised disappointment, I didn't receive an acknowledgement that my e-mail was read or even received.

But moreover, to my point in providing this feedback in the first place, my wife and I concluded that day why the noise was especially annoying and irritating. That is, the church's new parcel of land had already been cleared of much of its trees. As such, the noise from the school had nowhere to go but down into our increasingly more wide-open subdivision.

As such, I strongly encourage our Planning and Zoning decision-makers to be their most proactively careful and thoughtful when considering a change that may significantly impact our subdivision and our quality of life.

Cordially,

A handwritten signature in black ink, appearing to read "Mike Abraham". The signature is fluid and cursive, with a long horizontal stroke at the end.

Nicholas Gonzalez

Sent: Tuesday, June 09, 2020 10:43 AM

From: robert nealy <apr.rigging@gmail.com>

Sent: Wednesday, June 3, 2020 12:42 AM

To: City Clerk

Subject: The First Baptist Church Of Clermont project

The Regency hills HOA has made many statements about the Assisted Living facilities and when asked to see the data to back this up I was told that the lawyer looked it over and it is fine. All that tells me is OK its all lies but we will not get sued. Here is a list of some of the statements that they have said.

"the excess capacity of existing Assisted Living facilities in Clermont which shows no need for the center and that sometimes when these types of facilities fail they are turned into rehab centers."

I would like to no how the HOA has more info then the developer and the financial backers that this project will fail and will most likely become a rehab center.

Please answer this my HOA will not

"If the Clermont City Council changes the zoning of this parcel to high-density, what's to stop them from changing any of the other low-density zoning along Hartwood Marsh to high-density zoning for apartment buildings? Wouldn't that have a negative effect on the quality of life and property values of all the single-family home communities along Hartwood Marsh?"

Is this statement true or just a scare tactic and isn't this project and every other future project judged on its own merit.

It is impossible to be for this or against this due to all the miss information that the HOA has told everyone, without any data to prove what they are saying. It makes it hard to listen to any RH resident with all the miss information with no data to back up what the HOA has said. It is sad that the HOA has made all the residents opinion void because of false or misleading info that they will not confirm.

Maybe the HOA will give you the info to help you make a fair decision. I have attached the letter for you also.

Thanks

Bob Nealy

Cell 407-619-7683

From: andyj7000@gmail.com <andyj7000@gmail.com>

Sent: Saturday, May 30, 2020 8:54 AM

To: City Clerk <CityClerk@clermontfl.org>

Subject: FBC of Clermont Zoning

To whom it may concern,

If this zoning is approved, it would increase traffic on an already very busy Harwood March Road and would ultimately decrease property values and overall quality of life. I am strongly voting against this plan.

Best Regards,
Andy

From: Darrell Delikat <sunny34711@gmail.com>
Sent: Friday, May 29, 2020 1:17 PM
To: City Clerk <CityClerk@clermontfl.org>
Subject: Rezoning of property at Hartwood Marsh and Hancock (Assisted Living Center)

Hi,

My name is Darrell Delikat. I live at 2762 Valiant Dr. (Regency Hills). I am asking that the council turns down the proposal to REZONE the property to a high density property. Once a property is rezoned apartment buildings could be built. When we look out of our back patio now all we see is a Huge gray wall of the church. We don't need more commercial building's put in the middle of beautiful homes. This is a very nice area with very nice homes. Clermont is a very nice place to live and it doesn't need a large 3 story complex in and around these great neighborhoods. Another issue is that Hancock road and Hartwood Marsh can't handle any more traffic. Another issue is if this monstrosity of a building is built there would be trucks coming and going all night long making deliveries. There would be lights on most of the night. I know first hand that seniors for the most part don't sleep much. Between their aches and pains and losing melatonin, why we age there would be lights on all hours of the night. Please keep our area as beautiful as it is now. NO HIGH DENSITY rezoning.

Sincerely,
Darrell Delikat

From: kari34711@gmail.com <kari34711@gmail.com>
Sent: Friday, May 29, 2020 9:54 AM
To: City Clerk <CityClerk@clermontfl.org>
Subject: FW: Regency Hills HOA-Assisted Living Center Again!

Dear Council,

See attached map... 2762 Valiant Drive

We voiced our disgust at the last meeting, and our feelings have not changed. Again, we are respectfully asking that the zoning and building of this project be rejected by City of Clermont. My husband and I have a lot of money invested into our home. We do not wish to have our property value decrease due to lack of privacy and beauty of our backyard.

When we used to go out on our patio, we had such a quiet wooded view. We could see the sun set while sitting back there. Now all we see is this Huge Church in our back yard being built. There is dust blowing into our patio not to mention the they have already dug up more of the beauty of Clermont.

This area has been reserved for housing developments and beautiful, tasteful homes have been built up around us, actually increasing the value of our homes.

It is unacceptable as homeowners to have a business complex behind our home, and if the zoning is changed, what would stop them from putting more commercial buildings . There isn't even enough trees to block our view or the noise of the Church being erected! They destroyed so much of Clermont's beauty.

Just changing the location of the buildings on the property does NOT change the fact that our area of Clermont should be sanctioned to family homes NOT commercial buildings. As it is, we are not happy with the church being back there.

The noise, lights and traffic will be unacceptable to us homeowners.

Yours In Health,

Kari Delikat
352-432-8073 – Office
352-353-4717 – Fax
www.kdbilling.com



From: Ri <ridymon@hotmail.com>
Sent: Sunday, May 31, 2020 11:14 AM
To: City Clerk <CityClerk@clermontfl.org>
Subject: First Baptist church June 2

I would like to express my opinion regarding the zoning change Request for the first Baptist Church at your meeting on June 2 at 7 PM.

I live on that road and cannot pass because of the traffic congestion each day. Adding another building there that requires increased traffic flow and will need infrastructure. It is not productive for my residential property.

Now, I would like to add that I believe this property is acres large and has access to route 27 from the other side. The state and county spent billions to widen it. Why can't they produce a plan that will allow them to build whatever they want on their acres as long as they exit and enter on 27 A Road clearly ready to handle any increase in traffic they may create.

I was really hoping that the actual church would utilize 27 as well and stay away from the intersection of our rumors and you got all together Thanks

Sent from my iPad

From: lifepak12man <lifepak12man@yahoo.com>
Sent: Thursday, May 28, 2020 12:36 PM
To: City Clerk <CityClerk@clermontfl.org>
Subject: Hartwood Marsh Senior Living Community

Zoning Board and Clermont City Council members,

I am writing to voice my objection to and ask that you deny the request from First Baptist Church of Clermont for the zoning change from low density occupancy to high density occupancy for their property located at the SE corner of Hartwood Marsh Rd and Hancock Rd.

As I'm sure you are all aware, the traffic on Hartwood Marsh Rd is more than the road can handle at this time. It is near impossible to exit our Regency Hills subdivision and attempt to go westbound in the mornings when the school is in session, as well as in the afternoon when school lets out and early evenings during people's commutes home.

Approving this zoning change and approving this project will only add to the traffic issues we are experiencing, as well as result in further destruction of the green space buffering our subdivision from the First Baptist Church that is currently being built. This initial construction has resulted in an influx of rats, snakes, coyotes, squirrels and other rodents and pests, resulting in added costs to property owners to pay pest control companies to help eliminate this influx.

Enough of nature has been destroyed for high density units and new subdivisions and Clermont is outgrowing it's current infrastructure as it is. It's time the City of Clermont stop future projects like these and build a plan for improving what we already have, before taxing our systems further. I have to assume the fact since this is a church owned/planned facility, that they will be tax exempt?

Having worked in the public safety field for over 30 years, I know the burden these facilities have on our public safety departments in responding to an increased number of medical calls, thus further taxing an already over taxed fire and EMS system. Is the City of Clermont going to increase the number of firefighters and apparatus to help handle the increased call volume? Is Lake EMS going to station more ambulances in Clermont to help cover these added medical calls? All this with no tax subsidy from First Baptist of Clermont, which means all residents of Clermont will suffer from delayed medical responses and/or an increase in property taxes to cover these vital services.

Clermont is a beautiful place to live, let's not destroy that. Let's slow down and work on building up our infrastructure, to include road congestion issues, public safety, water and sewer and increasing the green spaces rather than continually destroying more and more for the greed of property owners making a quick buck.

Thank you for taking the time to consider my email and my families position on this and future projects, not only on Hartwood Marsh Rd, but the Hancock Rd extension and other roads and neighborhoods around Clermont.

Timothy L. Gray
2716 Kingston Ridge Dr.
Clermont, FL. 34711
(352) 988-3441
lifepak12man@yahoo.com

From: crichard69@aol.com <crichard69@aol.com>
Sent: Monday, June 01, 2020 7:03 PM
To: City Clerk <CityClerk@clermontfl.org>
Subject: Zoning of Hancock & Harwood Marsh

The proposed re-zoning of the area would have an adverse affect to the immediate area with no possible solution once the change has been implemented. Traffic in the area has been severely impacted already by the construction of new developments and with the new construction of the church and school traffic will naturally increase. The roads cannot accommodate any more traffic due to them being a 2 lane road with no possibility of expansion. It seems apparent that a detailed traffic study was not conducted especially during the school year and at rush hour(both AM and PM). If one was conducted it would reveal that the area cannot handle any more traffic. By re-zoning the area it would have an extreme negative impact to both housing prices and quality of life and safety of residents located on Hartwood Marsh. If an emergency were to occur during peak traffic hours any emergency responders and vehicles would not be able to navigate the road due to traffic blocking the road and entrances to subdivisions and school currently in the area. This could result in a potentially catastrophic incident where loss of life could occur all for the sake of profit. It is also extremely unfair to taxpayers in the area to have to sacrifice their quality of life and suffer the negative affects of increased traffic, pollution and safety. I speak from experience due to being in law enforcement for 20 years and have seen the adverse affects that increased traffic does to residents and communities. I myself was forced to increase my response time to emergency calls due to traffic issues which forced me to take indirect routes because of poorly planned construction. Just ask yourself if you or your family's safety is worth sacrificing for the sake of someone else's profit and I'm sure you will reject any notion of re-zoning.

Hunter's Run Resident

From: Anthoeth Leckie <tannyleck@yahoo.com>
Sent: Sunday, May 31, 2020 11:46 PM
To: City Clerk <CityClerk@clermontfl.org>
Subject: Re: Proposed Plan to Change Zoning

Dear Sir/Madam,

As a resident of the Hartwood Reserve community for the past ten years, we have seen several changes to the existing Hartwood Marsh road over these years. These changes have been disadvantageous to us as residents because of the significantly increased traffic along this two-way road. This problem has become even more exacerbated during the period when school is in session. As parents of a child who attends Imagine South Lake school, it has become more and more challenging taking our child to and from school, even with the police directing traffic.

Changing the zoning of this area from low-density to high-density will increase the traffic of visitors and vendors that the project would put onto the already over-loaded Hartwood Marsh Road, it would signal to other developers opportunities to build other facilities that fall under the high-density category negatively impacting residents of this area. Finally, there is already an excess capacity of existing Assisted Living facilities in Clermont and if one is truly needed, there are other high-density zone areas left in Clermont that can be utilized.

My husband and I are joining in solidarity with the other members of the surrounding community of the corner of Hancock Road and Hartwood Marsh Road, in requesting that you once again deny, the proposal to rezone this area to facilitate the building of an assisted living facility.

We thank you for the opportunity for our voices to be heard and we do hope that you will hold to your previous decision and keep this area a low density zoned area.

Sincerely,
Trevor & Anthoeth Leckie
Residents of Hartwood Reserve

From: Kelly McKee <kwm2090@yahoo.com>

Sent: Friday, May 29, 2020 10:41 AM

To: City Clerk <CityClerk@clermontfl.org>

Subject: Re: Important Neighborhood Meeting June 2nd Zoning Change for Assisted Living Facility on Hancock and Hartwood Marsh

I don't mind the assisted living facility at Hartwood Marsh and Hancock, so long as Hartwood Marsh and Hancock streets are expanded with lights, sidewalks, etc. to accommodate the growing traffic as part of the project (not after). This will also be crucial given the planned Olympus development nearby.

All building projects in Clermont/Lake county should require comparable updates to surrounding car, bus, bike and pedestrian traffic routes with appropriate green space.

Thanks
Kelly McKee
2738 Retriever Dr
Clermont, FL 34711
720-629-1185

From: Claudio Moraes <crmoraes@icloud.com>

Sent: Friday, May 29, 2020 5:43 PM

To: City Clerk <CityClerk@clermontfl.org>

Subject: Zoning Change for Assisted Living Facility on Hancock and Hartwood Marsh - June 2nd Meeting

Hello

I became aware of a meeting that will be held on June 2nd to discuss the "Zoning Change for Assisted Living Facility on Hancock and Hartwood Marsh".

I would like to express my thoughts and concerns related to this proposed change:

- This proposed change will add additional traffic of visitors and vendors onto an already over-loaded Hartwood and Marsh Lane roads
- There is already an excess capacity of existing Assisted Living facilities in Clermont which shows no need for the new center. In addition, if this facility fail and based on history they are turned into re-hab centers which brings more concerns and other unplanned issues that will need to be addressed
- The current planned structure and zoning of the area does not support more high-density constructions which would directly impact the quality of life for all people living in the area
- There are several high-density zones in other areas of Clermont that could be leverage for this project and are placed in strategic locations to support it

Please understand and know that this project will impact the future of not only the area where hundreds are currently living but the future of Clermont as well when people look at the area for a possible place to live without having the certainty of what will happen.

Thank you for your consideration.

God bless you all,
Claudio

As a resident of Hunter's Run of Lake County who has concerns for the quality of life for my family and for the value of our home along Hartwood Marsh, we oppose the possible change in zoning proposed by The First Baptist Church of Clermont concerning its plan to build an Assisted Living Center.

Richard & Ingrid Nolan

From: Steve Rea <reastx@yahoo.com>
Sent: Friday, May 29, 2020 10:02 AM
To: City Clerk <CityClerk@clermontfl.org>
Subject: The First Baptist Church Of Clermont

Hello,

We were recently informed of an upcoming zoning change meeting which unfortunately we will not be able to attend but I wanted to inform you that we are opposed to any zoning changes in this area. Since moving in 5 years ago we've seen a substantial amount of new homes being built along Hartwood Marsh road as well as on Hancock Road. When we moved in we did expect and understand this growth in single family homes in this area but certainly did not expect any zoning changes to high density housing. We also fear that this will open the door to further zoning changes in this area. So please vote against this!

Thank you!

Stephen & Maria Rea
4225 Foxhound Dr

From: Dan Scott <dan@danscottsound.com>
Sent: Friday, May 29, 2020 1:29 PM
To: City Clerk <CityClerk@clermontfl.org>
Subject: First Baptist Church of Clermont Rezoning

To Whom it May Concern,
I'm writing ahead of the Planning and Zoning Commission meeting scheduled for June 2, 2020 to oppose changing the zoning at the intersection of Hartwood Marsh Rd. and Hancock Rd.

As a longtime resident of Clermont, I know this area has always had traffic issues, but as a new resident in the Hunter's Run neighborhood I now see first hand everyday that the stretch of Hartwood Marsh leading toward US 27 is at its max capacity and is dangerous to navigate for a good portion of every day. The Imagine elementary school at that same

intersection already causes backups on both sides of Hartwood Marsh and also on Hancock Rd. The new church and its additional facilities certainly won't help this and a large assisted living facility on the same plot would make things exponentially worse.

In addition, this stretch of Hartwood Marsh Rd. has become a hot spot of some of Clermont's nicest family neighborhoods. We, and almost all of our neighbors, moved here because the school zoning is good and the lots in these neighborhoods are more spacious than many other developments in the area. But one of the biggest reasons is that we are close to everything in town but not directly combating traffic on 50 or 27. By rezoning that parcel to high-density zoning you would be opening the gates to spread the traffic overload problems that we see in other parts of Clermont, surrounding these neighborhoods and driving down our property values. Not to mention the other problems with building a three-story eye-sore to intrude on the peace and privacy of Clermont's premiere neighborhoods.

I know I speak for most of the 320 homes in Hunter's Run and the hundreds of homes in the surrounding neighborhoods when I ask that you please deny the rezoning of this area.

Sincerely,
Dan Scott
Cell: (716) 310-9687

From: Mike & Sue Stenzel <mstenzel@cfl.rr.com>
Sent: Sunday, May 31, 2020 9:18 PM
To: Tracy Ackroyd <TAckroyd@clermontfl.org>
Cc: mstenzel@cfl.rr.com
Subject: Ordinances No 2020-17 & 2020-18

Tracy,

I'm sending you this email to let you know that I and my Wife disagree with these changes. We moved to the Hunters Run development in July of 2019 because of the surrounding area was Low Density Residential. This change will cause a large increase in traffic on a road that already is overwhelmed.

The requested changes in zoning fail to meet the criteria established by the City Of Clermont in the "CITY OF CLERMONT COMPREHENSIVE PLAN"

The nearest Low Density housing is well over a mile away.

This change would have a negative impact on hundreds of tax paying property owners in the immediate area. A impact that cannot be changed once the zoning changes have been made.

This can only be stopped now, by following the guidelines put forth by the City of Clermont in the Comprehensive Plan. This development would be better placed in a current Low Density authorized zone or somewhere in a new area that has not yet been determined and or developed within a mile of the structure.

Thank you for your time

Respectfully

Mike and Sue Stenzel
4200 Foxhound DR
Clermont FL 34711

From: John Wilson <john.f.wilson.jr@gmail.com>
Sent: Sunday, May 31, 2020 4:16 PM
To: City Clerk <CityClerk@clermontfl.org>
Cc: John Wilson <John.f.wilson.jr@gmail.com>
Subject: June 2nd Panning and Zoning Board Input

To: Chairperson Herb Smith
Clermont Planning and Zoning Board

Please read the following at the June 2nd meeting.

As 14 year residents of Hartwood Reserve, my wife and I warmly welcome the First Baptist Church of Clermont to the neighborhood. This part of the city has long needed a vibrant, growing worship community nearby; one that takes an active part in meeting our spiritual and educational needs. However, we are vehemently opposed to a third party owned and operated for profit assisted living facility on the same property owned by the 1st Baptist Church of Clermont.

In addition to potentially contributing to reducing the prices of real estate in this local area, please consider the following.

There is already a plethora of assisted living and senior independent living facilities in the Clermont area. There are six within a 5 mile radius and 16 within a 12 mile area. There are more units being built currently in the Hooks Road area to greatly increase the 150+ residential units that Cranes View Lodge already accommodates. In less than one mile is Orchard Heights, another large facility.

Realizing these are high profit centers and would potentially enhance the church's revenue stream, etc.; the support infrastructure consisting of maintenance, on-site staff; vendors would negatively affect the area. Additionally, when these facilities fail, they often turn into rehab centers, and other less desirable multi-dwellings (MDUs) etc.

The traffic at the Hancock-Hartwood Marsh intersection is already heavily impacted during the school year by the public and charter schools with huge morning and evening backups to Highway 27 and all the way to the Lake/Orange County line (and beyond). These delays and congestion already :

- (1) block/impede my access to and from Harwood Marsh from my subdivision;
- (2) exacerbate morning and evening rush-hour commutes by as much as 30+ minutes on the weekdays; minimal impact on weekends
- (3) greatly hinder emergency responders because of the narrow road often forcing vehicles off the roadway;
- (4) will necessitate the city spending large sums for the necessary modifications to the roadway;
- (5) will likely hamper the Lake County plans for the Wellness Way projects, and
- (6) necessitate costly changes to the County's approved Hartwood Marsh Road widening and alignments from Hiway 27 to Lake/Orange county line

We believe a better use of the property is for a long term enhancement plan for the church to grow by adding youth athletic fields, a private school, more worship facilities for adults and youth.

Respectfully,
John and Annie Wilson
4517 Powderhorn Place Drive
Clermont, FL 34711
(352) 897-7157 Home
John.f.wilson.jr@gmail.com

From: Desiree Titone BURRELL <restorationatdesireeswellness@gmail.com>

Sent: Tuesday, June 30, 2020 1:08 PM

To: City Clerk <CityClerk@clermontfl.org>

Subject: Living Facility on Hardwood Marsh and Hancock Clermont

Good Afternoon,

I am 100%for having a living facility for the elderly in this neighborhood. It will bring security for those who need a facility for their aging parents. There are many in this predicament that live in Hunters Run, Heritage Hills and Kings Ridge. I have spoken personally with numerous people always looking for a facility for their mom or dad. Please, let's think of our elderly and offer another alternative for them by allowing this facility to exist.

Thank you for your time and consideration

Desiree T Burrell
407 756 5216

From: Walt burel <flyrodz@yahoo.com>

Sent: Tuesday, June 30, 2020 1:40 PM

To: City Clerk <CityClerk@clermontfl.org>

Subject: To the attention of city council

This is a concise and sincere plea that you will allow for the construction of the senior living facility off Hardwood Marsh and Hancock.

We all, (God willing) will be seniors one day and we all as well have a obligation to care for and love our seniors! The proximity to Kings Ridge among many adult communities local is all the more reason as this facility would no doubt be immediately utilized by countless in our community.

I thank you for your time and consideration.

Walter Burrell



CITY OF CLERMONT
REZONING
APPLICATION

DATE: 02-11-2020

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. LALSON x Will E. Lason, Pres.
Applicant Name (print) Applicant Name (signature)

WILLIAM E. LALSON x Will E. Lason, Pres.
Owner Name (print) 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

CITY OF CLERMONT
Paola Vasquez
P.O. BOX 120219
CLERMONT, FL 34712

Account Number: 7101866
Order Number: 10097076
Phone: (352) 241-7331
Date: 06/23/20
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	06/22/2020	06/29/2020	\$357.48

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. 2020-17

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

LOCATION

Vacant parcel located at the southeast corner of Hartwood Marsh Road and Hancock Road
(eastern portion of Alternate Key 1593905, 6.056 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 67.65 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 437.68 FEET TO A POINT; THENCE S89°59'04"W, A DISTANCE OF 464.18 FEET TO A POINT; THENCE N37°19'57"W, A DISTANCE OF 319.99 FEET TO A POINT; THENCE N00°00'00"W, A DISTANCE OF 181.31 FEET TO A POINT; THENCE N89°49'25"E, A DISTANCE OF 662.97 FEET TO THE POINT OF BEGINNING. CONTAINING 263, 808 SQUARE FEET OR 6.056 ACRES, MORE OR LESS.

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

The Clermont Planning & Zoning Commission will consider this request on Tuesday, July 7, 2020 at 6:30 P.M.

A public meeting to consider the request will be held before the City Council on Tuesday, June 23, 2020 at 6:30 P.M. for Introduction and a meeting for Final Adoption on Tuesday, July 14, 2020.

All meetings will be held at Clermont City Hall, Council Chamber, located at 685 W. Montrose Street, and are open to public comment. Please call (352) 394-4083, ext. 3 if you have any questions.

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, any person deciding to appeal a decision made at the public hearings will need a record of the proceedings and may need to ensure a verbatim record is made. Persons with disabilities who need assistance should contact the City Clerk's office, (352) 241-7330, at least 48 hours prior to the public hearings.

Tracy Ackroyd Howe, MMC
City Clerk

Ad No: 10097076
June 22, 2020 &
June 29, 2020

Payment Info

Ad Price	\$357.48
Tax	\$0.00
Sub Total	\$357.48
Prepaid Amount	\$0.00
Balance Due	\$357.48



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date

Tuesday, July 7, 2020

Agenda Item Name

Resolution 2020-29R
Woodhouse Spa CUP

Requested Action

Recommend approval of Resolution 2020-29R.

Staff Report

The owner, Victory Coast LLC, is requesting a Conditional Use Permit in the Central Business District (CBD) to construct a 6,000 square foot building to be used for personal services. The site is located southeast of the intersection of W. Osceola Street and West Avenue. The property consists of two parcels that consisted of older structures that will be redeveloped into a new two story building with parking and landscape. The entire project is approximately 0.25 +/- acres.



The project, as proposed on the Condition Use Site Plan prepared by Highland Engineering, shows the proposed building to have an estimated total square footage of approximately 6,000 square feet with each floor consisting of approximately 3,000 square feet. The CBD district allows buildings to be placed to the property line and limits height to 55 feet. The proposed building will not be built to the property line and will be under the 55 feet height limitation. The maximum permitted Floor Area Ratio (FAR) in the Central Business District is 3.0. The project will develop at approximately 0.58 +/- FAR, which is less than the maximum. The impervious surface ratio (ISR) of the project is 74%, which is under the allowable 100% in the CBD and the project will connect to the Victory Pointe Regional Stormwater System. Under Section 122-243 (b) of the Land Development Code, the CBD states any business establishment or structure proposing to occupy 3,000 square feet of total floor space or more shall require application for a conditional use permit. The proposed spa use is permitted under personal services.

The applicant has requested two variances in the construction of the building. The variances are not considered under this Conditional Use Permit request and will be considered by City Council. The two variances are a reduced drive isle from 24 feet to 22 feet and a reduced landscape buffer.

Staff has reviewed the application as submitted and finds the proposed building will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity. The proposed use is a permitted use. Staff recommends approval of the Conditional Use Permit Amendment with the conditions contained in Resolution No. 2020-29R.

Additional Analysis	
----------------------------	--

--

Fiscal Impact Summary	
------------------------------	--

--

Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)	
--	--

1.	2020-29R Woodhouse Spa - Reviewed and Formatted BL	2020-29R Woodhouse Spa - Reviewed and Formatted BL.pdf
2.	Woodhouse Spa Maps	Woodhouse Spa Maps.pdf
3.	Woodhouse Spa SCHEM ELEV 042820 V1 (002)	Woodhouse Spa SCHEM ELEV 042820 V1 (002).pdf
4.	Wood House Spa CUP Site Plan-4-24-20	Wood House Spa CUP Site Plan-4-24-20.pdf
5.	Woodhouse Spa Justification Letter	Woodhouse Spa Justification Letter.pdf
6.	Woodhouse Spa Application	Woodhouse Spa Application.pdf
7.	WOODHOUSE SPA CUP Legal Ad Proof	WOODHOUSE SPA CUP Legal Ad Proof.pdf



CITY OF CLERMONT
RESOLUTION NO. 2020-29R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE PERMIT TO ALLOW A BUSINESS TO OCCUPY MORE THAN 3,000 SQUARE FEET OF FLOOR SPACE IN THE CENTRAL BUSINESS DISTRICT.

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held July 7, 2020 recommended approval of this Conditional Use Permit to allow for a business to occupy more than 3,000 square feet of floor space in the Central Business District; at the following location:

LOCATION:

Southeast corner of the intersection of Osceola Street and West Avenue
(Alternate Key # 1615143 & 1815371)

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

WHEREAS, based on the foregoing, 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 business to occupy more than 3,000 square feet of floor space in the Central Business 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 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
RESOLUTION NO. 2020-29R

3. No business can occupy any portion of the building unless the proposed business has applied for and obtained a Local Business Tax Receipt from the Development Services Department.
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.
5. The Conditional Use Permit must be executed and processed through the office of the City Clerk within 90 days of its date of grant by the City Council or the permit shall become null and void.
6. 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.
7. This permit shall become null and void if substantial construction work has not begun within two (2) years of the date of issuance of this Conditional Use Permit. "Substantial construction work" means the commencement and continuous prosecution of construction of required improvements ultimately finalized at completion.
8. The structure shall be inspected by the Fire Marshall for life safety requirements. All requirements must be met prior to any Certificate of Occupancy being issued.
9. The structure shall be inspected by the City Building Inspector and all building code violations must be corrected prior to a Certificate of Occupancy being issued.

SECTION 2: LAND USE

1. Permitted uses shall include personal services in a building not to exceed 6,300 square feet of floor area. Other permitted uses in the CBD zoning district are also permitted.



CITY OF CLERMONT
RESOLUTION NO. 2020-29R

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 14th day of July, 2020.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

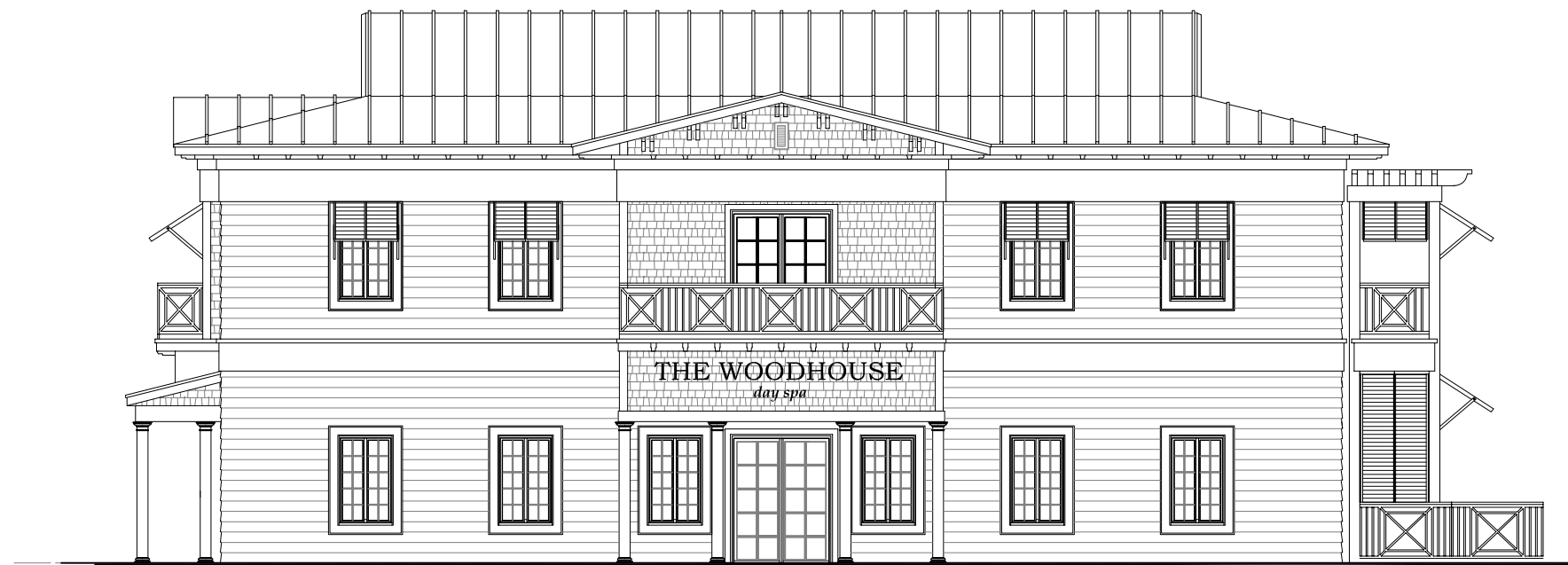
Daniel F. Mantzaris, City Attorney

Exhibit - Location Map – Woodhouse Spa





SCHEMATIC ELEVATION - OSCEOLA STREET



SCHEMATIC ELEVATION - PARKING AREA

PROJECT NAME:
WOODHOUSE SPA
CLERMONT, STATE

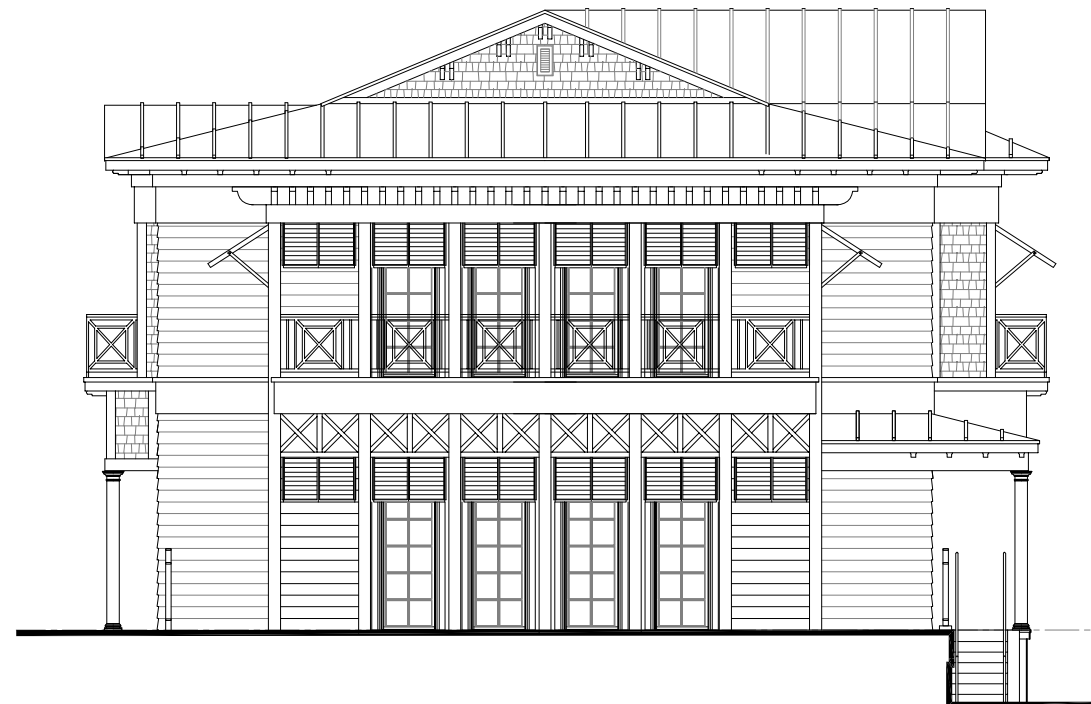
DRAWING TITLE:
SCHEMATIC ELEVATIONS
SCALE: 3/32" = 1'-0"

DATE:
04-27-2020

SHEET NO:
SFP-01



SCHEMATIC ELEVATION - WEST AVENUE



SCHEMATIC ELEVATION - COURTYARD

PROJECT NAME:

WOODHOUSE SPA
CLERMONT, STATE

DRAWING TITLE:

SCHEMATIC ELEVATIONS
SCALE: 3/32" = 1'-0"

DATE:

04-27-2020

SHEET NO:

SFP-02

CONDITIONAL USE SITE PLAN
WOODHOUSE SPA
CLERMONT, FLORIDA
PARCEL NO. 24-22-25-0100-093-01700
PARCEL NO. 24-22-25-0100-093-01701

SITE DATA

OWNER: VICTORY COAST, LLC
PO BOX 120607
CLERMONT, FL 34712

PARCEL NO: 24-22-25-0100-093-01700
24-22-25-0100-093-00701

ALTERNATE KEY: 1615143
1815371

EXISTING ZONING: CBD - CENTRAL BUSINESS DISTRICT

EXISTING USE: SALON (EXISTING BUILDING AREA: 961 SQ.FT.)
VACANT

EXISTING FLU: DOWNTOWN MIXED USE

PROPOSED USE: SPA

PROPOSED BUILDING AREA: 6,000 SQ.FT. (TWO STORY, 3,000 SQ.FT± PER FLOOR)

TOTAL AREA: 0.25 ACRES

ZONING/FUTURE LAND USE:

	ZONING	FLU
NORTH:	CBD - CENTRAL BUSINESS DISTRICT	DOWNTOWN MIXED USE
SOUTH:	CBD - CENTRAL BUSINESS DISTRICT	DOWNTOWN MIXED USE
EAST:	CBD - CENTRAL BUSINESS DISTRICT	DOWNTOWN MIXED USE
WEST:	CBD - CENTRAL BUSINESS DISTRICT	DOWNTOWN MIXED USE

IMPERVIOUS AREA SUMMARY:

EXISTING IMPERVIOUS:

PROPOSED IMPERVIOUS: 3,000 SQ.FT. BUILDING FOOTPRINT
5,000 SQ.FT. PAVEMENT AND SIDEWALKS
8,000 SQ.FT. TOTAL (74%)

SETBACKS:

FRONT: 0'
SIDE: 0'
REAR: 0'

WATER: CITY OF CLERMONT

SEWER: CITY OF CLERMONT

BUILDING HEIGHT: 55' MAXIMUM

PARKING REQUIRED:

1 SPACE/400 SQ.FT. = 6,000 SQ.FT. / 400 SQ.FT. = 15 SPACES
WITH 1 ADA SPACE

PARKING CREDIT: EXISTING BUILDING: 964 SQ.FT / 400 SQ.FT. = 2.4 SPACES

TOTAL REQUIRED PARKING = 12.6 => 13 PARKING SPACES

PARKING PROVIDED:

5 SPACES ONSITE / 8 SPACES OFFSITE (STREETSIDE/HISTORIC VILLAGE)

STANDARD SPACES SHALL BE: 10' x 18' W/ 2' BUMPER OVERHANG
ADA SPACES SHALL BE: 12' x 18' WITH 5' ACCESSIBLE AISLE

VARIANCES REQUESTED:

- LANDSCAPE BUFFERS REQUESTED:

	REQUIRED	PROVIDED
NORTH:	15'	3'
SOUTH:	10'	5' WITH 6' PRIVACY FENCE
EAST:	10'	VARIES 0'-5' WITH 6' PRIVACY FENCE
WEST:	15'	7' ADJACENT TO PARKING AND 4' ADJACENT TO BUILDING

- PARKING: A PARKING VARIANCE IS BEING REQUESTED TO ALLOW THE USE OF 8 OFFSITE
PARKING SPACES. THESE SPACES WILL BE BOTH STREETSIDE AND AT THE HISTORIC
VILLAGE.

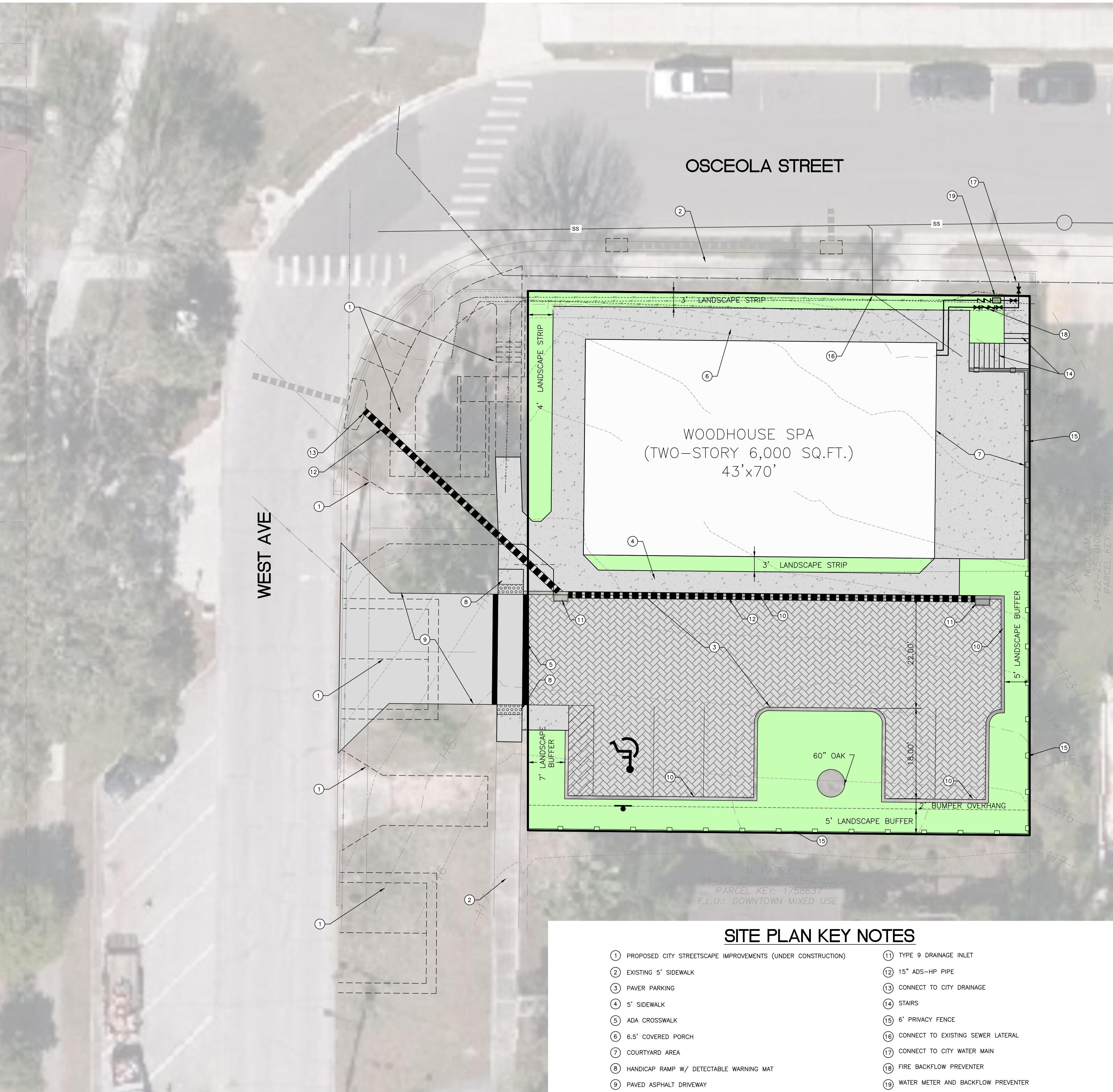
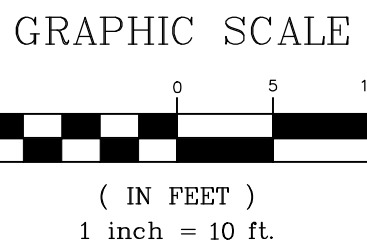
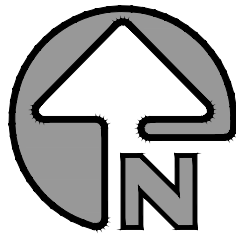
- DRIVE AISLE WIDTH: A WAIVER IS REQUESTED FOR THE REDUCTION OF THE STANDARD
DRIVEWAY PARKING ISLE WIDTH FROM 24' to 22' TO MINIMIZE IMPACTS TO THE ROOT
SYSTEM OF THE EXISTING OAK TREE LOCATION ON SITE.

PROPERTY DESCRIPTION

THE NORTH 55 FEET OF LOTS 17 AND 19, BLOCK 93, OFFICIAL MAP OF THE CITY OF CLERMONT,
ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 8, PAGE S 17-23, PUBLIC RECORDS OF
LAKE COUNTY, FLORIDA.

TOGETHER WITH:

THE NORTH 52.5 FEET OF THE SOUTH 95 FEET OF LOTS 17 AND 19, BLOCK 93, CITY OF CLERMONT,
ACCORDING TO THE THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, PAGES 17-23, INCLUSIVE, OF
THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.



SITE PLAN KEY NOTES

- | | |
|---|---------------------------------------|
| 1 PROPOSED CITY STREETSCAPE IMPROVEMENTS (UNDER CONSTRUCTION) | 11 TYPE 9 DRAINAGE INLET |
| 2 EXISTING 5' SIDEWALK | 12 15" ADS-HP PIPE |
| 3 PAVER PARKING | 13 CONNECT TO CITY DRAINAGE |
| 4 5' SIDEWALK | 14 STAIRS |
| 5 ADA CROSSWALK | 15 6' PRIVACY FENCE |
| 6 6.5' COVERED PORCH | 16 CONNECT TO EXISTING SEWER LATERAL |
| 7 COURTYARD AREA | 17 CONNECT TO CITY WATER MAIN |
| 8 HANDICAP RAMP W/ DETECTABLE WARNING MAT | 18 FIRE BACKFLOW PREVENTER |
| 9 PAVED ASPHALT DRIVEWAY | 19 WATER METER AND BACKFLOW PREVENTER |
| 10 TYPE D CURB | |

WOODHOUSE SPA

CONDITIONAL USE SITE PLAN



JOB No.: DWJ-001
DESIGNED BY: J.B. & J.K.
DRAWN BY: J.B. & J.K.
APPROVED BY: J.B.
DATE: 04-24-2020
SHEET: 1 OF 1

NOT FOR CONSTRUCTION
UNLESS SIGNED AND SEALED

DATE: _____



HIGHLAND ENGINEERING, INC.

May 1, 2020

City of Clermont

RE: Woodhouse Spa
CUP / Variance Application
Parcel No. 24-22-25-0100-093-01700 and 24-22-25-0100-093-00701

This justification letter has been prepared in support of the pending Conditional Use Permit and Variance Applicants for the above referenced properties. The applicant, Victory Coast, LLC, would like to construct a two story 6,000 Sq.Ft. (3,000 Sq.Ft. per floor) building to be used as a day spa. The Woodhouse Day Spa was voted the Number One day spa chain in America by Day Spa Magazine and the proposed building size is very typical of their standards to provide a peaceful and relaxing environment for its clients.

In regards to the CUP application, the proposed spa is an allowed use in the CBD district, however a conditional use permit is required because the building square footage exceeds 3,000 Sq.Ft.

In regards to the variance application, the applicant would like to save the existing 60" oak tree located on the south end of the property and in order to provide sufficient separation from the tree, several variances are required to the required landscape buffers as specified in Sec. 122-248 and 118-37. A 15 foot landscape buffer is required along the street frontage of Osceola Street and West Avenue and a 10 foot landscape buffer is required along the east and south property lines. The applicant is requesting these buffers be reduce to 7' where adjacent to the parking along west avenue, 4' where adjacent to the building façade on west avenue, 3' where adjacent to the building on Osceola Street, zero feet where adjacent to the courtyard, and 5' where adjacent to the parking on the east and south property line. In order to minimize impacts to the adjoining property owners, the applicant is proposing a 6' foot tall privacy fence for the entire length of the east and south property line.

In addition to the landscape buffers, the applicant is also requesting a variance for parking as required by Sec. 122-247 and Sec. 98-15 to allow the use of 6 off-site parking spaces and to reduce the standard parking lot isle width from 24 foot wide to 22 foot wide. This request is being made in order to maximize the amount of provided parking in consideration of the property size, property grade changes, and existing 60" oak tree. The proposed project would require 15 parking spaces, however, the subject property area consists of a vacant parcel with is intitled to a two parking space credit and an existing 961 Sq.Ft. building on the adjoining parcel in which a 2.4 parking space credit is allowed. This reduces the required parking down to 11 parking spaces in which the applicant has made every attempt to maximize parking on-site by providing 5 spaces and the remaining 6 spaces can be accommodated streetside and at the Historic Village located across the street on West Ave. In addition to the reduction in parking, we feel the reduction of the standard parking lot isle width for this small parking lot provides additional landscape areas and does not cause any inefficiency with the function of the parking lot.

We feel that the requested variances in conjunction with the cup application represent the minimum variance required, are consistent with the city's comprehensive plan and uphold the intent of the CBD district to enhance the harmonious mixture of residential, commercial, professional, institutional and governmental enterprises while providing a unique and enjoyable shopping and activity center for the city.

Please advise should you have any additional questions concerning the above responses.

Sincerely,

Highland Engineering, Inc.

A handwritten signature in black ink, appearing to read "Jeffery W. Banker", written in a cursive style.

Jeffery W. Banker, P.E.
Principal



**CONDITIONAL USE PERMIT (CUP)
APPLICATION**

DATE: 4-27-2020

FEE: \$845
+ cost of advertisement

PROJECT NAME (if applicable): Woodhouse Spa

APPLICANT: Victory Coast, LLC

CONTACT PERSON: Darren Johnson

Address: PO Box 120607

City: Clermont State: Florida Zip: 34711

Phone: 352-242-3870 Fax: _____

E-Mail: darren@dwj-p.com

OWNER: Same

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____

Address of Subject Property: 503 WEST AVE and 517 WEST AVE CLERMONT FL 34711

General Location: Southeast corner of the intersection of Osceola Street and West Avenue

Legal Description (include copy of survey): _____

Parcel No. 24-22-25-0100-093-01700 and 24-22-25-0100-093-00701, see survey attached

Land Use (City verification required): Downtown Mixed Use

Zoning (City verification required): CBD - Central Business District



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.

The proposed project will include a new two-story 6,000 Sq.Ft. building (3,000 Sq.Ft. per floor) to replace the existing 964 Sq.Ft. structure that is currently used as a salon. 5 parking spaces will be provided on-site and the remaining 8 parking spaces will be off-site in the adjoining street-side parking areas and at the Historic Village. Additional parking cannot be provided on-site due to the property configuration and the location of a large 60" oak tree that the applicant would like to save. The building will be located as close to the street-side as possible as possible, however, a landscape strip along Osceola Street and West Avenue is being provided to provide perimeter building landscaping. The applicant is also proposing a minimum 5' landscape buffer along the east, south and west property lines where adjacent to the parking facilities. This 5' buffer is proposed instead of the required 10' landscape buffer and 15' street-side landscape buffer in order to maximize parking on-site to the fullest extent possible. The applicant is also proposing to reduce the standard driveway isle width of 24' wide to 22' wide in order to maximize landscape buffer areas to the fullest extent possible and to provide as much separation as possible around the existing 60" oak tree and to minimize impacts to the root structure. Waivers/Variations requested with this application are as follows:

1. Reduction of the required landscape buffers as shown on the provided site plan.
2. Allow for the use of 8 off-site parking spaces.
3. Reduction in the standard driveway width of 24' wide to 22' wide.

Darren Johnson

Applicant Name (print)

Darren Johnson

Owner Name (print)

X Darren Johnson

Applicant Name (signature)

X Darren Johnson

Owner Name (signature)

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

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

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

Advertising Receipt

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

CITY OF CLERMONT
Paola Vasquez
P.O. BOX 120219
CLERMONT, FL 34712

Account Number: 7101866
Order Number: 10097245
Phone: (352) 241-7331
Date: 06/19/20
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	06/30/2020	07/07/2020	\$173.52

LEGAL NOTICE

City Clerk

Notice is hereby given that the City of Clermont will consider a request for a Conditional Use Permit to allow a business to occupy more than 3,000 square feet of floor space in the Central Business District.

Ad No: 10097245
June 30, 2020 &
July 07, 2020

LOCATION

Southeast corner of the intersection
of Osceola Street and West Avenue
(Alternate Key # 1615143 &
1815371)

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 the request at a public hearing on Tuesday, July 7, 2020 at 6:30 P.M., and

The City Council will consider the request at a public hearing on Tuesday, July 14, 2020 at 6:30 P.M.

All meetings will be held in the Clermont City Hall, first floor Council Chambers, located at 685 West Montrose Street Clermont, FL 34711.

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

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

Payment Info	
Ad Price	\$173.52
Tax	\$0.00
Sub Total	\$173.52
Prepaid Amount	\$0.00
Balance Due	\$173.52



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date	
Tuesday, July 7, 2020	
Agenda Item Name	
Resolution 2020-21R Table to August 4, 2020 <i>South Lake Hospital Bed Expansion CUP</i>	
Requested Action	
Recommend approval of Resolution 2020-21R.	
Staff Report	

The owner, Orlando Health, is requesting an amendment to a Conditional Use Permit to add a new inpatient bed tower at South Lake Hospital consisting of up to 110 beds and a reconfiguration of the access points. The property is located at Citrus Tower Boulevard and Don Wickham Drive. The original CUP for this site was issued for a 68 bed hospital in 1997. Several amendments have occurred over the years that dealt with various expansions on the site, including the addition of the National Training Center and helicopter pad. The hospital received approval for up to 300 beds at the facility in 2007. The facility currently has 140 beds available and with this addition, will bring the total up to 250 beds. The new five-story inpatient tower will be constructed on the southwest corner of the existing facility. This amendment updates the Master Site Plan and provides specifics on the building.



With the new inpatient tower addition, the applicant is also proposing to reroute traffic with the addition of a new signalized intersection at Legends Way and Citrus Tower Boulevard to establish the main entrance off of Legends Way. The applicant is working with Lake County Public Works and the City on the design and function of this signal. South Lake Hospital has committed to fully fund this signalized intersection. The existing Don Wickham

Drive entrance will be converted to a right-in and right-out only.

With the rerouting of the main entrance to Legends Way, City Staff is concerned about Fire Station 103 and the ability to access Legends Way without an emergency signal. The City is requesting installation of an emergency signal, at the Developer's expense, at Fire Station 103 since additional traffic will be on Legends Way due to the main entrance.

The applicant has indicated in their supporting material that future expansions for the National Training Center will be forthcoming. Since no specific plans have been provided on these expansions at this time, this CUP amendment will only address the new inpatient bed tower and access management changes. The applicant will have to apply for an amendment at a later date once the details have been provided and update the Master Site Plan.

Staff has reviewed the application as submitted and finds the proposed bed expansion will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity. Staff recommends approval of the Conditional Use Permit amendment with the conditions contained in Resolution No. 2020-21R.

Additional Analysis

Fiscal Impact Summary

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

Exhibits Attached (copies of original agreements)

1.	2020-21R South Lake Hospital Bed Expansion	2020-21R South Lake Hospital Bed Expansion.doc
2.	SLH Location Map	SLH Location Map.pdf
3.	SLH CUP - SET 06-15-2020	SLH CUP - SET 06-15-2020.pdf
4.	Exhibits	Exhibits.pdf
5.	Application	Application.pdf
6.	SLH BED EXPANSION CUP Legal Ad	SLH BED EXPANSION CUP Legal Ad.pdf



CITY OF CLERMONT
RESOLUTION NO. 2020-21R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING AN AMENDMENT TO A CONDITIONAL USE PERMIT TO ALLOW AN EXPANSION AT THE SOUTH LAKE HOSPITAL TO INCLUDE A NEW INPATIENT TOWER WITH BED EXPANSION AND MASTER SITE PLAN IMPROVEMENTS.

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held July 7, 2020 recommended approval of this amendment to a Conditional Use Permit to allow an expansion at the South Lake Hospital to include a new inpatient tower with bed expansion and master site plan improvements; at the following location:

LOCATION:

South Lake Hospital at Don Wickham Drive and Citrus Tower Blvd.
(Alternate Key 3540646)

WHEREAS, the original conditional use permit for a Planned Unit Development to allow the construction of a 68 bed hospital was approved on December 9, 1997 under Resolution No. 980;

WHEREAS, an amendment to allow the construction of a wellness and national training center was approved on March 23, 1999 under Resolution No. 1059;

WHEREAS, an amendment to allow the construction of the helicopter pad and associated maintenance building was approved on October 24, 2006 under Resolution No. 1493;

WHEREAS, an amendment to allow the expansion of the hospital building and additional uses was approved on October 23, 2007 under Resolution No. 1551;

WHEREAS, an amendment to allow the addition of four multi-purpose sports fields was approved on June 26, 2012 under Resolution No. 2012-17;

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

WHEREAS, based on the foregoing, 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.



CITY OF CLERMONT
RESOLUTION NO. 2020-21R

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

This application for an amendment to a Conditional Use Permit to allow an expansion at the South Lake Hospital to include a new inpatient tower with bed expansion and master site plan improvements 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 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.
3. No business can occupy any portion of the building unless the proposed business has applied for and obtained a Local Business Tax Receipt from the Development Services Department.
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.
5. The Conditional Use Permit must be executed and processed through the office of the City Clerk within 90 days of its date of grant by the City Council or the permit shall become null and void.
6. 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.
7. This permit shall become null and void if substantial construction work has not begun within two (2) years of the date of issuance of this Conditional Use Permit. "Substantial construction work" means the commencement and continuous prosecution of construction of required improvements ultimately finalized at completion.
8. The structure shall be inspected by the Fire Marshall for life safety requirements. All requirements must be met prior to any Certificate of Occupancy being issued.



CITY OF CLERMONT
RESOLUTION NO. 2020-21R

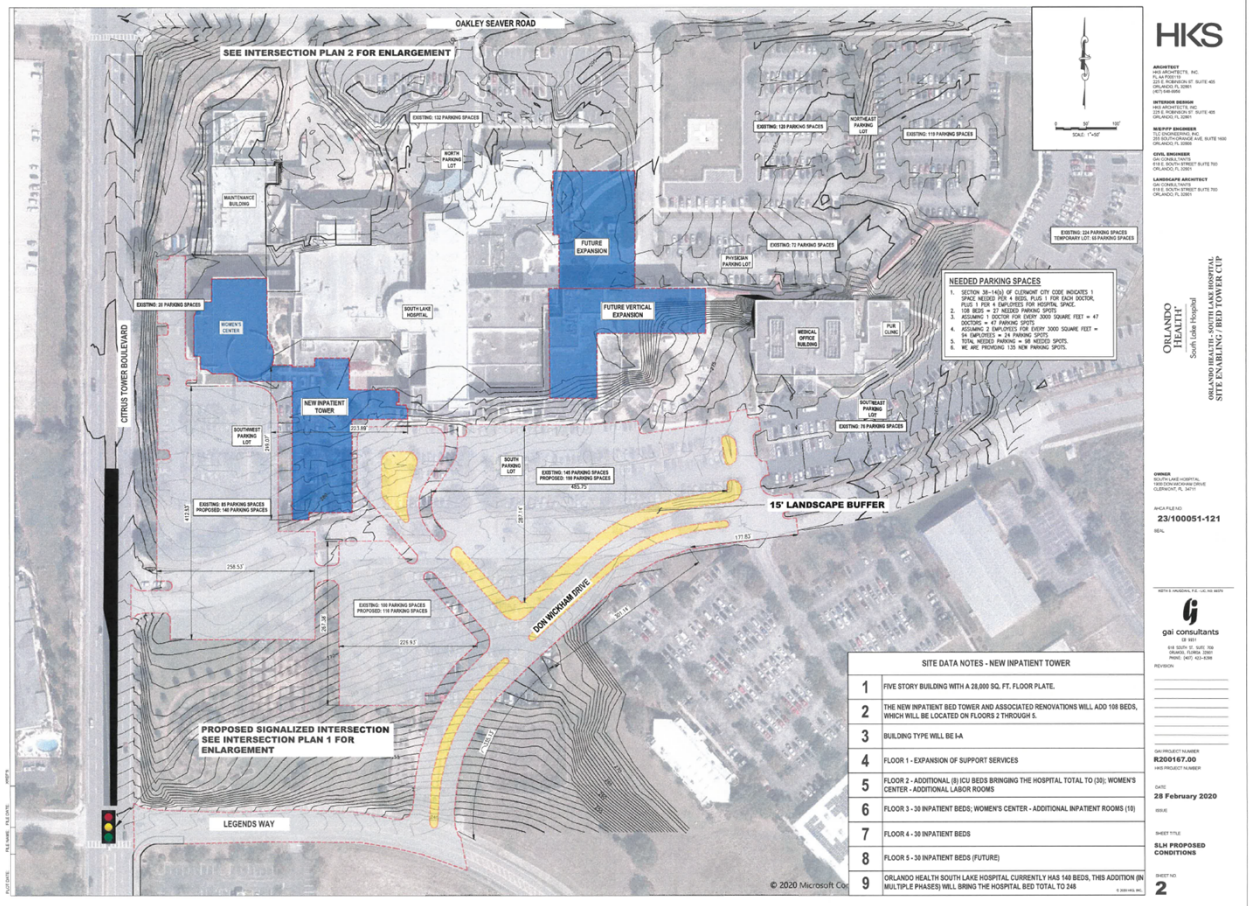
9. The structure shall be inspected by the City Building Inspector and all building code violations must be corrected prior to a Certificate of Occupancy being issued.
10. Fiber optic conduit and pull boxes may be required to be installed by the developer in the utility easements to extend the City's 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.

SECTION 2: SPECIFIC CONDITIONS

1. Permitted uses shall include the addition of the new five-story inpatient tower consisting of up to 110 beds, bringing the total bed count up to 250 beds of the approved 300 beds included in Resolution No. 1551.
2. With the rerouting of the main entrance from Don Wickham Drive on the property to Legend's Way Drive, the Developer shall be fully responsible for the entire cost of a traffic signal, including design, permitting, installation, maintenance, and operational costs at the Legend's Way Drive and Citrus Tower Boulevard intersection, when a signal is warranted. This shall be constructed and in operation prior to the rerouting of the main entrance from Don Wickham Drive and the Legend's Way connection.
3. The current driveway at Don Wickham Drive and Citrus Tower Blvd shall remain as a secondary entrance into the South Lake Hospital Campus but will be converted into a right-in and right-out only.
4. Due to the increased traffic volume on Legend's Way Drive due to the relocation of the main entrance, the Developer shall install an emergency traffic signal at the existing Fire Station 103 fronting on Legend's Way Drive. The Developer will be responsible for the full cost of the emergency traffic signal, including design, permitting, installation, maintenance, and operational costs at the Legend's Way Drive and existing fire station.
5. Any other intersection improvements, such as addition or modification of turn lanes, addition or modification of pavement markings, addition or modification of signs, and additional dedication of right-of-way, identified in the final review of the submitted traffic impact analysis and review shall be the responsibility of the Developer.
6. Future additions to the facility shall require an amendment to this Conditional Use Permit, including an updated Master Plan Facility Map.
7. All requirements provided in the previous CUP Resolutions No. 980, No. 1059, No. 1493, and No. 1551 shall remain in effect, where applicable.

CITY OF CLERMONT
RESOLUTION NO. 2020-21R

New Inpatient Tower Bed Addition





CITY OF CLERMONT
RESOLUTION NO. 2020-21R

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 28th day of July, 2020.

CITY OF CLERMONT

Gail L. Ash, Mayor

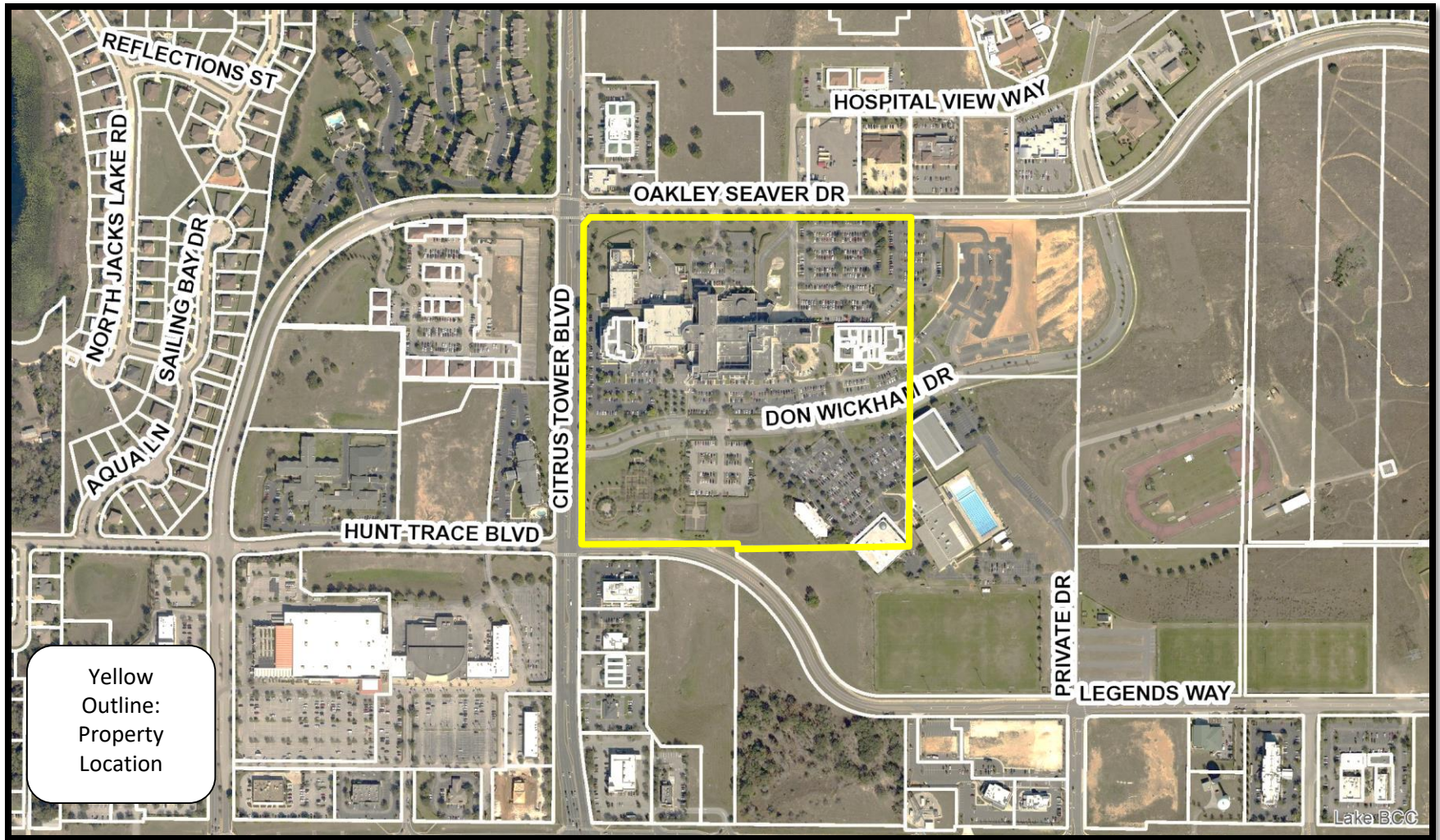
ATTEST:

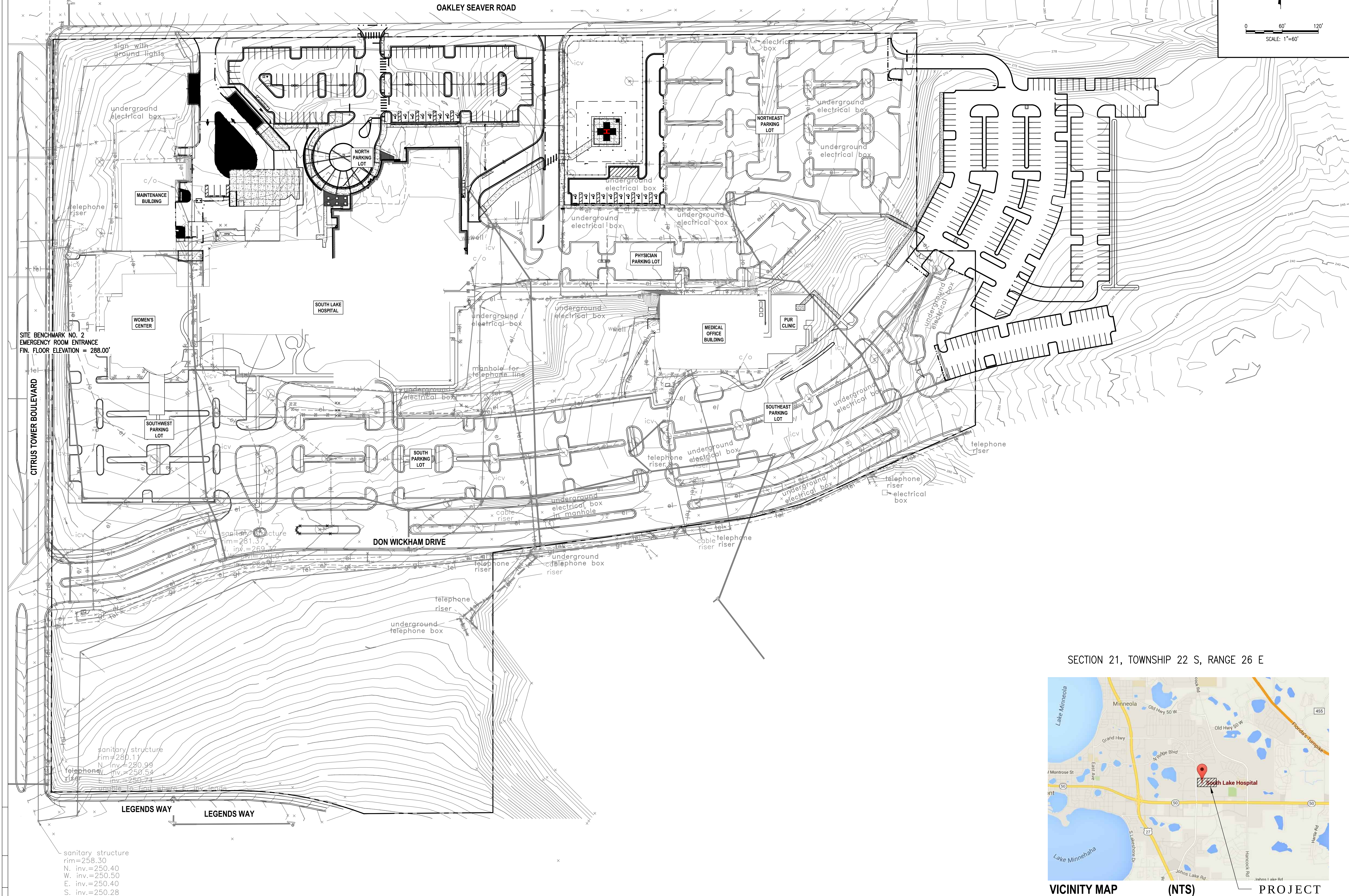
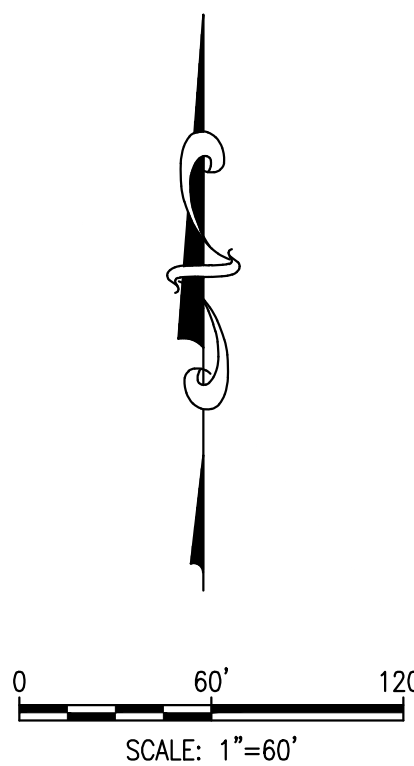
Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

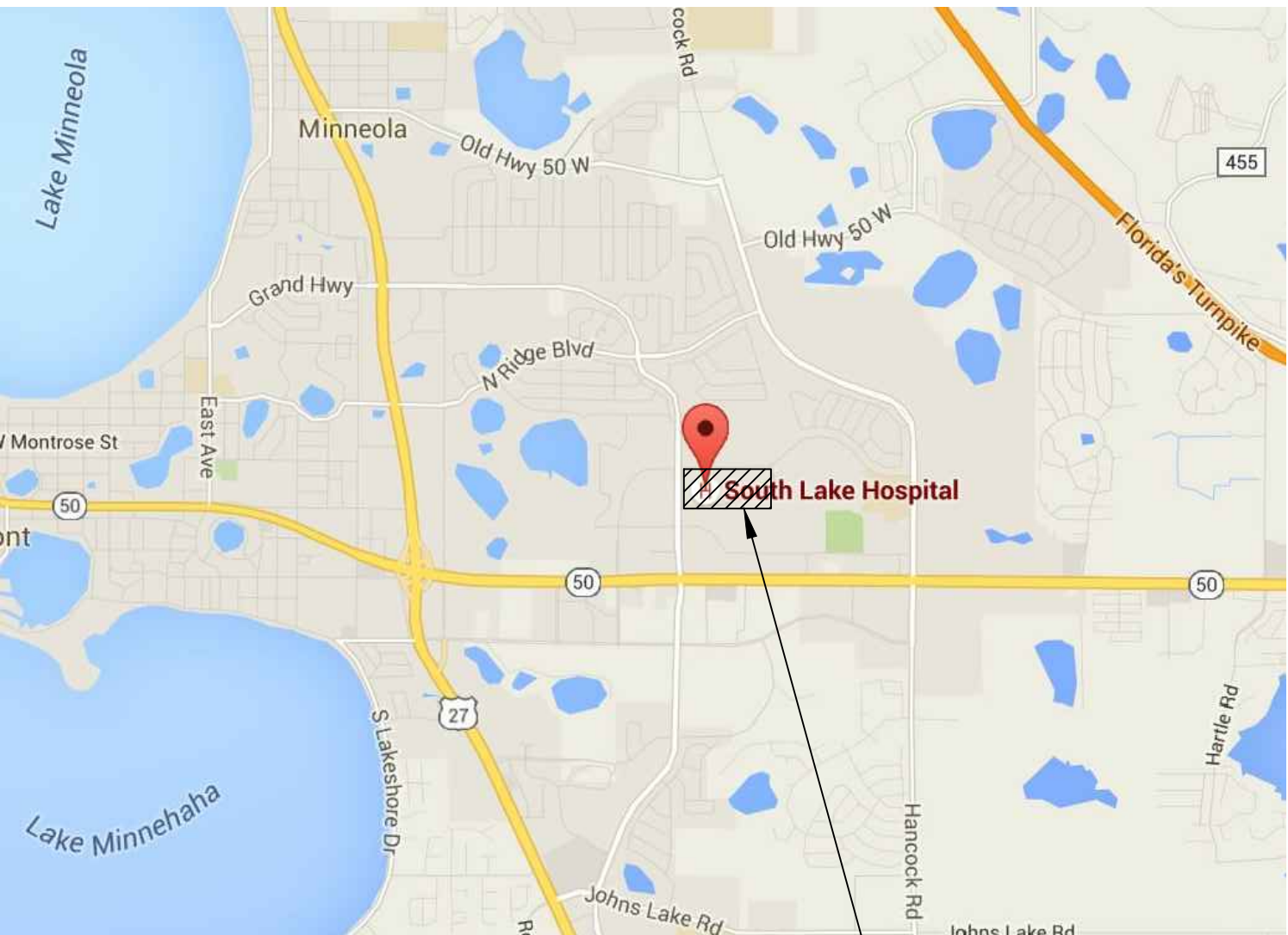
Daniel F. Mantzaris, City Attorney

Exhibit - Location Map – South Lake Hospital CUP





SECTION 21, TOWNSHIP 22 S, RANGE 26 E



VICINITY MAP
CLERMONT, FLORIDA
(NTS)
PROJECT
LOCATION

OAKLEY SEAVER ROAD

SEE INTERSECTION PLAN 2 FOR ENLARGEMENT

EXISTING: 132 PARKING SPACES

NORTH
PARKING
LOT

EXISTING: 120 PARKING SPACES

NORTHEAST
PARKING
LOT

EXISTING: 119 PARKING SPACES

MAINTENANCE
BUILDING

EXISTING: 20 PARKING SPACES

WOMEN'S
CENTER

SOUTH LAKE
HOSPITAL

FUTURE
EXPANSION

FUTURE VERTICAL
EXPANSION

EXISTING: 72 PARKING SPACES

PHYSICIAN
PARKING LOT

MEDICAL
OFFICE
BUILDING

PUR
CLINIC

EXISTING: 224 PARKING SPACES
TEMPORARY LOT: 65 PARKING SPACES

NEEDED PARKING SPACES

1. SECTION 38-14(6) OF CLERMONT CITY CODE INDICATES 1 SPACE NEEDED PER 4 BEDS, PLUS 1 FOR EACH DOCTOR, PLUS 1 PER 4 EMPLOYEES FOR HOSPITAL SPACE.
2. 108 BEDS = 27 NEEDED PARKING SPOTS
3. ASSUMING 1 DOCTOR FOR EVERY 3000 SQUARE FEET = 47 DOCTORS = 47 PARKING SPOTS
4. ASSUMING 2 EMPLOYEES FOR EVERY 3000 SQUARE FEET = 94 EMPLOYEES = 24 PARKING SPOTS
5. TOTAL NEEDED PARKING = 98 NEEDED SPOTS.
6. WE ARE PROVIDING 135 NEW PARKING SPOTS.

CITRUS TOWER BOULEVARD

NEW INPATIENT
TOWER

SOUTHWEST
PARKING
LOT

EXISTING: 85 PARKING SPACES
PROPOSED: 140 PARKING SPACES

SOUTH
PARKING
LOT

EXISTING: 145 PARKING SPACES
PROPOSED: 180 PARKING SPACES

EXISTING: 76 PARKING SPACES

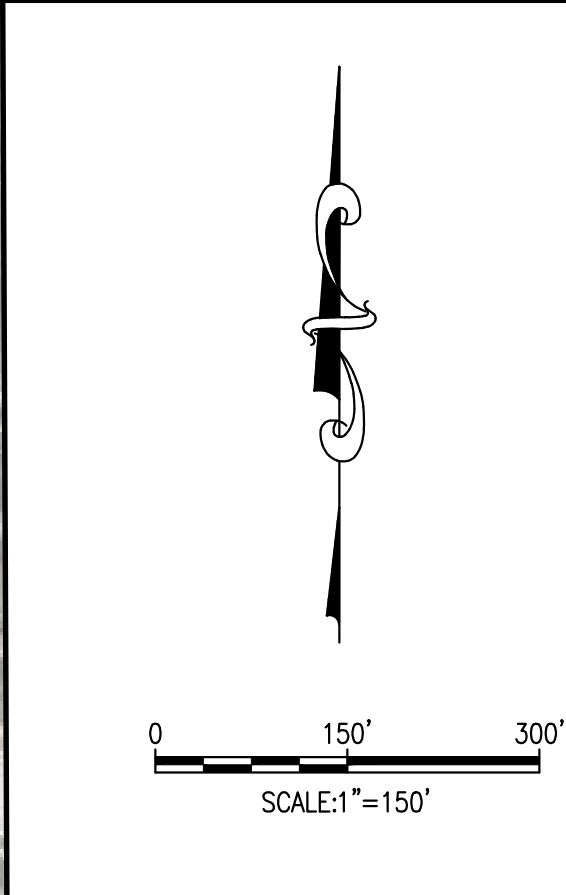
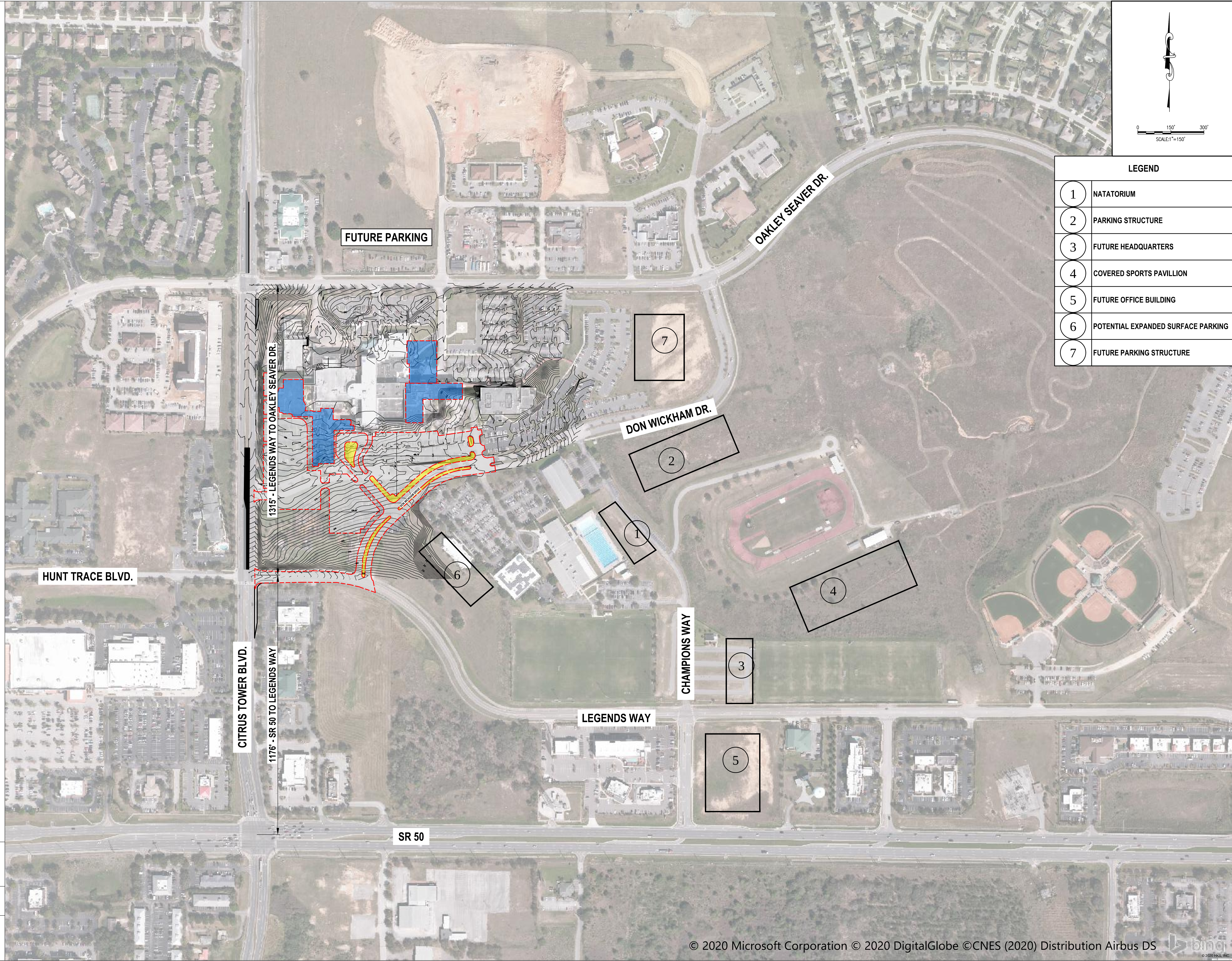
SOUTHEAST
PARKING
LOT

15' LANDSCAPE BUFFER

DON WICKHAM DRIVE

PROPOSED SIGNALIZED INTERSECTION
SEE INTERSECTION PLAN 1 FOR
ENLARGEMENT

LEGENDS WAY



LEGEND	
1	NATATORIUM
2	PARKING STRUCTURE
3	FUTURE HEADQUARTERS
4	COVERED SPORTS PAVILLION
5	FUTURE OFFICE BUILDING
6	POTENTIAL EXPANDED SURFACE PARKING
7	FUTURE PARKING STRUCTURE

HKS

ARCHITECT
HKS ARCHITECTS, INC.
FL AA F000119
225 E. ROBINSON ST. SUITE 405
ORLANDO, FL 32801
(407) 648-9956

INTERIOR DESIGN
HKS ARCHITECTS, INC.
225 E. ROBINSON ST. SUITE 405
ORLANDO, FL 32801

M/E/P/FP ENGINEER
TLC ENGINEERING, INC.
255 SOUTH ORANGE AVE., SUITE 1600
ORLANDO, FL 32806

CIVIL ENGINEER
GAI CONSULTANTS
618 E. SOUTH STREET SUITE 700
ORLANDO, FL 32801

LANDSCAPE ARCHITECT
GAI CONSULTANTS
618 E. SOUTH STREET SUITE 700
ORLANDO, FL 32801



MASTER PLAN EXPANSION - PACKAGE 1
SITE ENABLING / OBSERVATION UNIT BUILDOUT

OWNER
SOUTH LAKE HOSPITAL
1900 DON WICKHAM DRIVE
CLERMONT, FL 34711

AHCA FILE NO.
23/100051-121

SEAL

AMEE J. SHIELDS, P.E. - LIC. NO. 68011


gai consultants
EB 9951
618 SOUTH ST. SUITE 700
ORLANDO, FLORIDA 32801
PHONE: (407) 423-8398

REVISION

GAI PROJECT NUMBER
A151759.00
HKS PROJECT NUMBER
19937.000

DATE
27 February 2020

ISSUE
CONSTRUCTION
DOCUMENTS
SHEET TITLE

SLH AERIAL

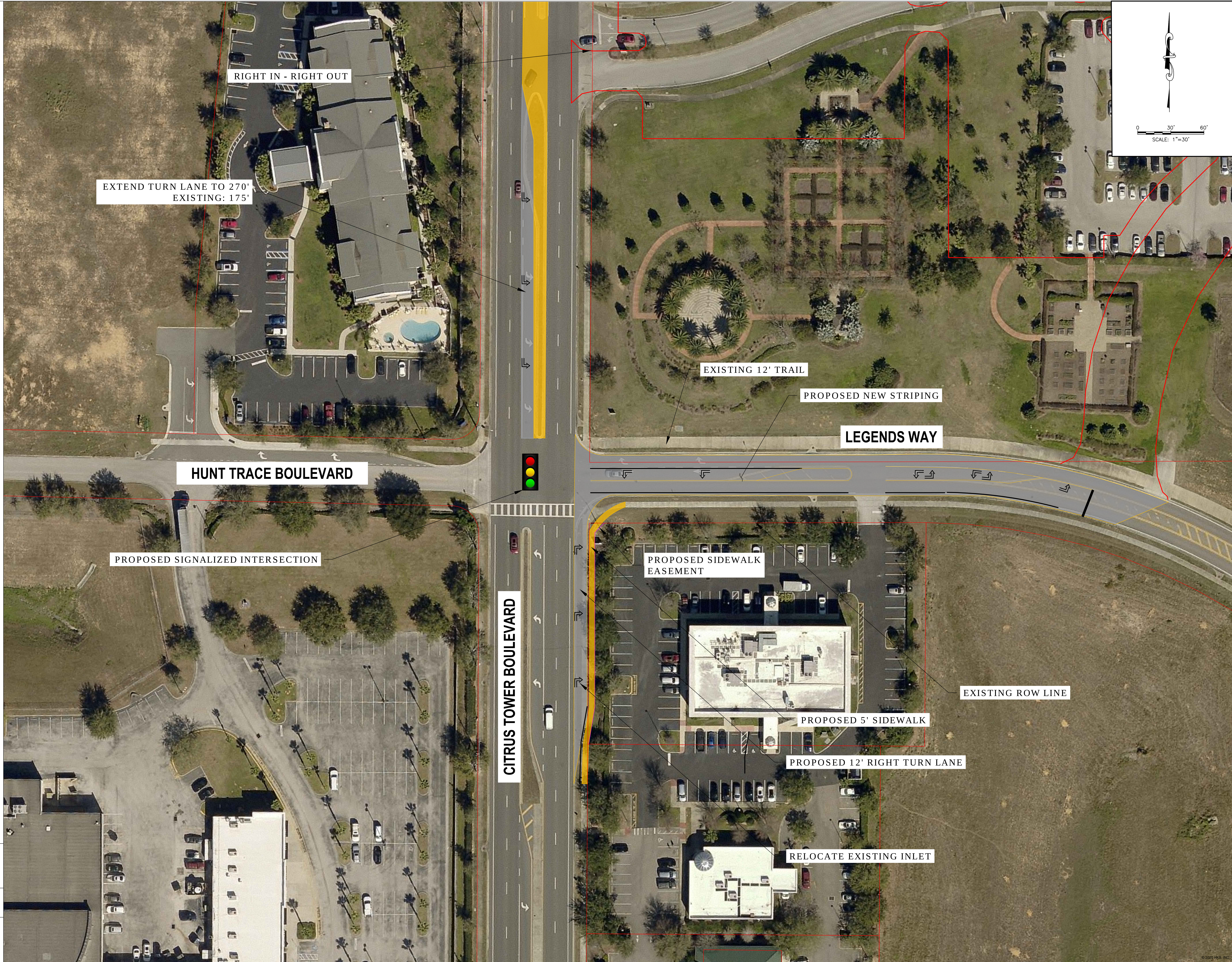
SHEET NO.

3



USER: BROW_THERMANSOT_LAYOUT
FILE NAME: Z:\2020\20201010_001_SAH-ETECAD\INTERSECTION PLAN - ROW MAP.DWG
TIME: 10 JUN 2020 3:22PM

PLOT DATE: FILE NAME: FILE DATE: XREFS:



HKS

ARCHITECT
HKS ARCHITECTS, INC.
FL AA F000119
225 E. ROBINSON ST. SUITE 405
ORLANDO, FL 32801
(407) 648-9956

INTERIOR DESIGN
HKS ARCHITECTS, INC.
225 E. ROBINSON ST. SUITE 405
ORLANDO, FL 32801

M/E/P/ENGINEER
TLC ENGINEERING, INC.
255 SOUTH ORANGE AVE, SUITE 1600
ORLANDO, FL 32806

CIVIL ENGINEER
GAI CONSULTANTS
618 E. SOUTH STREET SUITE 700
ORLANDO, FL 32801

LANDSCAPE ARCHITECT
GAI CONSULTANTS
618 E. SOUTH STREET SUITE 700
ORLANDO, FL 32801

ORLANDO
HEALTH
South Lake Hospital

ORLANDO HEALTH - SOUTH LAKE HOSPITAL
SITE ENABLING / BED TOWER CUP

OWNER
SOUTH LAKE HOSPITAL
1900 DON WICKHAM DRIVE
CLERMONT, FL 34711

AHCA FILE NO.
23/100051-121
SEAL

KEITH S. HAUGDAHL, P.E. - LIC. NO. 66570



gai consultants
EB 9951
618 SOUTH ST. SUITE 700
ORLANDO, FLORIDA 32801
PHONE: (407) 423-8398

REVISION

GAI PROJECT NUMBER
R200167.00
HKS PROJECT NUMBER

DATE
10 June 2020
ISSUE

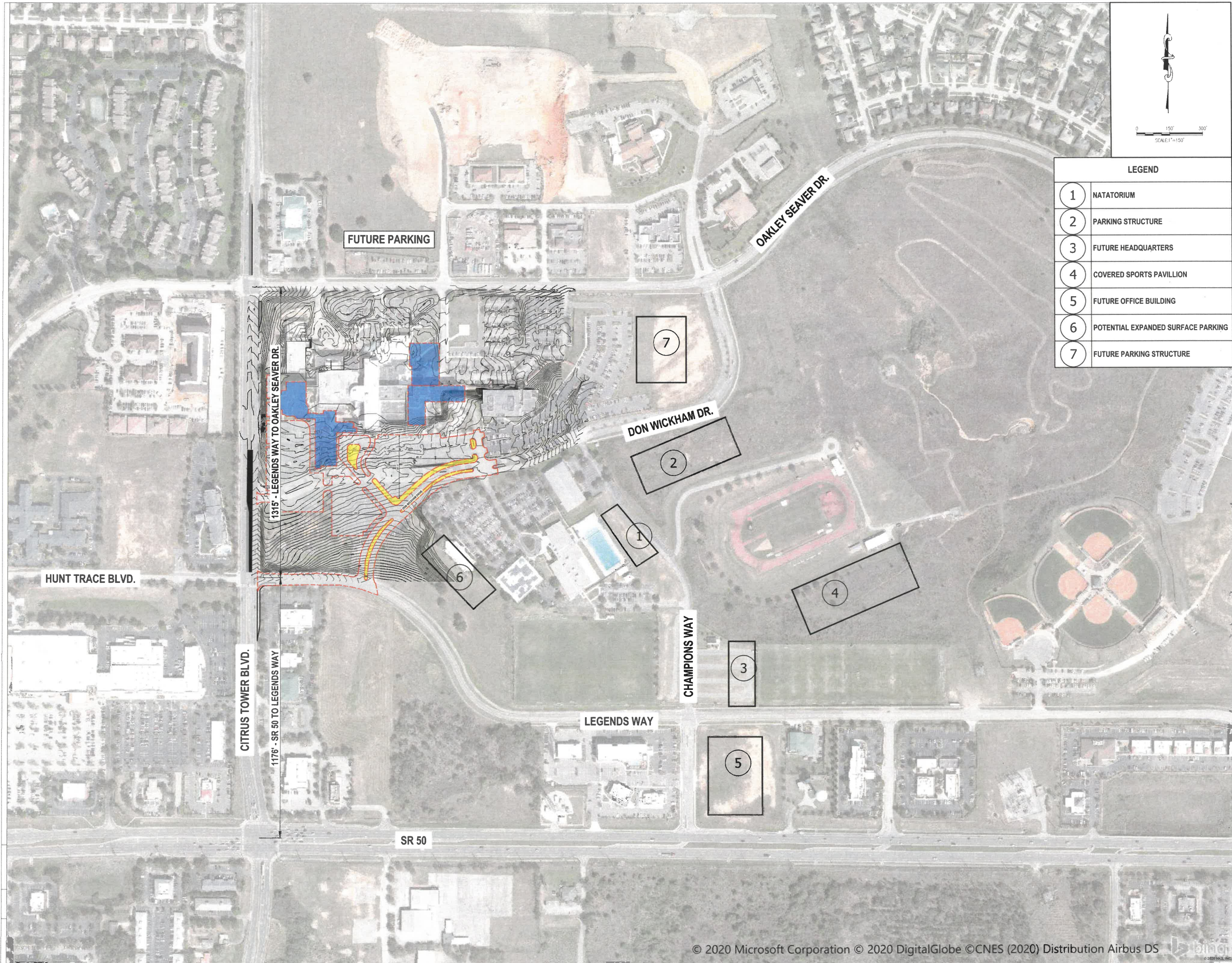
SHEET TITLE
INTERSECTION
PLAN 1

SHEET NO.
4



USER: P:\THEMABUILD\Aerial\Aerial.mxd
NAME: THEMABUILD\Aerial\Aerial.mxd
TIME: 2/27/2020 1:13:11 PM

PLOT DATE: FILE NAME: FILE DATE: XREFS:



HKS

ARCHITECT
HKS ARCHITECTS, INC.
FL AA F000119
225 E. ROBINSON ST. SUITE 405
ORLANDO, FL 32801
(407) 548-9956

INTERIOR DESIGN
HKS ARCHITECTS, INC.
225 E. ROBINSON ST. SUITE 405
ORLANDO, FL 32801

M/E/P/F ENGINEER
TLC ENGINEERING, INC.
255 SOUTH ORANGE AVE. SUITE 1600
ORLANDO, FL 32806

CIVIL ENGINEER
GAI CONSULTANTS
618 E. SOUTH STREET SUITE 700
ORLANDO, FL 32801

LANDSCAPE ARCHITECT
GAI CONSULTANTS
618 E. SOUTH STREET SUITE 700
ORLANDO, FL 32801

LEGEND	
1	NATATORIUM
2	PARKING STRUCTURE
3	FUTURE HEADQUARTERS
4	COVERED SPORTS PAVILLION
5	FUTURE OFFICE BUILDING
6	POTENTIAL EXPANDED SURFACE PARKING
7	FUTURE PARKING STRUCTURE

SOUTH LAKE HOSPITAL
By agreement with
ORLANDO HEALTH

MASTER PLAN EXPANSION - PACKAGE 1
SITE ENABLING / OBSERVATION UNIT BUILDOUT

OWNER
SOUTH LAKE HOSPITAL
1900 DON WICKHAM DRIVE
CLERMONT, FL 34711

AHCA FILE NO.
23/100051-121

SEAL

AWEE J. SHIELDS, P.E. - LIC. NO. 68111

gai consultants
EB 9951
618 SOUTH ST. SUITE 700
ORLANDO, FLORIDA 32801
PHONE: (407) 423-8398

REVISION

GAI PROJECT NUMBER
A151759.00

HKS PROJECT NUMBER
19937.000

DATE
27 February 2020

ISSUE
CONSTRUCTION DOCUMENTS

SHEET TITLE
SLH AERIAL

SHEET NO.
3

USERPAY: THERMABUILDPLAN-9167
DATE: 20 FEB 2020 10:58AM
TIME: 20 FEB 2020 10:58AM

FILE NAME: FILE DATE: XREFS:

PLOT DATE:



RIGHT IN - RIGHT OUT

EXTEND TURN LANE TO 270'
EXISTING: 175'

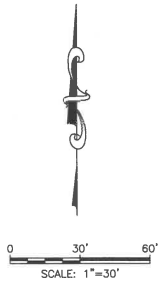
HUNT TRACE BOULEVARD

PROPOSED SIGNALIZED INTERSECTION

CITRUS TOWER BOULEVARD

LEGENDS WAY

PROPOSED RIGHT TURN LANE



HKS

ARCHITECT
HKS ARCHITECTS, INC.
FL AA F000119
225 E. ROBINSON ST. SUITE 405
ORLANDO, FL 32801
(407) 948-9956

INTERIOR DESIGN
HKS ARCHITECTS, INC.
225 E. ROBINSON ST. SUITE 405
ORLANDO, FL 32801

M/E/P/F ENGINEER
TLC ENGINEERING, INC.
255 SOUTH ORANGE AVE, SUITE 1600
ORLANDO, FL 32806

CIVIL ENGINEER
GAI CONSULTANTS
618 E. SOUTH STREET SUITE 700
ORLANDO, FL 32801

LANDSCAPE ARCHITECT
GAI CONSULTANTS
618 E. SOUTH STREET SUITE 700
ORLANDO, FL 32801

ORLANDO
HEALTH
South Lake Hospital

ORLANDO HEALTH - SOUTH LAKE HOSPITAL
SITE ENABLING / BED TOWER CUP

OWNER
SOUTH LAKE HOSPITAL
1900 DON WICKHAM DRIVE
CLERMONT, FL 34711

AHCA FILE NO.
23/100051-121

SEAL

KEITH S. HAUGDAHL, P.E. - LIC. NO. 86570



gai consultants
EB 9951

618 SOUTH ST. SUITE 700
ORLANDO, FLORIDA 32801
PHONE: (407) 423-8398

REVISION

GAI PROJECT NUMBER

R200167.00

HKS PROJECT NUMBER

DATE

27 February 2020

ISSUE

SHEET TITLE

**INTERSECTION
PLAN 1**

SHEET NO.

4

USER: THERAPIST, LAR 4157
XREF: NAME: MACCONSULTANTS.LOCAL\BUPROJ\2020\020107197-05 - BUI - SITE\CD\INTERSECTION PLAN.DWG
TIME: 21 FEB 2020 - 10:20AM

PLOT DATE: FILE NAME: FILE DATE: XREF'S:



EXTEND TURN LANE TO 320'
EXISTING: 260'

OAKLEY SEAVER DRIVE

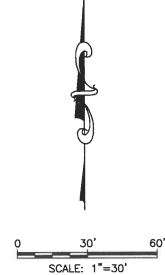
EXISTING SIGNALIZED INTERSECTION

CITRUS TOWER BOULEVARD

50

320

PROPOSED RIGHT TURN LANE



HKS

ARCHITECT
HKS ARCHITECTS, INC.
FL AN F000119
225 E. ROBINSON ST. SUITE 405
ORLANDO, FL 32801
(407) 648-9556

INTERIOR DESIGN
HKS ARCHITECTS, INC.
225 E. ROBINSON ST. SUITE 405
ORLANDO, FL 32801

M/E/P/F ENGINEER
TLC ENGINEERING, INC.
255 SOUTH ORANGE AVE, SUITE 1600
ORLANDO, FL 32806

CIVIL ENGINEER
GAI CONSULTANTS
618 E. SOUTH STREET SUITE 700
ORLANDO, FL 32801

LANDSCAPE ARCHITECT
GAI CONSULTANTS
618 E. SOUTH STREET SUITE 700
ORLANDO, FL 32801



ORLANDO HEALTH - SOUTH LAKE HOSPITAL
SITE ENABLING / BED TOWER CUP

OWNER
SOUTH LAKE HOSPITAL
1500 DON WICKHAM DRIVE
CLERMONT, FL 34711

AHCA FILE NO.
23/100051-121

SEAL



EB 9951
618 SOUTH ST. SUITE 700
ORLANDO, FLORIDA 32801
PHONE: (407) 423-8398

REVISION

GAI PROJECT NUMBER
R200167.00
HKS PROJECT NUMBER

DATE
27 February 2020

ISSUE

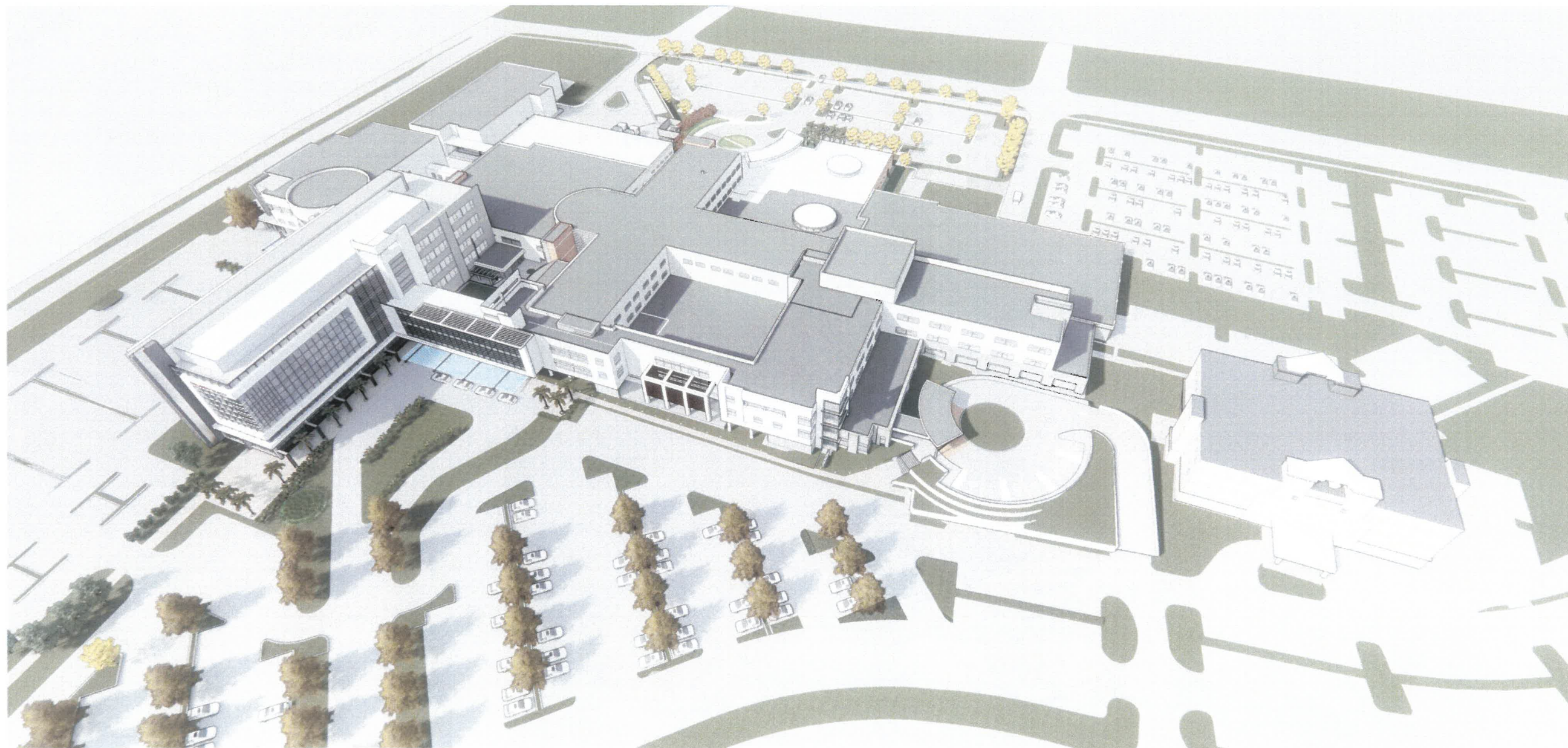
SHEET TITLE
**INTERSECTION
PLAN 2**

SHEET NO.

5







Tower SUMMARY

Tower Includes:

Admin/Conf
90 Med/Surg Beds
30 Shell Beds

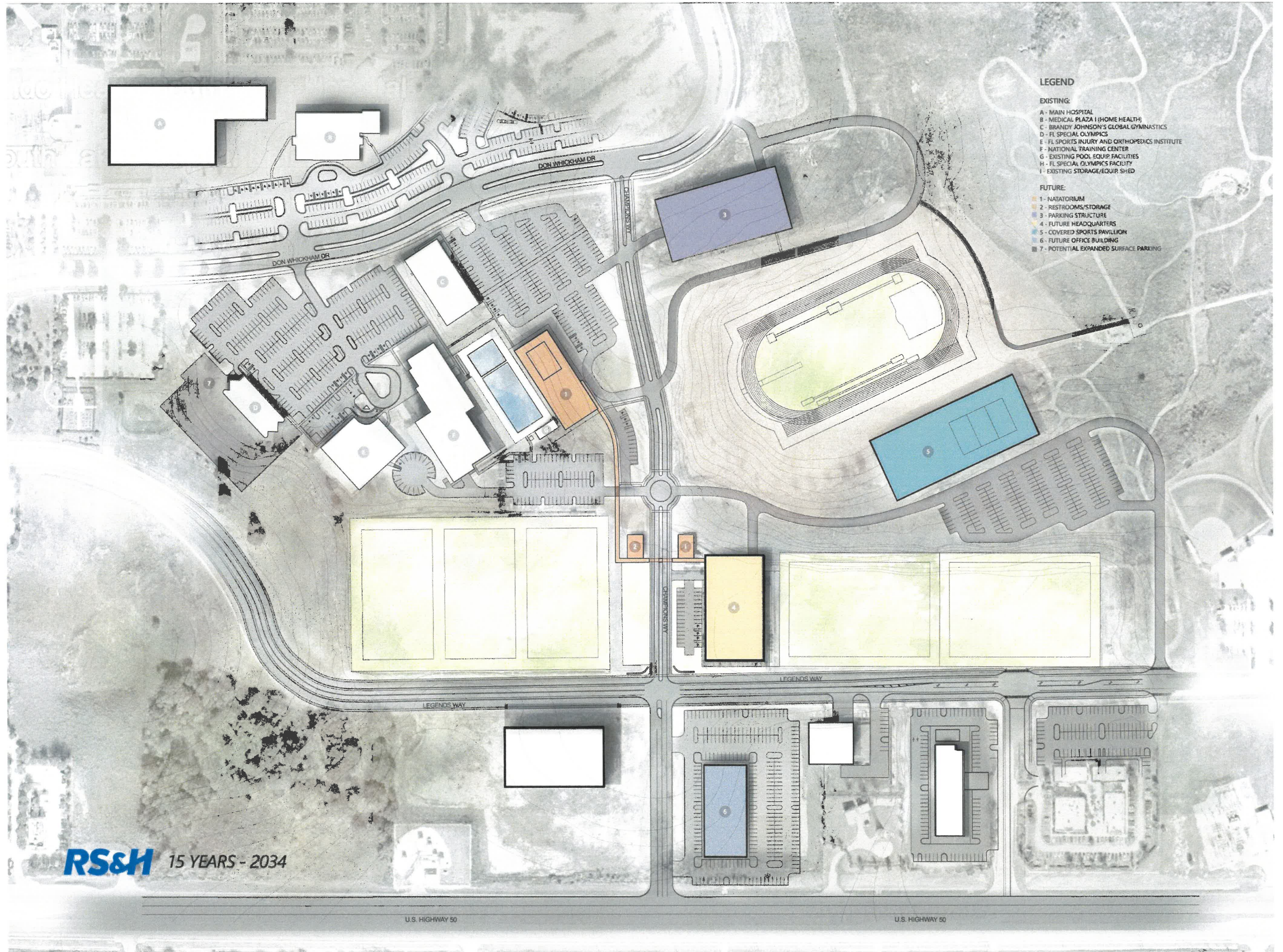
Parking Spaces : Provided / Demand

Patient Spaces : 648 / 505

Team M. Spaces : 732 / 686

Total Spaces : 1380 / 1191





LEGEND

EXISTING:

- A - MAIN HOSPITAL
- B - MEDICAL PLAZA I (HOME HEALTH)
- C - BRANDY JOHNSON'S GLOBAL GYMNASTICS
- D - FL SPECIAL OLYMPICS
- E - FL SPORTS INJURY AND ORTHOPAEDICS INSTITUTE
- F - NATIONAL TRAINING CENTER
- G - EXISTING POOL EQUIP FACILITIES
- H - FL SPECIAL OLYMPICS FACILITY
- I - EXISTING STORAGE/EQUIP SHED

FUTURE:

- 1 - NATATORIUM
- 2 - RESTROOMS/STORAGE
- 3 - PARKING STRUCTURE
- 4 - FUTURE HEADQUARTERS
- 5 - COVERED SPORTS PAVILLION
- 6 - FUTURE OFFICE BUILDING
- 7 - POTENTIAL EXPANDED SURFACE PARKING



**CONDITIONAL USE PERMIT (CUP)
APPLICATION**

DATE: 2-19-20

FEE: \$845

+ cost of advertisement

PROJECT NAME (if applicable): Orlando Health South Lake Hospital Bed Tower

APPLICANT: Orlando Health South Lake Hospital Facility Dev.

CONTACT PERSON: Kim McMurphy

Address: 1900 Don Wickham Drive

City: Clermont State: FL Zip: 34711

Phone: 352.978.7095 Fax: 352.394.4071 x 4415

E-Mail: Kim.memurphy@orlandohealth.com or

OWNER: Orlando Health South Lake Hospital Aaron.bottenhorn@orlandohealth.com

Address: 1900 Don Wickham Drive

City: Clermont State: FL Zip: 34711

Phone: _____ Fax: _____

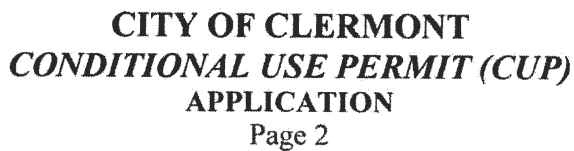
Address of Subject Property: same

General Location: Hospital campus - Citrus Tower Blvd
and Don Wickham Drive

Legal Description (include copy of survey): see attached

Land Use (City verification required): PUD

Zoning (City verification required): _____



See attached

Owner Name (signature)

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

City of Clermont

Conditional Use Permit (CUP) Application for Amendment

Orlando Health South Lake Hospital is proposing to expand the current 140-bed acute care healthcare facility with an additional Bed Tower. This project will be multi-phased and will include 100 inpatient acute care beds, 8 intensive care bed addition/expansion, and growth of the current Women's Center facility and services included in the bed count to meet the growing population needs of south Lake County and the surrounding communities. Future phases may also include vertical expansion of the East Tower and North Tower up to the approved 5 stories to accommodate the bed demand. These proposed expansions can be accommodated within the 300-bed program currently approved in the PUD.

The Hospital also requests that the uses for the National Training Center sports facilities be expanded to include but not limited to, indoor pool facilities, a sports stadium, parking and support spaces.

In order to accommodate the growth and expansion of Orlando Health South Lake Hospital's facilities described above, Don Wickham Drive (a private road) will be rerouted to connect to Legend's Way Drive to the South instead of the current intersection with Citrus Tower Blvd in order to accommodate more convenient patient/visitor parking and a more comprehensive entry with ease of wayfinding to the partnering facilities on the campus. Since Legend's Way and Citrus Tower Blvd will act as the new main entrance for South Lake Hospital and the National Training Center, a traffic signal, which has been studied and meets the warrants, will be placed at the intersection of Citrus Tower Blvd. and Legend's Way. The current driveway entrance at the current intersection of Don Wickham Drive and Citrus Tower Blvd will remain as a secondary entrance into the South Lake Hospital campus but will be converted into a right-in and right-out only.

PROPERTY RECORD CARD

General Information

Owner Name:	SOUTH LAKE MEMORIAL HOSPITAL	Alternate Key:	3540646
Mailing Address:	1099 CITRUS TOWER BLVD CLERMONT, FL 34711-2787 Update Mailing Address	Parcel Number:	09-22-26-0905-055-00000
		Millage Group and City:	000C (CLERMONT)
		2019 Total Certified Millage Rate:	17.9211
		Trash/Recycling/Water/Info:	My Public Services Map
Property Location:	1900 DON WICKHAM DR CLERMONT FL 34711 Update Property Location	Property Name:	ORLANDO HEALTH SOUTH LAKE HOSPITAL Submit Property Name
		School Information:	School Locator & Bus Stop Map School Boundary Maps
Property Description:	CLERMONT, LAKE HIGHLANDS 21-22-26 TRACTS 55, 56, 57, 58--LESS W 50 FT & LESS N 25 FT OF TRACT 55 & 56 FOR RD R/W & LESS BEG AT A POINT THAT IS 25 FT S & 35 FT E OF NW COR OF SAID TRACT 56, E 25 FT & PT A, RETURN TO POB, RUN S 25 FT, NE'LY TO PT A FOR RD R/W & LESS SOUTH LAKE OFFICE BUILDING NO 1 A COMMERCIAL COND ORB 2276 PG 16-156 & LESS SOUTH LAKE HOSPITAL CENTER FOR WOMEN'S HEALTH A COMMERCIAL CONDO ORB 2566 PG 1191-1420 & LESS FROM SW COR OF SW 1/4 OF SEC 21 RUN N 89-31-26 E 50 FT TO E'LY R/W LINE OF CITRUS TOWER BLVD & POB, RUN N 0-16-24 W 40 FT, N 89-31-26 E 300.38 FT, THENCE SE'LY ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 613 FT, A CENTRAL ANGLE OF 20-48-47 E & A CHORD BEARING OF S 80-04-11 E 221.45 FT, FOR AN ARC DIST OF 222.68 FT TO A POINT ON S LINE OF SW 1/4 OF SEC 21, S 89-31-26 W 518.33 FT TO POB FOR RD R/W & LESS THAT PART OF LAND LYING WITHIN FOLLOWING PROPERTY: FROM AT A POINT AT THE INTERSECTION OF S LINE OF TRACT 57 & E R/W LINE OF CITRUS TOWER BLVD IN SEC 21 RUN N 00-11-00 E ALONG E R/W LINE 370.54 FT, N 89-33-56 E 760 FT, S 35-00-00 E 448.91 FT, S 87-25-53 E 45.27 FT FOR POB, RUN N 47-35-48 E 170 FT, S 42-24-12 E 152 FT, S 47-35-48 W 170 FT, N 42-24-12 W 152 FT TO POB--PB 3 PG 30 ORB 1086 PG 2496		
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
1	HOSPITAL (8500)	0	0		36.44	AC	\$0.00		\$2,915,200.00
Click here for Zoning Info					FEMA Flood Map				

Limited Income Senior 25 Year Residency (county millage only-exemption amount varies)	Learn More	View the Law
Widow / Widower Exemption (up to \$500)	Learn More	View the Law
Blind Exemption (up to \$500)	Learn More	View the Law
Disability Exemption (up to \$500)	Learn More	View the Law
Total and Permanent Disability Exemption (amount varies)	Learn More	View the Law
Veteran's Disability Exemption (\$5000)	Learn More	View the Law
Veteran's Total and Permanent Disability Exemption (amount varies)	Learn More	View the Law
Veteran's Combat Related Disability Exemption (amount varies)	Learn More	View the Law
Deployed Servicemember Exemption (amount varies)	Learn More	View the Law
First Responder Total and Permanent Disability Exemption (amount varies)	Learn More	View the Law
Surviving Spouse of First Responder Exemption (amount varies)	Learn More	View the Law
Conservation Exemption (amount varies)	Learn More	View the Law
Tangible Personal Property Exemption (up to \$25,000)	Learn More	View the Law
✓ Religious, Charitable, Institutional, and Organizational Exemptions (amount varies)	Learn More	View the Law
Economic Development Exemption	Learn More	View the Law
Government Exemption (amount varies)	Learn More	View the Law

Exemption Savings ⓘ

The exemptions marked with a ✓ above are providing a tax dollar savings of:
\$680,635.37

Assessment Reduction Information (3% cap, 10% cap, Agricultural, Portability, etc.)

This property is benefitting from the following assessment reductions with a checkmark ✓

Save Our Homes Assessment Limitation (3% assessed value cap)	Learn More	View the Law
Save Our Homes Assessment Transfer (Portability)	Learn More	View the Law
Non-Homestead Assessment Limitation (10% assessed value cap)	Learn More	View the Law
Conservation Classification Assessment Limitation	Learn More	View the Law
Agricultural Classification	Learn More	View the Law

Assessment Reduction Savings ⓘ

The assessment reductions marked with a ✓ above are providing a tax dollar savings of: **\$0.00**

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
Paola Vasquez
P.O. BOX 120219
CLERMONT, FL 34712

Account Number: 7101866
Order Number: 10097355
Phone: (352) 241-7331
Date: 06/26/20
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	06/30/2020	07/21/2020	\$176.44

LEGAL NOTICE

Tracy Ackroyd Howe, MMC
City Clerk

Notice is hereby given that the City of Clermont will consider a request for an amendment to a Conditional Use Permit to allow an expansion at the South Lake Hospital to include a new inpatient tower with bed expansion and master site plan improvements.

Ad No: 10097355
June 30, 2020 &
July 21, 2020

LOCATION

South Lake Hospital at Don Wickham
Drive and Citrus Tower Blvd.
(Alternate Key 3540646)

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 the request at a public hearing on Tuesday, July 7, 2020 at 6:30 P.M., and

The City Council will consider the request at a public hearing on Tuesday, July 28, 2020 at 6:30 P.M.

All meetings will be held in the Clermont City Hall, first floor Council Chambers, located at 685 West Montrose Street Clermont, FL 34711.

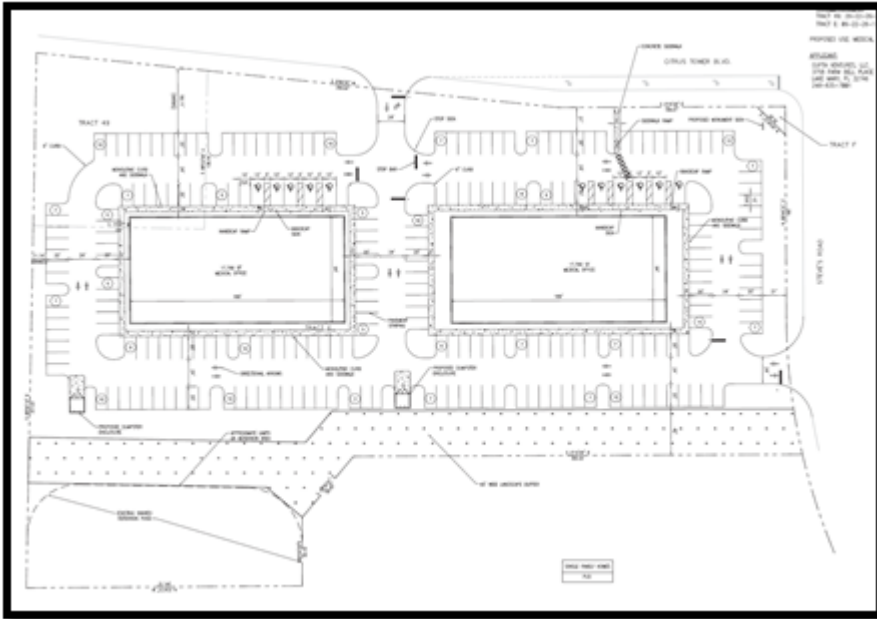
All interested parties will be given an opportunity to express their views on this matter.

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

Payment Info	
Ad Price	\$176.44
Tax	\$0.00
Sub Total	\$176.44
Prepaid Amount	\$0.00
Balance Due	\$176.44

AGENDA ITEM

Meeting Date	
Tuesday, July 7, 2020	
Agenda Item Name	
Resolution 2020-33R <i>Clermont Oncology CUP</i>	
Requested Action	
Recommend approval of Resolution 2020-33R.	
Staff Report	
The applicant is requesting an amendment to a Conditional Use Permit (2014-24) to re-designate allowable uses for Parcel I within the Lost Lake Reserve Development. Parcel I is located at the northwest corner of Steves Road and Citrus Tower Boulevard. The Developer would like to re-designate Parcel I from worship use to office use. Specifically, the applicant is requesting up to 40,000 square feet of office use for medical services on the 5.5+/- acre parcel.  The project, as proposed on the Conditional Use Site Plan prepared by Interplan LLC, shows two single-story medical office buildings at approximately 18,000 square feet each with associated parking and landscaping. The total square footage for the project will be limited up to 40,000 square feet for the site, which is approximately a floor area ratio of 0.17 and under the maximum of 0.25 for office, commercial, and institutional uses as outlined in Policy 1.7.2 of the City's Comprehensive Plan for the Lost Lake Reserve DRI.	



The applicant has not requested any variances in the construction of this project and has increased the landscape buffer between the buildings and the existing residential to the west. The proposed buffer will be forty (40) feet wide instead of the minimum ten (10) feet wide as required in Section 118-37. All other landscape buffers will meet code.

The Conditional Use Site plan shows two (2) ingress/egress points, one on Citrus Tower and the other on Steves Road. A tier 2 traffic impact analysis is being conducted and any deficiencies noted will be the responsibility of the developer to construct and improve prior to site plan approval. Initial trip generations in the Transportation Impact Study Methodology indicate 122 two-way P.M. peak hour traffic volume. The current level of service at Citrus Tower and Steves Road is a level "D", which meets the adopted level of service.

Staff has reviewed the application as submitted and finds the proposed use on Parcel I will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity. The proposed use is in conformance with the City's Comprehensive Plan and Future Land Use District Designation. The proposed use is compatible with the surrounding development as to type and size of buildings and height, which would be no different than the Institutional use currently designated. The building placement, building height, setbacks, and landscaping have been taken into account to minimize potential impacts in the site planning. Staff recommends approval of the Conditional Use Permit Amendment with the conditions contained in Resolution No. 2020-33R.

Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. 2020-33R Clermont Oncology - Lost Lake Reserve	2020-33R Clermont Oncology - Lost Lake Reserve.doc	
2. Clermont Oncology Maps	Clermont Oncology Maps.pdf	

3.	Clermont Oncology SITE PLAN	Clermont Oncology SITE PLAN.pdf
4.	20-5001 Clermont Oncology TIA . Methodology . 2020Jun25	20-5001 Clermont Oncology TIA . Methodology . 2020Jun25.pdf
5.	Clermont Oncology Application	Clermont Oncology Application.pdf
6.	Clermont Oncology CUP Legal Ad Proof	Clermont Oncology CUP Legal Ad Proof.pdf

CITY OF CLERMONT
RESOLUTION NO. ~~2010-01~~2020-33R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING AN AMENDMENT TO A CONDITIONAL USE PERMIT TO RE-DESIGNATE ALLOWABLE USES FOR PARCEL ~~C-1~~ WITHIN THE PLANNED UNIT DEVELOPMENT ZONING DISTRICT.

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held ~~December 1, 2009~~July 7, 2020 recommended for approval of this amendment to a Conditional Use Permit to re-designate allowable uses for Parcel ~~C-1~~ within the Planned Unit Development Zoning District; at the following location:

LOCATION:

~~Southwest~~Northwest of Citrus Tower Boulevard and Steve's Road

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 an amendment to a Conditional Use Permit to re-designate allowable uses for Parcel ~~C-1~~ within the Planned Unit Development Zoning District; be granted subject to the following conditions:

CUP 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. The property shall be developed in substantial accordance with the master site plan as shown in the revised Exhibit "A" incorporating all conditions of this Conditional Use Permit.
4. 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
RESOLUTION NO. ~~2010-01~~2020-33R

City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.

5. The final Certificate of Occupancy shall not be issued until each of the stated conditions has been met.
6. 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.
7. The Conditional Use Permit must be executed and filed in the office of the City Clerk within 90 days of its date of grant by the City Council or the permit shall become null and void.
8. This permit shall become null and void if substantial construction work has not begun within two (2) years of the date that this Conditional Use Permit is executed and signed by the permittee. "Substantial construction work" means the commencement and continuous prosecution of construction of required improvements ultimately finalized at completion.

Section 2 – Land Use

The Lost Lake Reserve project shall be developed in accordance with the directives of the DRI, this CUP/PUD and the Comprehensive Plan for this Master Planned Development.

The project shall be permitted for a maximum total of 1,108 single and multifamily residential dwelling units.

The development consists of the following elements as depicted in Exhibit "A":

Residential:

- Parcel "A" – detached single family residential units with a minimum lot size of 9000 sq. ft. and a minimum lot width of 75 ft. All other development standards shall be consistent with the R-1 Single-family Medium Residential Zoning District.
- Parcel "B" – detached single family residential units with a minimum lot size of 01020 sq. ft. and a minimum lot width of 100 ft. All other development standards shall be consistent with the R-1-A Single-family Low Density Residential Zoning District.
- Parcel "C1" – 14.73 acres of park land. A deed restriction shall be imposed by the developer to allow only athletic fields, recreation and open space uses. Parcel C-1 shall be developed in substantial accordance with the conceptual site plan dated March 6, 2010

CITY OF CLERMONT
RESOLUTION NO. ~~2010-01~~2020-33R

and the perspective drawings as developed by AECOM and Forum Architectures & Interior Design Inc. for Maxcy Development Group, as shown in Exhibit “B”.

- Parcel “C2” – 16.41 acres with up to 192 multi-family residential units. Townhomes, duplexes, quadruplexes, condominiums, or apartments may be constructed at a maximum density of 12 dwelling units per acre. Parcel C-2 shall be developed in substantial accordance with the conceptual site plan dated March 6, 2010 and the perspective drawings as developed by AECOM and Forum Architectures and Interior Design Inc. for Maxcy Development Group, as shown in Exhibit “B”.
- Parcel “D” – up to 300 multifamily residential units on 25 acres. Townhomes, duplexes, quadruplexes, condominiums, or apartments may be constructed at a maximum density of 12 dwelling units per acre.
- Parcel “E” – detached single family residential units with a minimum lot size of 9000 sq. ft. and a minimum lot width of 75 ft. All other development standards shall be consistent with the R-1 Single-family Medium Residential Zoning District.
- Parcel “F” – detached single family residential units with a minimum lot size of 9000 sq. ft. and a minimum lot width of 75 ft. All other development standards shall be consistent with the R-1 Single-family Residential Zoning District.
- Parcel “G” – up to 300 multifamily residential units on 25 acres. Townhomes, condominiums or apartments may be constructed at a maximum density of 12 dwelling units per acre.

Non-residential:

- Parcels “H” & “R” – allow for a variety of professional office and personal services uses. Allowed uses shall be the professional office and personal services as permitted in the C-1 zoning district. All regulations of the C-1 zoning district shall apply to these uses. In addition, residential uses are limited to 1 du/5,000 sq. ft. of the heated and cooled area. Subdivisions of commercial land must go through the commercial subdivision platting process.
1. Parcel “I” – ~~Worship and Daycare — A 5.04 acre parcel reserved for a worship site. In addition to worship uses the parcel can also include daycare and primary educational uses associated with the church; however, and daycare and educational uses shall be subject to a conditional use approval by the City. Professional and medical office uses only. Any other C-1 Light Commercial use shall be subject to a conditional use approval by the City. The parcel, 5.5+/- acres, may have up to two (2) standalone buildings up to 20,000 square feet each, not to exceed a total of 40,000 square feet of office space for the entire parcel,~~ as shown on the Conditional Use Site Plan prepared by Interplan LLC. A forty-

CITY OF CLERMONT
RESOLUTION NO. ~~2010-01~~2020-33R

foot (40') enhanced landscape buffer shall be installed between the adjoining residential lots and the project. A Tier 2 Traffic Impact Study shall be completed and reviewed by the City's Traffic Consultant at the applicant's expense. 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.

- Parcels “K” & “J” – Commercial Villages – allow development of a variety of retail and service uses to serve the PUD and nearby neighborhoods, consistent with the regulations in the C-2 General Commercial zoning district. Permitted uses in C-2 shall be permitted and Conditional Uses in C-2 shall require a conditional use permit. The following uses shall be prohibited: “adult” oriented forms of business or services including adult bookstores; tattoo and body piercing establishments; psychic readers; pawn shops and campgrounds. Shopping centers require a CUP and other subdivisions of commercial land must go through the commercial subdivision platting process.

The construction of a retail establishment which exceeds 100,000 square feet in size shall be permitted on Parcel K without obtaining a variance. A CUP is required for the purpose of reviewing the plan for compliance with this CUP and other City Codes and Ordinances. (29.17 acres developed Wal-Mart; 11.30 acres available).

- Parcel “L” – Town Center – allows a variety of retail and service uses, consistent with the C-1 Light Commercial zoning district. Residential uses shall be allowed at a ratio of 1 du/2500 sq. ft. of heated and cooled space. The following uses shall be prohibited: “adult” oriented forms of business or services, i.e. adult bookstores; tattoo and body piercing establishments; psychic readers; pawnshops and campgrounds. Shopping centers require a CUP and other subdivisions of commercial land must go through the commercial subdivision platting process.
- Parcel “M” – An 11.4 acre Recreation and Open Space (ROS) parcel bridges the gap between the Eagle Lake perimeter park and Lost Lake Elementary School. It is proposed for active community recreation such as field and court sports.
- Approximately 15.2 acres is planned for passive recreation for the perimeter of Lake Felter. This Recreation and Open Space (ROS) feature coincides with the 100 year floodplain.
- A linear park that borders both sides of Citrus Tower Boulevard along Parcels “B”, “C”, “D”, and “E”.
- Parcel “N” – A 1.0 acre parcel is reserved for a Community Facility at the northeast corner of the 11.2 acre ROS parcel.

CITY OF CLERMONT
RESOLUTION NO. ~~2010-01~~2020-33R

Section 3 – Physical Site Development and Environmental Issues

1. A dust abatement and soil erosion plan shall be submitted to the City detailing measures to be taken to eliminate the migration of dust particles and soil erosion. A water buffalo shall be available to apply water within 24 hours of notification by City. All disturbed areas that are not to be developed within 30 days after grading is completed shall be seeded and mulched or sodded unless an alternative plan is submitted to and approved by the City.

2. Gopher tortoises shall be relocated to an approved reception site subject to approval of the Florida Game and Fresh Water Fish Commission. If relocation is not approved due to health reasons a Take Permit will be obtained from the Fish and Game for tortoises that cannot be relocated due to health reasons.

3. The Lake Felter mitigation has been completed in accordance with the plans approved by the City and the SJRWMD. The mitigation is subject to the monitoring requirements under the permit. The Eagle Lake mitigation plans have been submitted to the SJRWMD in accordance with the Consent Order issued by SJRWMD. In accordance with the Consent Order, the Eagle Lake restoration must be completed prior to development north of John's Lake Road or when water levels rise to normal levels. All activity in the floodplains or wetlands requires a permit from the City per Section 94-34 of the code.

4. A tree survey and inventory is required for all trees six (6) inches and over in diameter and a replacement plan is required for those trees to be removed.

5. Mass grading shall be permitted in substantial accordance with the proposed Mass Grading 2002 Cut/Fill Program as originally approved by the City, which depicts those areas which will exceed ten (10) feet or fifteen (15) feet of cut or fill in residential and commercial areas respectively. Final grading plans shall be submitted with construction plans for each phase of the development and shall substantially comply with those grading plans. Notwithstanding the above, any City approval of a site improvement plan will allow the Developer to move earth outside or into that parcel's boundary provided that earthwork is completed consistent with the approved master grading plan but only to the extent such work is needed to complete the earthwork required of the approved site plan.

Retaining walls up to ten (10) feet in height may be utilized in the commercial parcels, as long as landscaping is incorporated into their design. Tiering of retaining walls in commercial areas is permitted. Residential parcel retaining walls are restricted to a maximum of six (6) feet in height. Two foot horizontal to one foot vertical slopes are allowed in non-residential parcels provided slopes are vegetated with drought tolerant, low maintenance materials. Filling the U.S. 27 floodplain in the commercial area is permitted as long as the appropriate permits are obtained from SJRWMD and floodplain compensation is provided.

CITY OF CLERMONT
RESOLUTION NO. ~~2010-01~~2020-33R

A dust abatement and soil erosion plan shall be submitted to the City detailing measures to be taken to eliminate the migration of dust particles and soil erosion with each site improvement plan.

Section 4 – Transportation Improvements

1. Citrus Tower Blvd.

A. *With County contribution:* Developer shall substantially complete the construction of Citrus Tower Boulevard from the southern boundary of the property to the northern boundary within 240 days of Developer receiving final permits and approvals and, the County providing its share of the construction cost in the form of cash. The portion from the northern boundary of the property to Hook Street shall be completed within 240 days of the County or City acquiring the necessary right of way to construct the roadway along with the necessary drainage improvements and obtaining all final permits to construct improvements.

Development approved through the adoption of the Development Order for the DRI can commence on Parcel “F” without any improvement to Citrus Tower Blvd. Parcel “G” shall require the construction of Citrus Tower Boulevard from John’s Lake Road south to the secondary entrance of Parcel “G” within one (1) year of the first CO being issued in Parcel “G”. Parcels “C” and “E” shall require the construction of Citrus Tower from John’s Lake Road to Steve’s Road prior to the issuance of any CO in Parcels “C” or “E”. Further development shall commence as provided for in the DRI Development Order.

The one hundred feet of right of way for the construction of Citrus Tower Boulevard from the southern property boundary to the northern property boundary will be contained in a right of way reservation corridor map (the “Map”) which shall be an exhibit to this document. The Map will delineate the location of a one hundred fifty foot (150’) corridor from the southern to northern property boundary. The exact 100-foot right of way to be dedicated will be furnished to the City upon completion and approval of the construction drawings for Citrus Tower Boulevard. The Developer will complete and submit the construction plans for Citrus Tower Blvd. from the southern property boundary to the northern property boundary within 6 months of the CUP approval. Simultaneously with the dedication of the right of way to the City, the City in turn will grant to the Developer a temporary access easement over the right of way and grant the Developer the authority to construct the necessary roadway improvements in the right of way which is the Developer’s responsibility. Notwithstanding the above, the Developer shall dedicate the one hundred feet (100’) of right of way for Citrus Tower Blvd. no later than twelve (12) months after the approval of this CUP.

City will assist developer in making sure that Citrus Tower Boulevard is eligible for impact fee credits from the County.

CITY OF CLERMONT
RESOLUTION NO. ~~2010-01~~2020-33R

B. *Without County contribution:* Developer shall construct Citrus Tower Boulevard from the southern property line to the northern property line within four (4) years of approval of the DRI Development Order.

Development approved through the DRI Development Order can commence on Parcel “F” without any improvement to Citrus Tower Blvd. Parcel “G” shall require the construction of Citrus Tower Boulevard from John’s Lake Road south to the secondary entrance of Parcel “G” within one (1) year of the first CO being issued in Parcel “G”. Parcels “C” and “E” shall require the construction of Citrus Tower from John’s Lake Road to Steve’s Road prior to the issuance of any CO in Parcels “C” or “E”. Further development shall commence as provided for in the DRI Development Order.

The one hundred feet of right of way for the construction of Citrus Tower Boulevard from the southern property boundary to the northern property boundary will be contained in a right of way reservation corridor map (the “Map”) which shall be an exhibit to this document. The Map will delineate the location of a one hundred fifty foot (150’) corridor from the southern to northern property boundary. The exact right of way to be dedicated will be furnished to the City upon completion and approval of the construction drawings for Citrus Tower Boulevard. The Developer will complete and submit the construction plans for Citrus Tower Blvd. from the southern property boundary to the northern property boundary within 6 months of the CUP approval. Simultaneously with the dedication of the right of way to the City, the City in turn will grant to the Developer a temporary access easement over the right of way and grant the Developer the authority to construct the necessary roadway improvements in the right of way which is the Developer’s responsibility. Notwithstanding the above, the Developer shall dedicate the one hundred feet (100’) of right of way for Citrus Tower Blvd. no later than twelve (12) months after the approval of this CUP.

City will assist developer in making sure that Citrus Tower Boulevard is eligible for impact fee credits from the County.

2. Steve’s Road Construction

A. *With County contribution:* Steve’s Road from the eastern property boundary to the western boundary shall be constructed within 240 days of the County providing funding and the County or City providing the necessary rights of way. The portion west of Citrus Tower Blvd. must be completed prior to the first CO being issued in Parcel “A” and the portion east of Citrus Tower Blvd. must be completed prior to the first CO being issued in Parcel “B”. Regardless, Steve’s Rd. must be constructed from Citrus Tower Blvd. to the east property boundary when Citrus Tower Blvd. is extended to Steve’s Road.

The eighty foot (80’) right of way for the construction of Steve’s Road from the western property boundary to Citrus Tower Blvd. and the sixty foot (60’) right of way from Citrus Tower Blvd. along the northern property boundary will be contained in a right of way reservation corridor map (the “Map”) which shall be an exhibit to this document. The Map will delineate the location of a one hundred fifty foot (150’) corridor from the eastern to

CITY OF CLERMONT
RESOLUTION NO. ~~2010-01~~2020-33R

western property boundary. The exact right of way to be dedicated will be furnished to the City upon completion and approval of the construction drawings for Steve's Road.

The Developer will complete and submit the construction plans for Steve's Road from the eastern property boundary to the western property boundary within 6 months of the CUP approval. Simultaneously with the dedication of the right of way to the City, the City will in turn grant to the Developer a temporary access easement over the right of way and grant the Developer the authority to construct the necessary roadway improvements in the right of way which is the Developer's responsibility.

B. Without County contribution: Steve's Road from the eastern property boundary to the western boundary shall be constructed within four (4) years of approval of the PUD or the portion west of Citrus Tower Blvd. must be completed prior to the first CO being issued in Parcel "A" and the portion east of Citrus Tower Blvd. must be completed prior to the first CO being issued in Parcel "B".

The eighty foot (80') right of way for the construction of Steve's Road from the western property boundary to Citrus Tower Blvd. and the sixty foot (60') right of way from Citrus Tower Blvd. along the northern property boundary will be contained in a right of way reservation corridor map (the "Map") which shall be an exhibit to this document. The Map will delineate the location of a one hundred fifty foot (150') corridor from the eastern to western property boundary. The exact right of way will be dedicated to the City upon completion and approval of construction drawings for Steve's Rd. The Developer will complete and submit the construction plans for Steve's Road from the eastern property boundary to the western property boundary within 6 months of the CUP approval. Simultaneously with the dedication of Steve's Rd., the City will in turn grant to the Developer a temporary access easement over the right of way and grant the Developer the authority to construct the necessary roadway improvements in the right of way which is the Developer's responsibility. Notwithstanding the foregoing, Steve's Road east of Citrus Tower Boulevard will be completed by the time the portion of Citrus Tower Blvd. is extended from John's Lake Road North to Steve's Rd.

3. All roads within the project shall be designed and constructed in accordance with adopted City standards.
4. The permittee shall pay a pro rata share of the traffic study to determine if a signal is warranted at the intersection of U.S. 27 and John's Lake Road. If a signal is warranted, the permittee shall pay its pro rata share of the cost for a signal and its installation. The permittee shall also pay for the total cost of warning signs and lights north of the signal as required by the FDOT and the City of Clermont.
5. If in the future it is determined by the City that a signal is necessary at the intersection of John's Lake Road and Citrus Tower Blvd., the cost of engineering, equipment, and installation shall be the responsibility of the permittee and may be eligible for impact fee credits.

CITY OF CLERMONT
RESOLUTION NO. ~~2010-01~~2020-33R

6. A mass transit stop shall be provided for in the Commercial Village.
7. Ingress/egress to the site for construction shall be as approved by the City Site Review Committee.
8. An FDOT permit will be required and filed with the City for any activity proposed to occur along U.S. 27 right-of-way prior to issuance of development approvals or permitting by the City.
9. Single family units shall not front on, or be permitted direct access to John's Lake Road, Steve's Road, or Citrus Tower Boulevard.
10. The permittee shall be permitted to extend the maximum length of a cul-de-sac street from one thousand two hundred (1,200) feet to two thousand (2,000) feet.
11. The developer shall pay the City for the purchase and installation of the traffic signal (span wire) at the intersection of Citrus Tower Blvd. and Steve's Road as designed and installed by Lake County, not to exceed \$200,000. The signal shall be installed and paid for prior to the first Certificate of Occupancy being issued for Parcel C2 or for any buildings in Phase 2, whichever comes first. The City will support and reasonably cooperate with the developer with regard to the developer's application for eligible impact fee credits from Lake County.

Section 5 – Utilities

1. An acceptable well site of approximately one-half acre in size either on or off site shall be provided prior to commencement of construction.
2. The project shall be plumbed for reclaimed water use. Reclaimed water lines shall be installed using purple colored piping.
3. Irrigation wells shall be used to provide water for irrigation until reclaimed water is available.
4. 300 units of water impact fees shall be paid at the time the first building permit is pulled.
5. The City shall work with the developer/permittee in the design of water and reuse line within the right-of-way or easements to accommodate and encourage the planting of trees between the curb and sidewalk.
6. The developer/permittee shall not place more than thirty-six (36) inches of overburden on utility lines. Where landscape may be located over such line, the City shall receive

CITY OF CLERMONT
RESOLUTION NO. ~~2010-01~~2020-33R

indemnification in the event of necessary operation and/or maintenance of the utility. Repair and/or replacement of landscape shall be the responsibility of the developer/permittee.

Section 6 - Linear Park

1. A linear park shall be provided on both sides of Citrus Tower Boulevard that will run along Parcels “B”, “C”, “D”, and “E”. This linear park shall be a minimum of 10 ft in width and average 25 ft. in width. It shall be located outside of the public right-of-way. An eight foot pedestrian/bikeway shall be constructed the length of the park on both sides of Citrus Tower Boulevard. The pedestrian/bikeway does not have to follow the right-of-way line, but can meander in a serpentine manner through the buffer and 5 ft. into the right-of-way; however, in no case shall the pedestrian/bikeway be located closer than five (5) feet to the back of curb of Citrus Tower Blvd.

Construction plans for the linear park shall be submitted for review and approval by staff along with construction plans for Citrus Tower Blvd. The plans shall include a description of the street furniture and lighting to be used and the design of berms and landscaping. Landscaping shall include one canopy tree per 50 ft. of street frontage with planting areas every 150 ft. These planting areas shall be a minimum 500 sq. ft. in size. The linear park shall be constructed in conjunction with each phase of Citrus Tower Blvd. construction. Maintenance of the linear park shall be by the homeowners association.

Section 7- Recreation

1. Public Park -

The developer will dedicate the approximately 11.4 acre park site to the City prior to the issuance of the first CO. The Developer will receive impact fee credits for the cost of the design and improvements, but not the value of the land. Cost estimates shall be submitted and approved by the City prior to construction for the purpose of confirming recreation impact fee credits. The developer and City shall work together to plan the park. Developer will design, engineer, permit, and build the park improvements substantially in accordance with the conceptual plan as prepared by McIntosh and Associates and Canin Associates construction plans, May 15, 2002 submitted to the City of Clermont. Grading and preparation of the site for construction as well as the construction of restroom facilities and the softball fields shall be completed before the issuance of the 25th single family certificate of occupancy. Prior to the issuance of the 100th single family CO the entire facility must be completed and the entire facility must be completed within 24 months after issuance of the first single family residential CO. If upon issuance of the 100th single family CO, the developer has not completed the facility of the facility is not completed within the 24 month period, the developer shall post a letter of credit or performance bond for the remaining improvements that can be drawn by the City if the improvements are not completed within 90 days.

CITY OF CLERMONT
RESOLUTION NO. ~~2010-01~~2020-33R

2. Eagle Lake Park and the Lake Felter passive park shall be constructed in conjunction with Phase 2 of the 11.4 acre active City park.
3. All recreation and park areas shall link with the pedestrian/bikeway system.
4. A neighborhood play lot (tot lot) shall be provided in each residential tract prior to the issuance of any certificates of occupancy for the tract. The neighborhood play lots shall be connected to the internal pedestrian/bikeway system.

Section 8 – Landscaping

1. A 30 ft. landscape buffer shall be constructed along the eastern boundary of Parcel “F” prior to the issuance of the first c/o in Parcel “F”. The buffer shall be planted with a minimum of three rows of 3”-caliper 6” above grade pines planted 20 ft. on center. The rows shall be planted in a staggered manner so as to provide an opaque barrier.
2. In addition to the Linear Park, additional landscape buffers shall be provided along Citrus Tower Boulevard. A 20 ft. buffer shall be provided along all commercial properties except for the Town Center. A 25 ft. buffer shall be provided along the frontage of Parcel “G”. Landscaping in the Linear Park and other buffers shall exceed minimum code requirements.
3. A wall and landscaped buffer shall be required along all double frontage lots (residential lots along Citrus Tower Blvd. and John’s Lake Road unless otherwise approved by the site review committee.
4. The landscape buffer for the commercial and office parcels along U.S. 27 shall be 25 ft. wide with berm and double the planting of shrubs.
5. The developer shall landscape and maintain the Citrus Tower Blvd. median from Steve’s Road to John’s Lake, in substantial accordance with Exhibit “C”. The developer shall install all landscape material (as approved by the City), and maintain the median of Citrus Tower Blvd. within the Lost Lake Reserve from Steve’s Road to John’s Lake Road. Said landscaping shall be installed prior to the first Certificate of Occupancy being issued for Parcel C-1 or C2 or for any building.

Section 9 – Architectural Design Standards

All structures shall be designed and constructed in accordance with the *Architectural Standards* of the City of Clermont. In addition, the following shall be adhered to:

CITY OF CLERMONT
RESOLUTION NO. ~~2010-01~~2020-33R

1. The developer/permittee shall create a set of design standards which establish the scale, mass, and form of development for the non-residential components of the PUD. The non-residential standards shall include specific landscape controls for all rights-of-way, parking areas, plazas, and public open space, as well as a complete palette of street furnishings where appropriate.
2. The design standards for the non-residential areas shall be reviewed and approved by the City Site Review Committee and shall be applied to all development in the PUD unless the City has established its own design standards and has adopted such standards as part of its code.
3. The following design standards shall apply to large retail establishments unless otherwise approved by the City of Clermont Site Review Committee:

Facades and Exterior Walls:

1. Primary ground floor facades that face public streets shall have arcades, display windows, entry areas, awnings or other such features along no less than twenty-five (25) percent of their horizontal length.

Roofs:

1. Parapet walls or other design features shall be used to conceal flat roofs and rooftop equipment such as HVAC units from public view from all sides of the building. The average height of such parapets shall not exceed fifteen (15) percent of the height of the supporting wall and such parapets shall not at any point exceed one-third (1/3) of the height of the supporting wall.
2. No uninterrupted length of any roofline or parapet wall shall exceed one hundred (100) horizontal feet.

Materials and colors:

1. The predominant exterior finish shall be of high quality materials, including, but not limited to, brick, stone, stucco and textured concrete masonry units. The finished surface of the exterior walls shall not include smooth-faced concrete block, tilt-up concrete panels or prefabricated steel panels.
2. Façade colors shall be low reflective, subtle, neutral or earth tone colors. The use of high-intensity colors, metallic colors, black or fluorescent colors shall be prohibited.

CITY OF CLERMONT
RESOLUTION NO. ~~2010-01~~2020-33R

3. Building trim and accent areas shall be limited to one primary color. The use of a primary color in the building trim is limited to a two (2) foot wide band around the building. Neon tubing shall not be an acceptable feature for building trim or accent areas.

Entryways:

Each large retail establishment shall have a clearly defined customer entrance featuring no less than three (3) of the following:

1. Canopies or porticos;
2. Overhangs;
3. recesses/projections;
4. Arcades;
5. Peaked roof forms;
6. Arches;
7. Architectural details such as tile work and moldings which are integrated into the building structure and design;
8. Integral planters or wing walls that incorporate landscaped areas and areas for sitting.

Signage:

1. Neon tubing shall not be used in building signage. The letters in the signage shall be the primary color.
2. Signage may include store identification including garden center and contractor pickup, etc., but not advertising such as “We Sell for Less” or “Low Prices”, etc.

Outdoor storage:

1. All building or landscape materials stored outside must be within an enclosure. If the enclosure is not opaque, the enclosure shall consist of ornamental fencing as screening. Plastic slats in chain link fencing will not be allowed.
2. Shopping cart returns shall be provided within the retail structures.
3. Cart corrals or returns may be provided for in the parking lot. No advertising shall be allowed on the cart corrals.

Outdoor display:

1. After business hours, all outdoor inventory must be on a concrete slab and under roof, i.e. an arcade.

CITY OF CLERMONT
RESOLUTION NO. ~~2010-01~~2020-33R

Section 10 – Signage

10.1 General Provision:

- 1.1 Anything defined as a “sign” by the City, but which is not specifically allowed by this section, shall be governed by the current City Land Development Code Signage Regulations.

10.2 Directional Signs:

- 2.1 Directional Signs which identify amenities and/or uses which serve the general public and/or residents of the development shall be regulated as follows:

- 2.1.1 Directional Signs may identify amenities and/or uses; builders and/or neighborhoods.

- 2.1.2 Directional Signs shall be limited to locations along Citrus Tower Boulevard and John’s Lake Road within the boundaries of the development.

- 2.1.3 Directional Signs shall be limited to a double faced maximum of sixteen (16) square feet per sign face, not more than ten (10) feet in height.

- 2.1.4 Directional Signs shall maintain a five hundred (500) foot separation from other directional signs and a minimum fifty (50) foot peripheral setback from all other signs.

- 2.1.5 Directional Signs shall be setback a minimum of five (5) feet from all property lines, provided that a safe line of sight is maintained and the placement of said sign does not otherwise create a hazard to pedestrian or vehicular traffic as determined by the City of Clermont.

10.3 Main Entrance Signs:

- 3.1 Main Entrance Monuments may be located at the main entrance to the project at US Highway 27 and John’s Lake Road.

- 3.2 Main Entrance signage shall include either one of the following: 1) Entrance Monument signs and a Project Identification Sign in the median of the entry or 2) Project Identification Signs on either side of the right-of-way only.

- 3.3 Main Entrance Monuments may be placed adjacent to the north and south right-of-way lines of John’s Lake Road and shall have a five (5) foot setback provided that placement of these monuments do not create a hazard to public health and safety as determined by the City of Clermont.

CITY OF CLERMONT
RESOLUTION NO. ~~2010-01~~2020-33R

- 3.4 Main Entrance Monuments shall be four sided structures a maximum of eighteen (18) feet high and shall be limited to the project logo and a maximum of nine (9) square feet each side.
- 3.5 Main Entrance Project Identification Signs shall have a maximum copy area of thirty (32) square feet and a maximum height of eight (8) feet. The wall shall be placed in such a manner that a clear line of sight is maintained and does not create a hazard to public safety, health or welfare as determined by the City.

10.4 Boundary Markers:

- 4.1 At the north and south entrances to the development on Citrus Tower Boulevard and at the east entrance on John's Lake Road, either project identification signs or boundary markers may be provided. They shall be located at or near the project boundaries.
- 4.2 Boundary Markers shall be located along both sides of the right-of-way up to the property line provided; however, that placement of these structures shall not create a hazard to public health or safety as determined by the City of Clermont.
- 4.3 Boundary Markers shall be four (4) sided structures a maximum of six (6) feet high. Boundary Markers shall be limited to the project logo and a maximum of four (4) square feet each side.

10.5 Project Identification Signs:

- 5.1 At the north and south entrances to the development on Citrus Tower Boulevard and at the east entrance on John's Lake Road, either project identification signs or boundary markers may be provided. They shall be located at or near the project boundaries.
- 5.2 A single faced wall display may be located on each side of the boulevard with a maximum copy area of thirty (32) square feet and a maximum height of eight (8) feet. The wall shall be placed in such a manner that a clear line of sight is maintained and does not create a hazard to public safety, health or welfare as determined by the City.
- 5.3 In lieu of the single faced wall display on each side of the boulevard, the developer may elect to locate identification signs within medians of the entry boulevards. Such features shall consist of a double faced monument or wall with a maximum thirty-two (32) square feet of copy area per sign face. The structure shall be located a minimum of ten (10) feet from edge of pavement, provided that a clear line of sight is maintained, and the placement of these facilities does not

CITY OF CLERMONT
RESOLUTION NO. ~~2010-01~~2020-33R

otherwise create a hazard to public safety, health or welfare as determined by the City.

10.6 Village (Subdivision) Identification Signs:

- 6.1 Village Identification Signs shall be located at the entry ways to neighborhood villages within the Development.
- 6.2 A single faced wall display may be located on each side of the boulevard with a maximum copy area of thirty (32) square feet and a maximum height of eight (8) feet. The wall shall be placed in such a manner that a clear line of sight is maintained and does not create a hazard to public safety, health or welfare as determined by the City.
- 6.3 In lieu of the single faced wall display on each side of the boulevard, the developer may elect to locate identification signs within medians of the entry boulevards.
- 6.4 Such features shall consist of a double faced monument or wall with a maximum thirty-two (32) square feet of copy area per sign face. The structure shall be located a minimum of ten (10) feet from edge of pavement, provided that a clear line of sight is maintained, and the placement of these facilities does not otherwise create a hazard to public safety, health or welfare as determined by the City.

10.7 Gateway Markers:

- 7.1 Gateway Markers may be located at all four (4) corners of the intersection of Citrus Tower Boulevard and John's Lake Road. Boundary Markers shall be four (4) sided structures a maximum of six (6) feet high. Boundary Markers shall be limited to the project logo and a maximum of four (4) square feet each side.

10.8 Multi-Tenant Identification Signs:

- 8.1 Multi-Tenant Identification Signs shall be located along US Highway 27, Citrus Tower Boulevard, John's Lake Road and the uninterrupted parking drive within Parcel "K". Multi-Tenant Identification Signs shall be in conformance with the City of Clermont Land Development Regulations.
- 8.2 Multi-tenant Identification Signs located within Parcel "K" shall allow identification of tenants within any further subdivided parcel regardless of the location of the specific sign.

10.9 Single Tenant Identification Signs:

CITY OF CLERMONT
RESOLUTION NO. ~~2010-01~~2020-33R

- 9.1 All Single Tenant Identification Signs shall be monument signs and the overall size of the sign including sign face and base shall be limited to 100 sq. ft. The height and setback of Single Tenant Identification Signs shall be in conformance with the City of Clermont Land Development Regulations.

10.10 Minor Identification Signs:

- 10.1 Minor Identification Signs shall identify community amenities located within the development such as, but not limited to: parks, schools, and tot lots.
- 10.2 Minor Identification Signs shall be a double-faced pole, pylon, ground or wall sign and may be located at each common area or facility and shall have a maximum copy area of sixteen (16) square feet per sign face, a maximum height of eight (8) feet and a minimum setback of five (5) feet from property lines.

Section 11 – Public Safety

PUBLIC SAFETY COMMUNICATIONS AMPLIFICATION
(Bi-Directional Amplified Distributed Antenna System)

Except as otherwise provided, no person or organization shall maintain, own, erect or construct any building or structure or any part thereof or cause the same to be done which fails to support adequate radio coverage to public safety service workers, including but not limited to firefighters and police officers.

For the purposes of this section, adequate radio coverage shall be as determined by the city fire official. The frequency ranges which must be supported include frequencies in use and/or licensed to the fire, law enforcement and EMS providers for the City of Clermont. The building official and/or City of Clermont Fire Marshal may require tests as evidence of compliance to be made at no expense to this jurisdiction.

Buildings and structures over thirty-five (35) feet in height, buildings with below grade spaces or parking, buildings with any floor greater than 30,000 square feet and other buildings where required to provide adequate signal strength which cannot independently support the required level of radio communications coverage shall be equipped with any of the following in order to achieve the required adequate radio communications coverage: a radiating cable system or an internal multiple antenna system with FCC type-accepted signal booster amplifiers as needed.

If any part of the installed system or systems contains an electrically powered component, the system shall be capable of operating on an independent battery and/or generator system for a period of at least twelve (12) hours without external power input. Any battery system employed shall automatically recharge in the presence of an external power input. In the event that a signal booster is employed it shall be fully encased within a dust and water resistant case.

CITY OF CLERMONT
RESOLUTION NO. ~~2010-01~~2020-33R

For purposes of this section elevators may be excluded from the definition of “all parts of a building” or “any part thereof”. The requirements of this section may be waived by the City of Clermont fire official for buildings which do not have below grade spaces or parking in areas and circumstances where it is recognized that adequate radio communications coverage will be acceptable.

A certificate of occupancy may not be issued for any building or structure which fails to comply with this requirement.

Section 12 – Developer Commitments & Design Standards

The Developer has agreed to include specific commitments & design standards as part of this CUP, and is incorporated as Exhibit “D”. The City and developer recognize that the Code of Ordinances and specifically the Land Development Code requirements may prevail where applicable.

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 23rd day of March, 2010.

Harold S. Turville, Jr., Mayor

ATTEST:

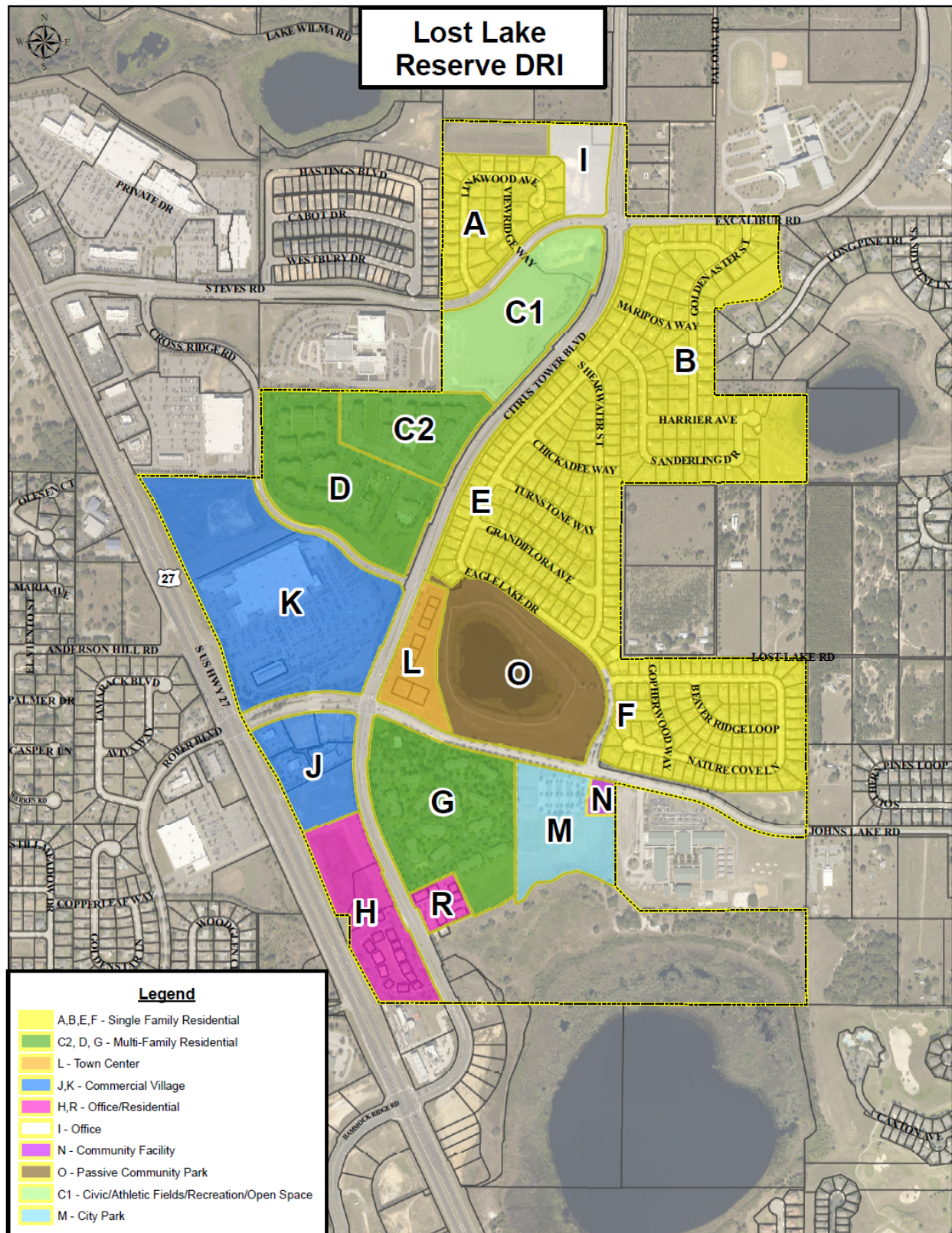
Tracy Ackroyd, City Clerk

CITY OF CLERMONT
RESOLUTION NO. ~~2010-01~~2020-33R

EXHIBIT “A”

Lost Lake Reserve – Master Plan

CITY OF CLERMONT
RESOLUTION NO. 2010-012020-33R



CITY OF CLERMONT
RESOLUTION NO. ~~2010-01~~2020-33R

CITY OF CLERMONT
RESOLUTION NO. ~~2010-01~~2020-33R

EXHIBIT "B"
Parcel C1 and C2
Conceptual Site Plan



CITY OF CLERMONT
RESOLUTION NO. ~~2010-01~~2020-33R

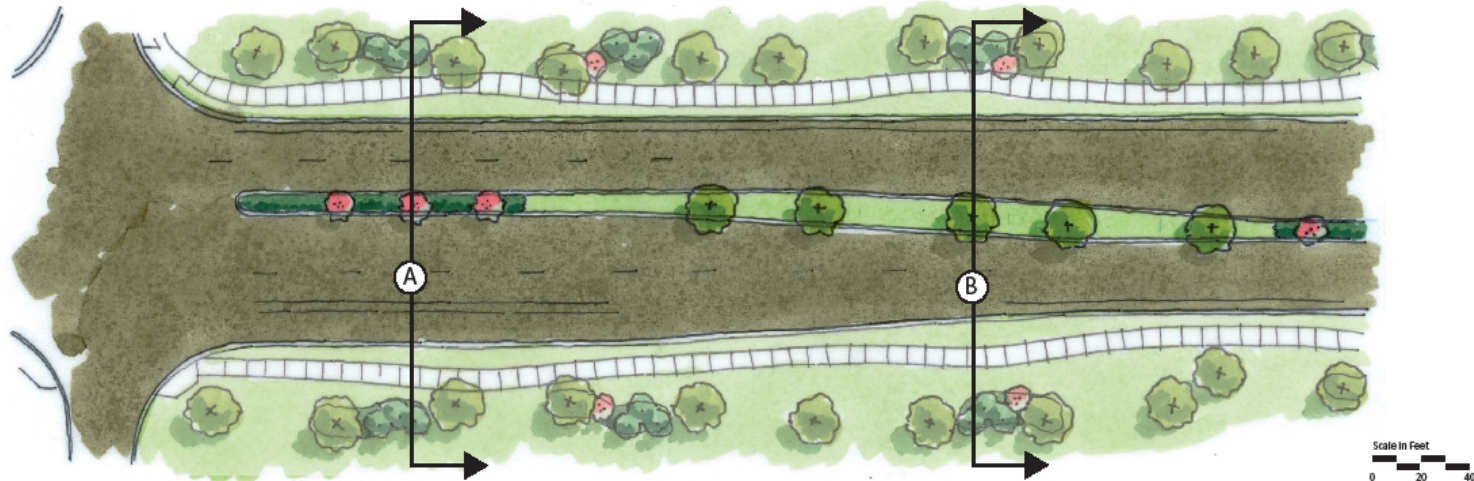


LOST LAKE RESERVE
PARCEL C-1 ILLUSTRATIVE RENDERING
06 March 2010



CITY OF CLERMONT
RESOLUTION NO. ~~2010-01~~2020-33R

EXHIBIT "C"
Citrus Tower Blvd. Landscape Median Plan
(from Steve's Road to John's Lake Road)



Design-

Median canopy trees are randomly spaced 40-60 feet on center to reinforce the informal design of the existing roadway plantings. Canopy trees are limited to areas where the median width equals or exceeds 12 feet. Narrow median sections and intersection nosings are planted with clusters of ornamental trees in shrub and groundcover beds.

Landscape Palette-

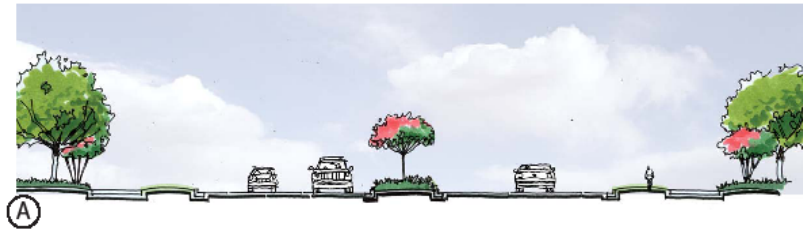
All species are taken from the plant palette of the existing roadway planting design. These plants are also selected based on their low irrigation and maintenance requirements

Trees-

- 65-gallon Live Oak
- 65-gallon Tuscarora Crape Myrtle in standard (single-trunked) form

Shrubs/Groundcover-

- Stokes Dwarf Yaupon Holly
- Blue Pacific Chinese Juniper
- Indian Hawthorn
- Gold Mound Lantana



Lost Lake Reserve- Citrus Tower Boulevard Median Design
October 21, 2009

GLATTING JACKSON KERCHER ANGLIN
landscape architecture

**CITY OF CLERMONT
RESOLUTION NO. 2010-01**

EXHIBIT “D”

Developer Commitments & Design Standards

Lost Lake Reserve - Parcels C-1 and C-2

3.11.10

Lost Lake Reserve has requested a CUP modification to allow:

1. Park/recreation/athletic field uses on the northern part of Parcel C (Parcel C-1), and
2. The ability to build 192 residential apartments on the remaining southern part of Parcel C (Parcel C-2).

The owners of the two parcels will each be required to present detailed site plans to the City for review and approval prior to moving forward with actual development.

Neither the Real Life Church/School nor Lost Lake Reserve, LLC are ready to proceed with development of either parcel at this time, but are interested in getting the zoning approvals necessary to accomplish the apartment and park plans. Due to concerns expressed by a few neighbors, and at the direction of the City Council, the owners have prepared detailed illustrative plans that further define the proposed use, met with neighbors again to review the plan and have established the following commitments and design standards, which they agree may be made part of the City’s CUP approval. The standards are represented in the attached illustrative plan, which should also be made part of the record to document the City’s final action.

Developer Commitments and Design Standards

Overall

The developer shall meet all City code requirements and the Lost Lake CUP conditions as approved and those conditions recommended in the City’s report prepared for the 2.9.10 City Council meeting, including, but not limited to:

1. Landscaping the median of Citrus Tower Boulevard from Steve’s Road to the south end of Lost Lake Reserve.
2. Providing funding for the signalization of Citrus Tower Boulevard and Steve’s Road intersection. If the signal is constructed prior to development of Parcel C, Lost Lake shall pay the City the amount to construct the signal, not to exceed \$200,000 to be utilized by the City to benefit the regional transportation network. The City shall assist Lost Lake in obtaining impact fee credits and applying the amount to the future proportionate share payment due for Phase II of the Lost Lake DRI.

Parcel C-1 – Park/Recreation/Athletic Fields

1. The Deed conveying the land to the Real Life Church / School shall:
 - a. Restrict the use of the parcel to allow only athletic fields, recreation, open space, parking uses and support facilities such as maintenance and restroom buildings.

CITY OF CLERMONT
RESOLUTION NO. 2010-01

- b. Require parcel to be operated, managed and maintained by Real Life Church/School or their successors and assigns.
 - c. Prohibit sale or transfer of land to another party unless it is associated with the Real Life Church or another similar religious organization who will operate a church and school; ownership would instead revert to Lost Lake Reserve, LLC or the City of Clermont.
2. The CUP Zoning Conditions for Parcel C-1 shall include the following restrictions:
- a. Perimeter buffering will be handled working with existing grades to construct a 4-6 foot high landscaped berm along the perimeter facing Citrus Tower Boulevard and Steve's Road except for that portion near the intersection of Citrus Tower and Steve's that would be adjacent to the proposed stormwater retention area.
 - b. On-site drop-off areas and parking for the athletic fields will be provided.
 - c. Exterior lighting will meet City codes and will be designed by a lighting professional to provide proper fixtures, heights, direction and shielding. All athletic field lighting will be turned off at the time limits noted in "2.e." below.
 - d. Public address systems, if any, will be designed to direct the sound to the spectators and not toward adjacent residences.
 - e. Hours of operation for the athletic fields will be limited to 8AM to 9PM on Monday-Thursday, 8AM to 10PM on Friday and 9AM to 10PM on Saturday and 10AM to 9PM on Sunday. All athletic field lighting will be turned off at the time limits noted.
 - f. Vehicular access will be limited to an entry drive from the existing Church/School entry road on Steve's Road.
 - g. The athletic fields will be laid out and fenced as needed to prevent baseballs from being hit into adjacent roads. The entrance cut on Citrus Tower Blvd. across from Shearwater St. (entrance for the Reserve at Lost Lake) shall be removed.
 - h. In the event that the noise levels or lighting 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.

Parcel C-2 – Residential

- 1. The parcel will be limited to 192 residential units.
- 2. Uses will be limited to residential uses including apartments not to exceed 12 units per acre.
- 3. The primary access will be provided at the existing approved cut off road, which serves as the main entrance for The Vistas. Secondary access will be provided via The Vistas' circulation system with access out onto the Reverse Frontage road. No new direct access to Citrus Tower will be permitted.
- 4. The neighborhood will be served by private roads and will be gated.

CITY OF CLERMONT
RESOLUTION NO. 2010-01

5. Exterior lighting will meet city codes and will be designed by a lighting professional to provide proper fixtures, heights, direction and shielding.
6. A wall similar to the wall on the east side of Citrus Tower will be constructed along the Citrus Tower frontage along with a security fence around the balance of the perimeter of the site.
7. Minimum setbacks from right-of-way of Citrus Tower Boulevard:
 - a. Parking: 50'
 - b. Buildings
 - i. One story: 50'
 - ii. Two stories: 100'
 - iii. Three stories: 150'
 - iv. Building will be staggered from 1-story to three stories as shown in the zoning plan.
8. Maximum building height: 35'; 3 stories.
9. Buildings will utilize a similar architectural theme and quality as the existing residential units at the Vistas at Lost Lake.

Note: City codes may prevail in any instance where applicable.

Exhibit - Location Map – Clermont Oncology

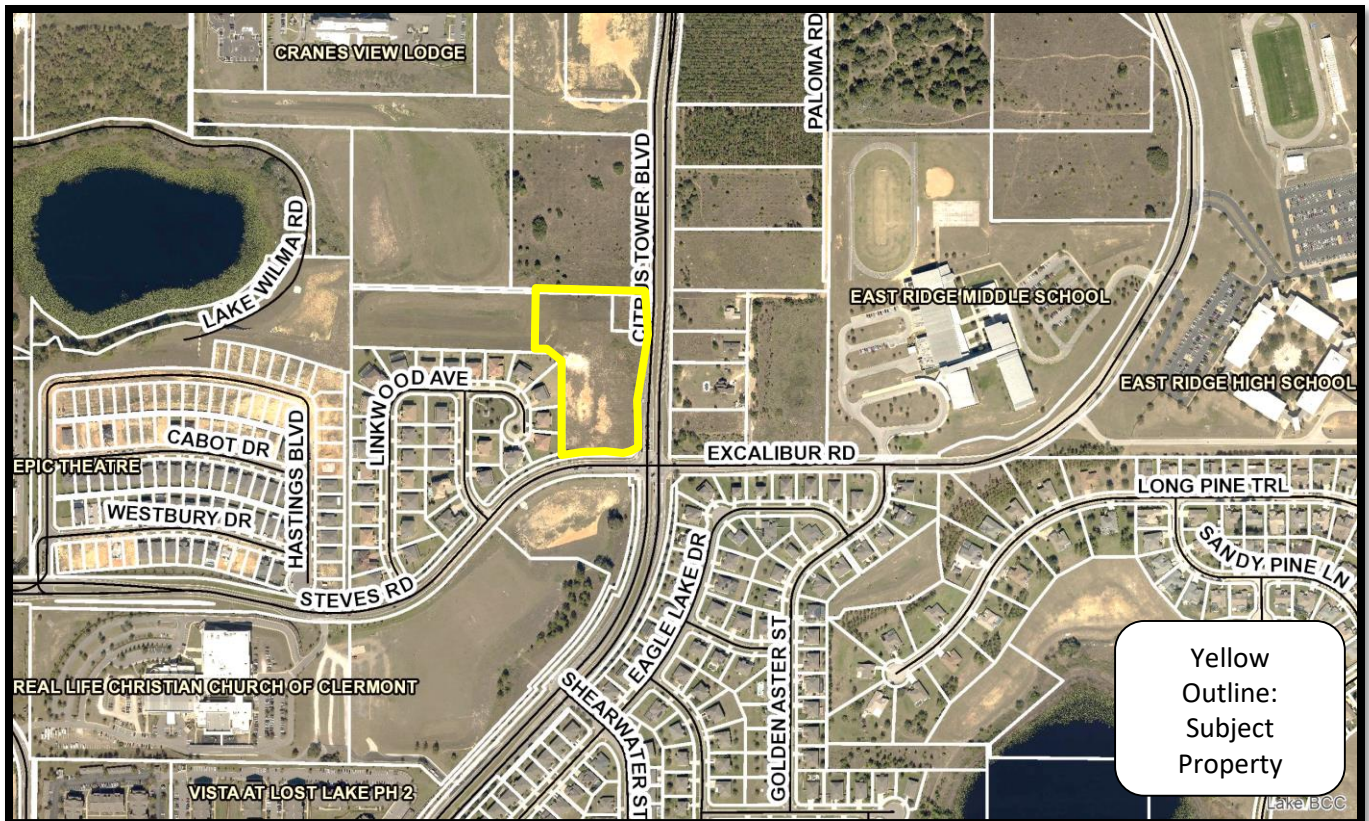
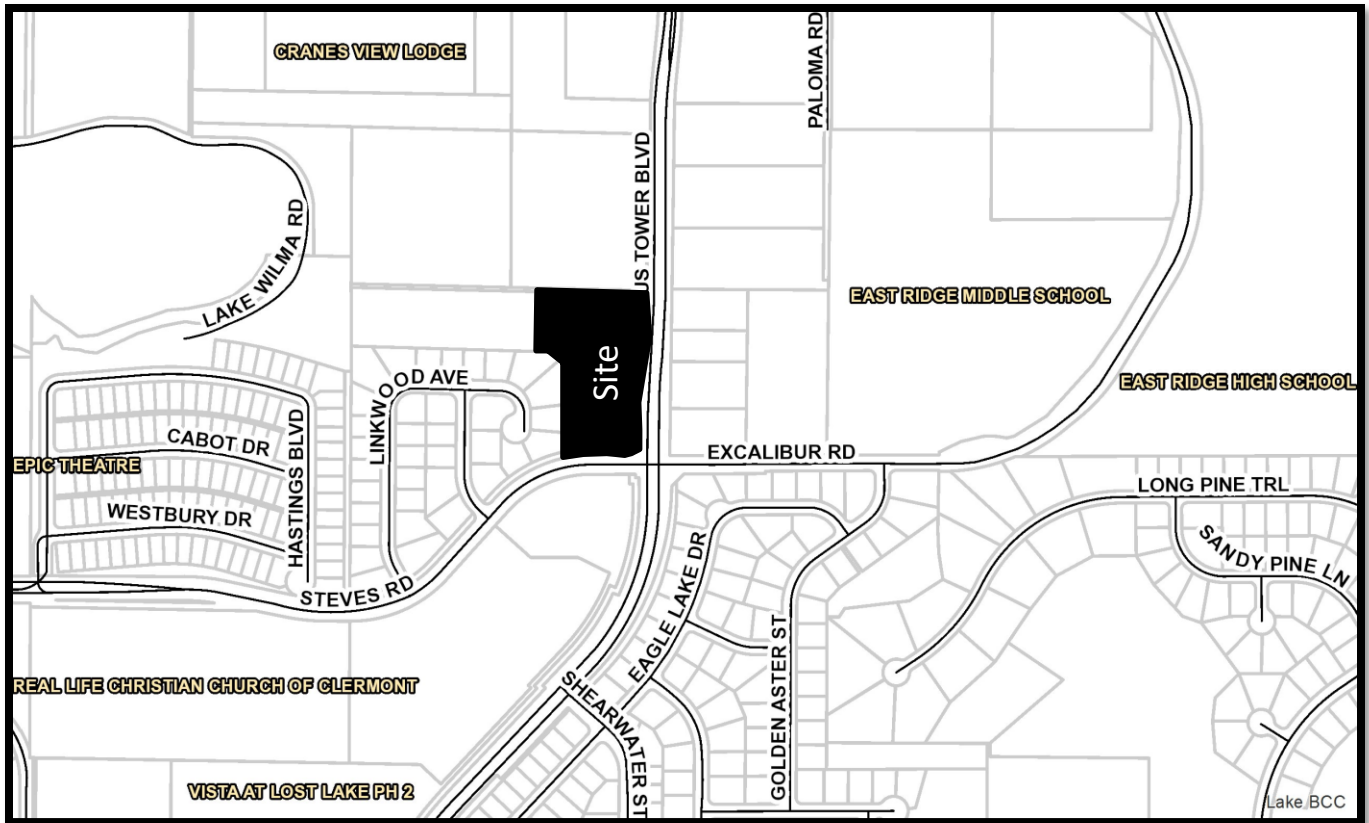
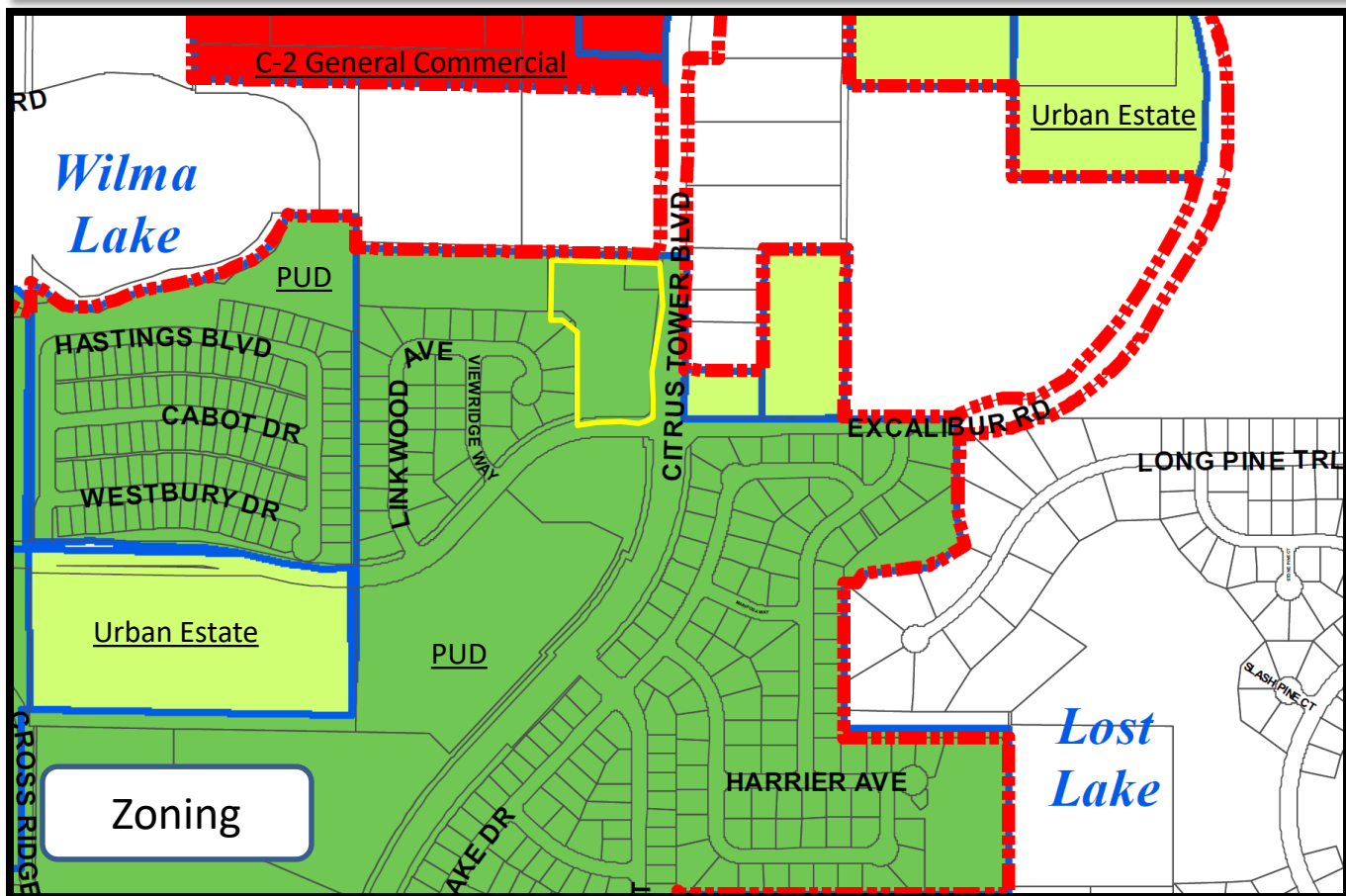
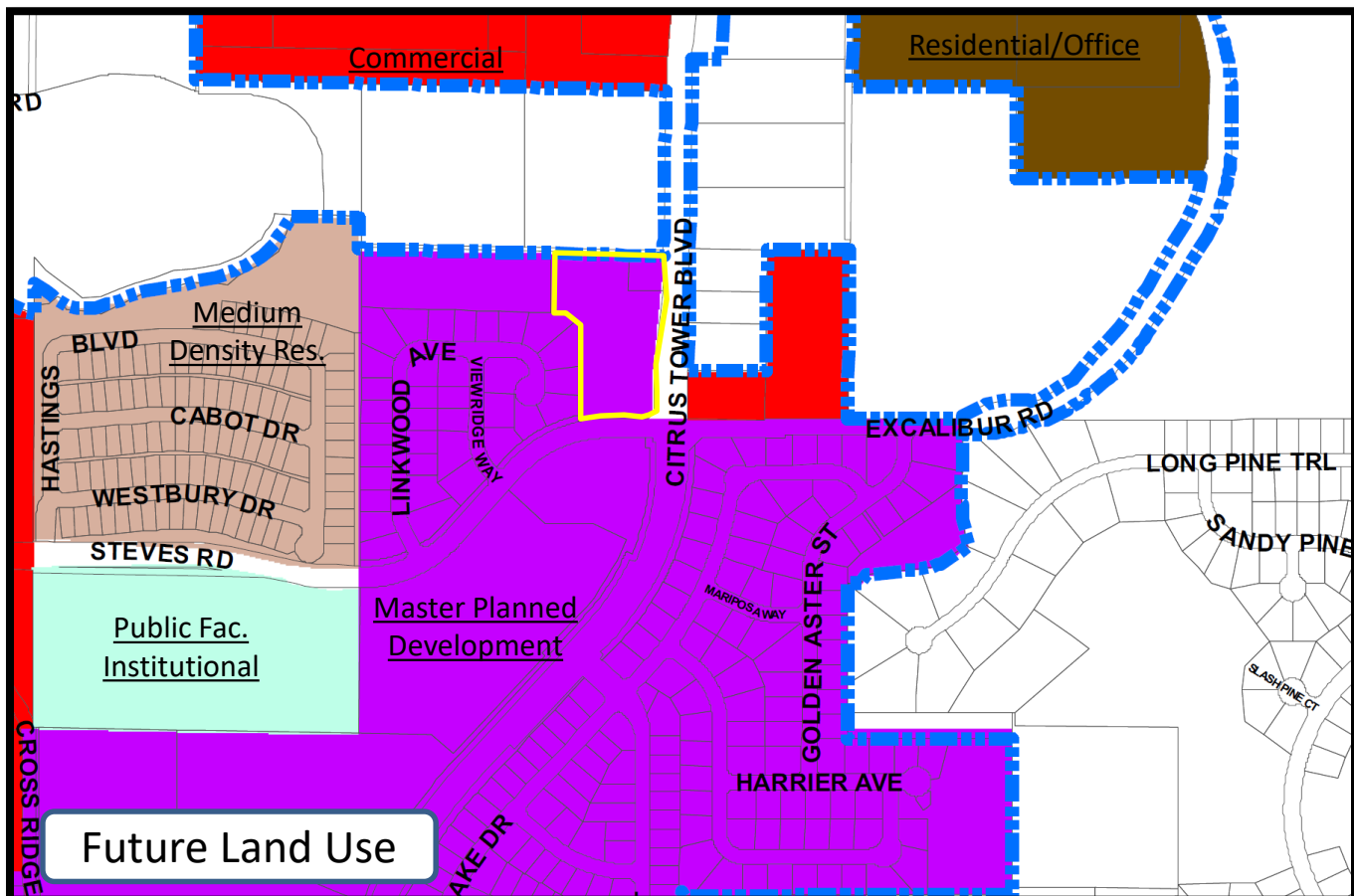


Exhibit – Future Land Use & Zoning Map – Clermont Oncology



SITE DATA

SITE AREA 241,985 SF 5.55 AC
PARKING CALCULATION **REQUIRED**
 1 PARKING SPACE PER 200 SF
 MEDICAL OFFICE: 17,766 SF/200 SF 89 SPACES (PER OFFICE)
 178 SPACES REQUIRED TOTAL

PARKING PROVIDED
 REGULAR 220
 HANDICAP 11
 TOTAL 231

PARCEL NUMBERS
 TRACT 49: 29-22-26-1200-00E-00000
 TRACT E: 09-22-26-1305-049-00001

PROPOSED USE: MEDICAL OFFICES AND CLINICS

APPLICANT:
 GUPTA VENTURES, LLC
 3758 FARM BELL PLACE
 LAKE MARY, FL 32746
 248-835-7001

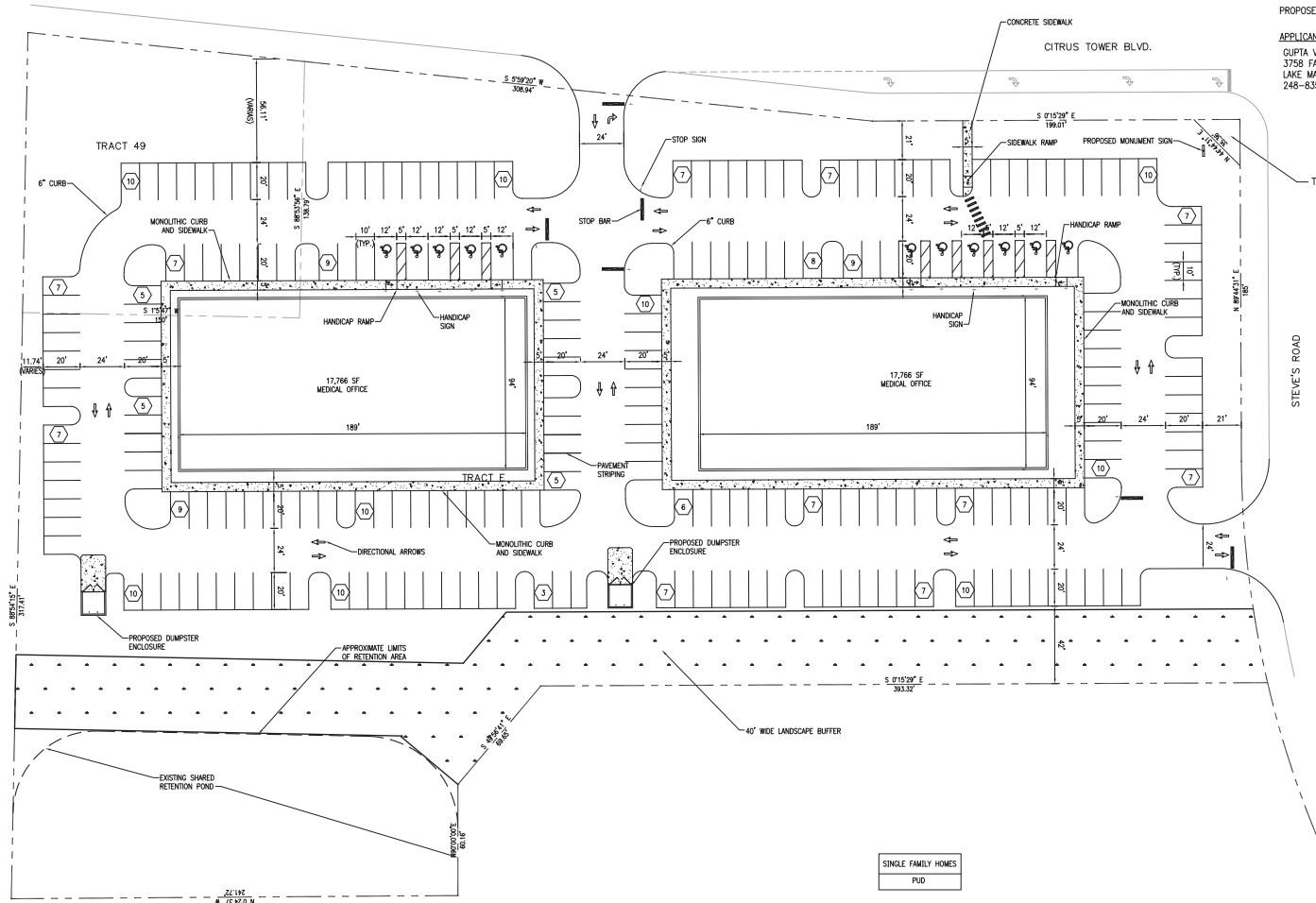
INTERPLAN

ARCHITECTURE
 ENGINEERING
 INTERIOR DESIGN
 PROJECT MANAGEMENT

AA 003420
 CA 8660

604 COURTLAND STREET
 SUITE 100
 ORLANDO, FLORIDA 32804
 PH 407.645.5038
 FX 407.629.9124

SEAL

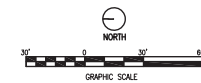


VACANT
 LAKE COUNTY

SINGLE FAMILY HOMES
 PUD

CONCEPT PLAN

1" = 30'



NO DATE
 REVISIONS

CLERMONT
 ONCOLOGY
 CLERMONT, FL

PROJECT NO: 2020.0372
 DATE: 5-29-2020

CP2
 CONCEPT PLAN

CHECKED: CDB, DRAWN: MRS

COPYRIGHT © 2020 INTERPLAN LLC. ALL RIGHTS RESERVED. NO PART OF THIS DOCUMENT IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT PERMISSION IN WRITING FROM INTERPLAN LLC. CHANGES OR DISCREPANCIES ARE THE RESPONSIBILITY OF THE CLIENT.

MEMORANDUM

TO: John E. Kruse, AICP- Planning Manager
City of Clermont Development Services Department

FROM: J. Anthony Luke, PE

DATE: June 25, 2020

RE: Transportation Impact Study Methodology – Clermont Oncology Medical Office
(LTEC № 20-5001)

This memorandum summarizes the proposed methodology to be applied to the Traffic Impact Analysis (TIA) for the Clermont medical office development site in Clermont, Florida. This methodology has been prepared based on the City's and the Lake-Sumter MPO Traffic Impact Study Methodology and Guidelines (2017) for a Tier 2 traffic. The Project site location is shown in **Figure 1**, which also depicts the adjacent roadway network.

1. Proposed Development

The proposed Clermont Oncology Medical Office ±5.55-acre development site will be a development with two medical office buildings (MOB) with 17,766 square feet in each, for a total of 35,532 square feet. The site is located in the northwest quadrant of Citrus Tower Boulevard and Steve's Road intersection in southeast Clermont, Florida. Figure 2 shows a conceptual site plan layout. Project access is proposed at a proposed right-in/right-out driveway on southbound Citrus Tower Boulevard (north of Steve's Road), and a full access driveway on Steve's Road (west of Citrus Tower Boulevard). The property is currently undeveloped. Build-out of the plan is expected to be within two years (2022). The Clermont Oncology Medical Office Site is located within Parcel I of the Lost Lake Reserve DRI. While no DRI documents have been identified that support any trip entitlements for Parcel I, review of documents is continuing.

2. Trip Generation

The Clermont Oncology Medical Office (all 35,532 square feet of MOB) will be limited to care of patients through the study and treatment of tumors. Consequently, the proposed use is expected to generate fewer trips than a medical office providing general care and treatment for patients. The development applicant intends to locate his oncology practice at the proposed site. Trip generation data was collected by the operation staff of the existing oncology medical office. This data will be used to develop weekday daily

and peak hour trip generation rates.

The Medical/Dental Office Building trip generation rates from the 10th Edition of the ITE *Trip Generation Report* were also reviewed for application to the proposed development. Table 1 summarizes the estimated Daily, A.M. peak hour, and P.M. peak hour trip generation based on the ITE standards. Therefore, based on the 122 two-way P.M. peak hour traffic volume, a Tier 2 traffic study will be submitted.

TABLE 1
 Proposed Clermont Oncology Medical Office Site
 Estimated Trip Generation

<u>Weekday</u>	ITE Code ²	Size	Trip Generation Rates ¹									Trips Generated					
			Daily	A.M. Peak Hour			P.M. Peak Hour			Daily	A.M. Peak Hour			P.M. Peak Hour			
				Total	InB	OutB	Total	Enter	Exit		Total	InB	OutB	Total	Enter	Exit	
Land Use																	
Medical-Dental Office Building	720 E	35,532 1000 Sq Ft	35,954	2,502	1,952	0,550	3,447	0,965	2,482	1,278	89	69	20	122	34	88	

¹ - Trip Generation Rates from 10th Edition of ITE Trip Generation Report

² - E = Fitted Curve Equation

Since the oncology operations are expected to function with fewer patients per day than the offices reflected by the ITE Medical/Dental Office Building typical operations, specific trip generation characteristics for the existing oncology office were surveyed and reviewed. Trip generation data was collected by the operation staff of the existing oncology medical office. This data was used to develop weekday daily and peak hour trip generation rates. These rates were found to be less than half of the rates for the ITE Medical/Dental Office Building. As part of the methodology review, it is requested that the City consider the application of the surveyed oncology office trip characteristics rather than the ITE rates for the traffic analysis. If these alternative rates can be considered, a summary of the survey data and trip rate calculations can be submitted for review.

3. Trip Distribution/Assignment

Project trip distribution is based upon the Central Florida Regional Planning Model (CFRPM 6.1) 2025 model run. **Figure 3** has the model plot with the distribution percentages.

4. Study Area/Area of Influence

See **Figure 1** for the study area of influence half of the total trip length distance (purple circle) as well as the minimum one-mile radius study area (red circle). This is based on the medical office space total trip length distance of 7.69 miles divided by two (half the total trip length) for a 3.845-mile study area of influence. **Table 2** is a summary of the Project trips assignment on the roadways to determine the 5% study area of influence. As can be seen, the proposed Project is not 5% significant on any of the roadway segments within the one-mile impact area. Therefore, based upon the TIA guidelines, only the roadway listed below (within the one-mile radius highlighted in yellow) will be analyzed,

also shown in **Figure 4**:

- Citrus Tower Boulevard: Oakley Seaver Drive to SR 50
- Citrus Tower Boulevard: SR 50 to Hook Street
- Citrus Tower Boulevard: Hook Street to Johns Lake Road
- Citrus Tower Boulevard: Johns Lake Road to US 27
- Hook Street: US 27 to Oakley Seaver Drive
- Hook Street: Oakley Seaver Drive to Citrus Tower Boulevard
- Hook Street: Citrus Tower Boulevard to Hancock Road
- SR 50: US 27 to Citrus Tower Boulevard
- SR 50: Citrus Tower Boulevard to Hancock Road

Per the guidelines, only the following study intersections will be evaluated:

- SR 50 at Citrus Tower Boulevard (Signalized)
- Citrus Tower Boulevard at Steve's Road (Signalized)
- Citrus Tower Boulevard at Johns Lake Road (Signalized)
- US 27 at Steve's Road (Signalized)
- US 27 at Johns Lake Road (Signalized)
- US 27 at Citrus Tower Boulevard (Signalized)
- Citrus Tower Boulevard and Project Entrance (Future Stop Control)
- Citrus Tower Boulevard and Project Entrance (Future Stop Control)

5. Trip Impact Assessment

Assessments for the Existing (2020) condition and Project's build-out (2022) condition will be provided. Due to the effects of COVID-19 on travel, existing intersection traffic counts will be based upon available surrounding turning movement counts (TMC) from a prior traffic impact study for this site ("Citrus Tower Charter School") observed in May 2018. The TMC's will be factored up to an estimated normalized existing 2020 level using the below annual growth calculations.

Background traffic will be based upon a 2% annual growth calculation or a historic annual trend growth rate (whichever yields a higher background growth result). At a minimum, the annual growth rate shall be 2%. See **Table 3** for the background traffic calculation. Project traffic will be combined with background traffic to obtain total traffic flows.

A P.M. peak hour roadway segment analysis of all the study roadway listed in **Table 3** will be performed. Intersection analysis to be performed using Synchro 10 software applying the *6th Edition Highway Capacity Manual* intersection analysis procedures for the **P.M.** peak hour for all study intersections.

Analysis will include an assessment of the need for auxiliary turn lanes. An evaluation of alternative modes available within the study area will be included.

6. Traffic Report

The signed and sealed traffic report will summarize the study procedures, analyses and recommendations. All support documents will be included in the report.

Please review and let me know if you have any questions.

PROFESSIONAL ENGINEER ENDORSEMENT

I hereby certify that I am a registered engineer in the State of Florida, practicing with Luke Transportation Engineering Consultants, a corporation authorized to operate as an engineering business (#EB-0007429), by the State of Florida Department of Professional Regulation, Board of Professional Engineers, and I have prepared or approved the evaluation, findings, opinions, conclusions, or technical advice hereby reported for:

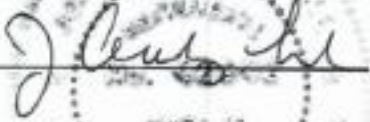
PROJECT: Clermont Oncology Medical Office Site Traffic Impact Study
LOCATION: Citrus Tower Boulevard and Steve's Road, Clermont, Florida
CLIENT: Gupta Ventures, LLC

I acknowledge that the procedures and references used to develop the results contained in this report are standard to the professional practice of transportation engineering, as applied through professional judgment and experience.

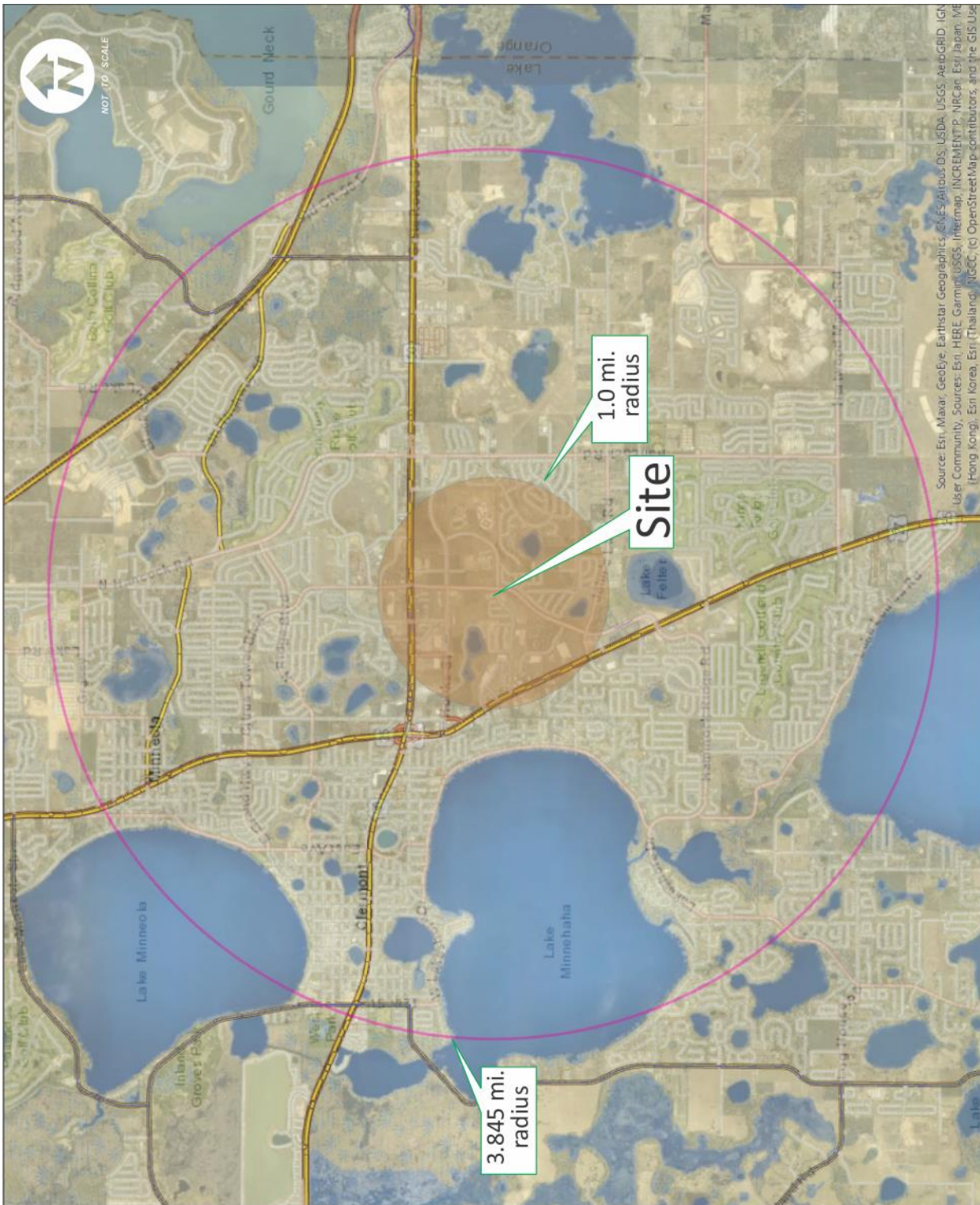
NAME: J. Anthony Luke, P.E.

P.E. NO.: 42642

DATE: 25 June 20

SIGNATURE: 





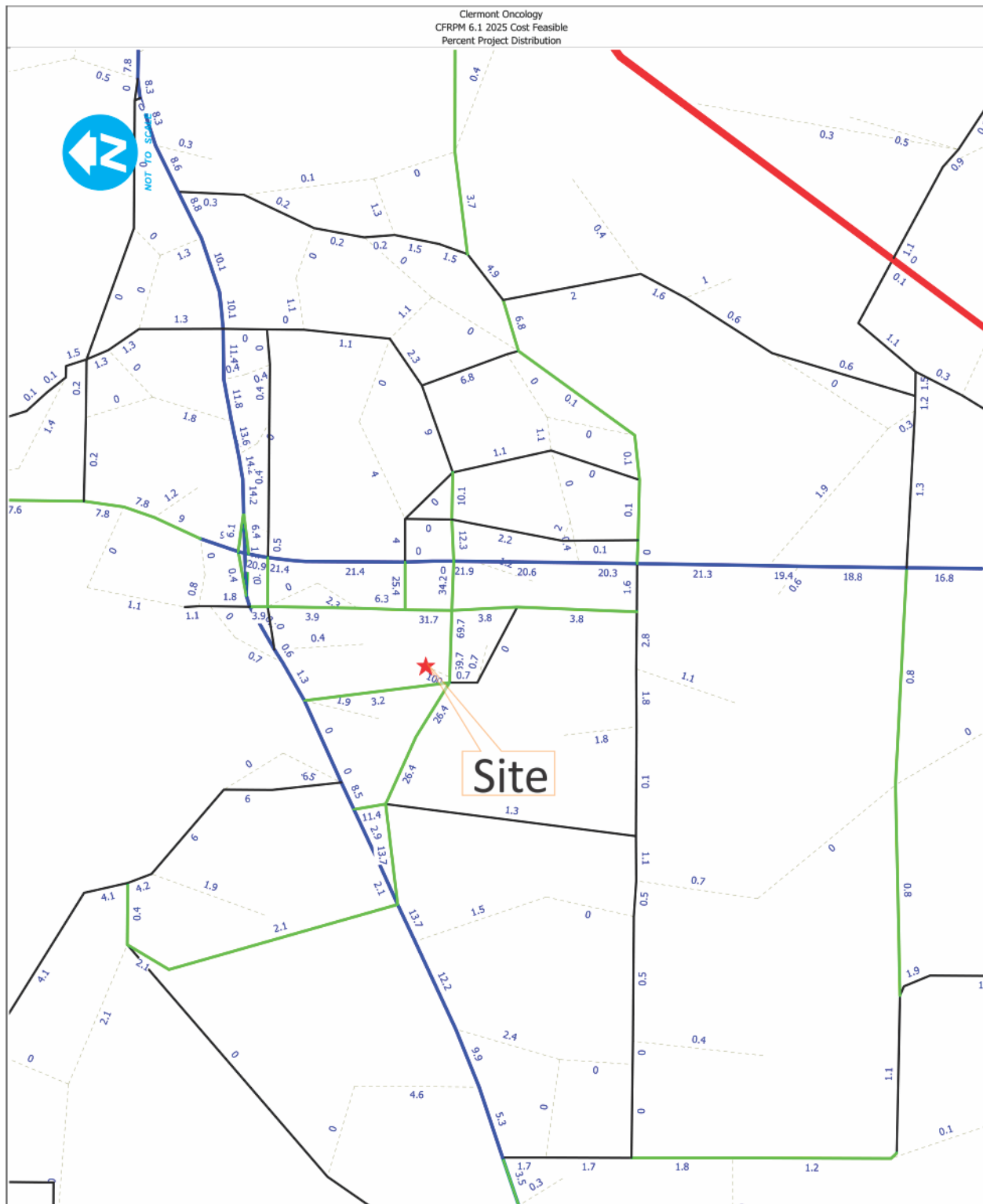


TABLE 2

Proposed Clermont Oncology Medical Office Site

Study Area Determination - Segments

Intersection	Existing Lanes ¹	SIS? ¹	Functional Class ¹	LOS Std ¹	Two-way Service Volume ¹	5% of Adopted LOS	Project Trip Distrib.	2-way Project Trips	Project % of LOS Standard	5% Sig?
Citrus Tower Bv: Us 27 To Oakley Seaver Dr † ‡	2	N	Major Collector	D	1,440	72	9.0%	11	0.8%	No
Citrus Tower Bv: Oakley Seaver Dr To Sr 50 †	4	N	Major Collector	D	3,222	161	12.3%	15	0.5%	No
Citrus Tower Bv: Sr 50 To Hook St †	4	N	Major Collector	D	3,222	161	34.2%	42	1.3%	No
Citrus Tower Bv: Hook St To [Site Entrance] • †	4	N	Major Collector	D	3,222	161	69.7%	85	2.6%	No
Citrus Tower Bv: [Site Entrance] To [Steve's Rd/Excalibur Rd] • †	4	N	Major Collector	D	3,222	161	30.3%	37	1.1%	No
Citrus Tower Bv: {Steve's Rd/Excalibur Rd} To Johns Lake Rd †	4	N	Major Collector	D	3,222	161	69.7%	85	2.6%	No
Citrus Tower Bv: Johns Lake Rd To Us 27 †	4	N	Major Collector	D	3,222	161	26.4%	32	1.0%	No
N. Hancock Rd: N Ridge Bv To Sr 50 † ‡	4	N	Major Collector	D	3,222	161	0.1%	0	0.0%	No
S. Hancock Rd: Sr 50 To Hook St † ‡	4	N	Major Collector	D	3,222	161	1.6%	2	0.1%	No
S. Hancock Rd: Hook St To Johns Lake Rd † ‡	2	N	Major Collector	D	3,222	161	2.8%	3	0.1%	No
S. Hancock Rd: Johns Lake Rd To Hartwood Marsh Rd † ‡	2	N	Major Collector	D	3,222	161	1.1%	1	0.0%	No
Hook St: Us 27 To Oakley Seaver Dr †	4	N	Major Collector	D	3,222	161	6.3%	8	0.2%	No
Hook St: Oakley Seaver Dr To Citrus Tower Bv †	4	N	Major Collector	D	3,222	161	31.7%	39	1.2%	No
Hook St: Citrus Tower Bv To Hancock Rd †	4	N	Major Collector	D	3,222	161	3.8%	5	0.2%	No
Sr 50: Us 27 To Citrus Tower Bv †	6	N	Arterial 1	D	5,390	270	21.2%	26	0.5%	No
Sr 50: Citrus Tower Bv To Hancock Rd †	6	N	Arterial 1	D	5,390	270	21.9%	27	0.5%	No
Sr 50: Hancock Rd To Cr 455 † ‡	6	N	Arterial 1	D	5,390	270	21.3%	26	0.5%	No
Us 27/Sr 25: Grand Highway To Sr 50 † ‡	6	Y	Arterial 1	C	5,250	263	21.3%	26	0.5%	No
Us 27/Sr 25: Sr 50 To Johns Lake Rd †	6	Y	Arterial 1	C	5,250	263	21.3%	26	0.5%	No
Us 27/Sr 25: Johns Lake Rd To Hartwood Marsh Rd †	6	Y	Arterial 1	C	5,250	263	21.3%	26	0.5%	No
Johns Lake Rd: Us 27 To Hancock Rd †	2	N	Collector	D	3,222	161	0.7%	1	0.0%	No
Excalibur Rd: Hook St To Citrus Tower Bv †	2	N	Collector	D	3,222	161	0.7%	1	0.0%	No
Steves Rd: Us 27 To [Site Entrance] • †	2	N	Collector	D	3,222	161	3.2%	4	0.1%	No
Steves Rd: [Site Entrance] To Citrus Tower Bv • †	2	N	Collector	D	3,222	161	0.0%	0	0.0%	No

¹ - Source: Lake County TMS Segment Report (April 3, 2015)

• - Project accesses this roadway segment.

† - Project trips are not significant (less than 5% of maximum two-way service volume for the impacted roadway segment).

Segments without significant project trips do not contain the full analysis.

‡ - Segment is beyond 1.0 mile driving range from site. Only analyzed if project traffic is significant (5% of two-way capacity).

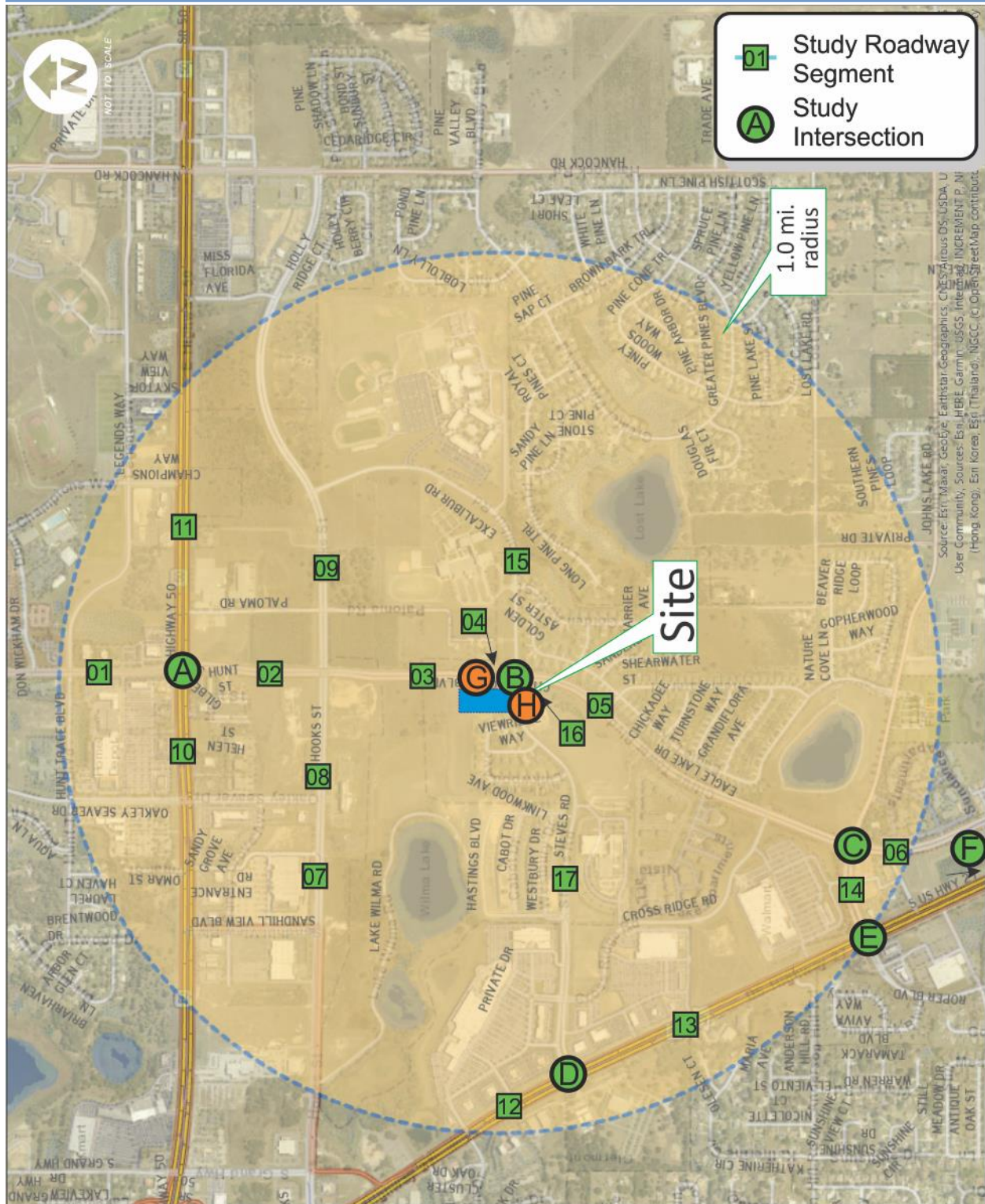
TABLE 3
Proposed Clermont Oncology Medical Office Site
Existing plus Growth PM Peak Hour Volumes (Using TMS Segment Report, Grown to 2022)

Map Key	Segment	Source ¹	Year	Annual		Growth % to Year 2022
				Historic Growth Rate		
				Observed	Min 2%	
01	Citrus Tower Bv: Oakley Seaver Dr To Sr 50 †	Lake	2019	-1.9%	2.0%	6.0%
02	Citrus Tower Bv: Sr 50 To Hook St †	Lake	2019	3.4%	3.4%	10.2%
03	Citrus Tower Bv: Hook St To [Site Entrance] • †	Lake	2019	3.3%	3.3%	9.9%
04	Citrus Tower Bv: [Site Entrance] To {Steve's Rd/Excallibur Rd} • †	Lake	2019	3.3%	3.3%	9.9%
05	Citrus Tower Bv: {Steve's Rd/Excallibur Rd} To Johns Lake Rd †	Lake	2019	3.3%	3.3%	9.9%
06	Citrus Tower Bv: Johns Lake Rd To Us 27 †	Lake	2019	2.9%	2.9%	8.7%
07	Hook St: Us 27 To Oakley Seaver Dr †	Lake	2019	6.0%	6.0%	18.0%
08	Hook St: Oakley Seaver Dr To Citrus Tower Bv †	Lake	2019	8.6%	8.6%	25.8%
09	Hook St: Citrus Tower Bv To Hancock Rd †	Lake	2019	4.3%	4.3%	12.9%
10	Sr 50: Us 27 To Citrus Tower Bv †	FDOT	2019	0.6%	2.0%	6.0%
11	Sr 50: Citrus Tower Bv To Hancock Rd †	FDOT	2019	0.6%	2.0%	6.0%
12	Us 27/Sr 25: Sr 50 To Johns Lake Rd †	FDOT	2019	0.6%	2.0%	6.0%
13	Us 27/Sr 25: Johns Lake Rd To Hardwood Marsh Rd †	FDOT	2019	0.4%	2.0%	6.0%
14	Johns Lake Rd: Us 27 To Hancock Rd †	Lake	2019	-3.3%	2.0%	6.0%
15	Excallibur Rd: Hook St To Citrus Tower Bv †	Lake	2019	6.0%	6.0%	18.0%
16	Steves Rd: Us 27 To [Site Entrance] • †	Lake	2019	-0.8%	2.0%	6.0%
17	Steves Rd: [Site Entrance] To Citrus Tower Bv • †	Lake	2019	-0.8%	2.0%	6.0%

¹ - Source: Lake County TMS Segment Report - 2014/15 Level of Service, Posted April 3, 2015

• = Project accesses this segment.

† - Project trips are not significant (less than 5% of maximum two-way service volume for the impacted roadway segment).





Cecelia Bonifay

Akerman LLP
420 South Orange Avenue
Suite 1200
Orlando, FL 32801-4904

D: 407 419 8540
T: 407 423 4000
F: 407 843 6610

Cecelia.Bonifay@akerman.com

June 1, 2020

Via Email jekruse@clermontfl.org

Mr. John Kruse, Planning Manager
City of Clermont
685 W. Montrose Street
Clermont, Florida 34711

Re: Rezoning Application – Clermont Oncology
Parcels: 29-22-26-1200-00E-00000, 09-22-26-1300-049-00001

Dear Mr. Kruse,

This law firm serves as the applicant processing the rezoning request for the above referenced Property. We have submitted this information in anticipation of meeting the June 1 deadline for processing.

Attached for your review please find a submittal package to include:

- Executed rezoning application
- Legal Description
- Proof of ownership via Property Record Card(s)
- Site Plan
- Fee of \$542.00 – submitted separately

If our rezoning submittal package is deficient in any respect, please contact me immediately. Should you need additional information, have questions, or would like to further discuss, please feel free to contact me.

Thank you for your assistance with this matter.

Respectfully,

AKERMAN LLP

Cecelia Bonifay

Cecelia Bonifay



CITY OF CLERMONT REZONING FILING INSTRUCTIONS

Any person requesting a Rezoning shall file a complete application and pay a fee as established by resolution of the City Council in the Development Services Department on or before the 1st day of the month; Complete applications may then be scheduled for Public Hearings the following month - on the 1st Tuesday (Planning & Zoning Commission), 2nd Tuesday (City Council first reading only) and 4th Tuesday (City Council adoption). All applications must be complete, and include applicable site plans and/or pertinent descriptive materials in order to be processed. Dependent upon the scope and/or magnitude of a particular project, scheduling of one or more City Council workshop(s) may also be necessary and additional time may be required prior to being scheduled for public hearings.

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.

The Applicant shall provide the following information with this application:

- ▶ Completed application. Include all signatures:
 - ◇ Applicant's signature (if different from owner of record)
 - ◇ Owner's signature (owner of record) 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.
- ▶ Proof of ownership – (i.e. Lake County Property record card, tax receipt, deed, or tax receipt)
- ▶ Plot plan (drawn to scale) of the property involved showing the location of existing buildings or structures and the location of proposed buildings or structures which specifically delineates and illustrates the extent of the rezoning request. Maximum size for plans is 11" x 17" (two full size copies for detail as needed, depending on rezoning)
 - a. Name, address and phone number of the applicant.
 - b. North arrow, date and scale.
 - c. Property lines, existing structures, proposed structures and contiguous streets.
 - d. A short description of the proposed structural usage.
 - e. A topographical map with five (5) foot contour lines (if deemed necessary for clarification purposes by City staff).
- ▶ Fee: \$542.⁰⁰ plus the cost of the advertisement



**CITY OF CLERMONT
REZONING
APPLICATION**

DATE: May 29, 2020

FEE: \$542.⁰⁰
+ cost of advertisement

PROJECT NAME (if applicable): Lost Lake DRI Gupta Rezoning / Clermont Oncology

APPLICANT: Cecelia Bonifay, Akerman LLP

CONTACT PERSON: Cecelia Bonifay, Akerman LLP

Address: 420 S. Orange Avenue, Suite 1200

City: Orlando State: Florida Zip: 32801

Phone: 407-419-8540 Fax: 407-254-4230 E-

Mail: cecelia.bonifay@akerman.com

OWNER: LOST LAKE RESERVE, LC

Address: P.O. BOX 3737

City: LAKE WALES State: FLORIDA Zip: 33859

Phone: 863-679-6707 Fax: 863-679-6710

Address of Subject Property: 2130 Citrus Tower Boulevard, Clermont, Florida 34711

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

Acreage: 5.04 Land Use: Master Planned Development
(City verification required)

Present Zoning: PUD / Institutional Proposed Zoning: PUD / Medical Office
(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?

We are proposing a new medical office park at the corner of Steve's Road and Citrus Tower Boulevard. The proposed development will consist of 2 separate buildings totaling approximately 36,000 square feet of floor area, with associated site improvements such as parking, utilities and landscaping. The two buildings will contain +/- 18,000 square feet each. In addition, a large landscape buffer is proposed adjacent to the residential development to the west to help buffer the project from residences.

Cecelia Bonifay, Akerman LLP
Applicant Name (print)

X Cecelia Bonifay
Applicant Name (signature)

Latimer T. Wilson
Owner Name (print) *President*

X Latimer T. Wilson
Owner Name (signature)

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

Legal Description

Parcel ID: 29-22-26-1200-00E-00000

LOST LAKE RESERVE TRACT A PB 57 PG 23-24 TRACT E |

Parcel ID: 09-22-26-1300-049-00001

CLERMONT, LAKE HIGHLANDS 29-22-26 THAT PART OF TRACT 49 |
DESCRIBED AS FOLLOWS: FROM E 1/4 COR OF SEC 29 RUN S 00DEG |
15MIN 29SEC E 1325.28 FT TO N LINE OF SE 1/4 OF SE 1/4, N |
88DEG 53MIN 59SEC W 85.02 FT FOR POB, CONT N 88DEG 53MIN |
59SEC W 151.62 FT, S 01DEG 06MIN 01SEC W 150 FT, S 88DEG |
53MIN 59SEC E 138.79 FT, N 05DEG 59MIN 23SEC E 150.55 FT TO |
POB PB 2 PG 25 |
ORB 5035 PG 2490 ORB 5221 PG 205 |

PROPERTY RECORD CARD

General Information

Owner Name:	LOST LAKE RESERVE LC	Alternate Key:	3846870
Mailing Address:	PO BOX 3737 LAKE WALES, FL 33589-3737 Update Mailing Address	Parcel Number: ⓘ	29-22-26-1200-00E-00000
		Millage Group and City:	000C (CLERMONT)
		2019 Total Certified Millage Rate:	17.9211
		Trash/Recycling/Water/Info:	My Public Services Map ⓘ
Property Location:	2130 CITRUS TOWER BLVD CLERMONT FL 34711 Update Property Location ⓘ	Property Name:	SEVEN LAKES CHARTER SCHOOL Submit Property Name ⓘ
		School Information:	School Locator & Bus Stop Map ⓘ School Boundary Maps ⓘ
Property Description:	LOST LAKE RESERVE TRACT A PB 57 PG 23-24 TRACT E		
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
1	VACANT COMMERCIAL (1000)	0	0		5.04	AC	\$0.00	\$226,800.00
Click here for Zoning Info ⓘ FEMA Flood Map								

Miscellaneous Improvements

There is no improvement information to display.

Sales History

NOTE: This section is not intended to be a complete chain of title. Additional official book/page numbers may be listed in the property description above and/or recorded and indexed with the Clerk of Court. Follow this link to search all documents by owner's name..
There is no sales history information to display.
Click here to search for mortgages, liens, and other legal documents. ⓘ

Values and Estimated Ad Valorem Taxes ⓘ

Values shown below are 2020 WORKING VALUES.
The Market Value listed below is not intended to represent the anticipated selling price of the property and should not be relied upon by any individual or entity as a determination of current market value.

Tax Authority	Market Value	Assessed Value	Taxable Value	Millage	Estimated Taxes
LAKE COUNTY BCC GENERAL FUND	\$226,800	\$213,444	\$213,444	5.07340	\$1,082.89
LAKE COUNTY MSTU AMBULANCE	\$226,800	\$213,444	\$213,444	0.46290	\$98.80
SCHOOL BOARD STATE	\$226,800	\$226,800	\$226,800	3.88500	\$881.12
SCHOOL BOARD LOCAL	\$226,800	\$226,800	\$226,800	2.99800	\$679.95
CITY OF CLERMONT	\$226,800	\$213,444	\$213,444	4.20610	\$897.77
ST JOHNS RIVER FL WATER					

PROPERTY RECORD CARD

General Information

Owner Name:	LOST LAKE RESERVE LC	Alternate Key:	3809307
Mailing Address:	PO BOX 3737 LAKE WALES, FL 33589-3737 Update Mailing Address	Parcel Number: ⓘ	09-22-26-1305-049-00001
		Millage Group and City:	000C (CLERMONT)
		2019 Total Certified Millage Rate:	17.9211
		Trash/Recycling/Water/Info:	My Public Services Map ⓘ
Property Location:	CITRUS TOWER BLVD CLERMONT FL 34711 Update Property Location ⓘ	Property Name:	-- Submit Property Name ⓘ
		School Information:	School Locator & Bus Stop Map ⓘ School Boundary Maps ⓘ
Property Description:	CLERMONT, LAKE HIGHLANDS 29-22-26 THAT PART OF TRACT 49 DESCRIBED AS FOLLOWS: FROM E 1/4 COR OF SEC 29 RUN S 00DEG 15MIN 29SEC E 1325.28 FT TO N LINE OF SE 1/4 OF SE 1/4, N 88DEG 53MIN 59SEC W 85.02 FT FOR POB, CONT N 88DEG 53MIN 59SEC W 151.62 FT, S 01DEG 06MIN 01SEC W 150 FT, S 88DEG 53MIN 59SEC E 138.79 FT, N 05DEG 59MIN 23SEC E 150.55 FT TO POB PB 2 PG 25 ORB 5035 PG 2490 ORB 5221 PG 205		
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
1	VACANT COMMERCIAL (1000)	0	0		0.5	AC	\$0.00	\$17,500.00
Click here for Zoning Info ⓘ				FEMA Flood Map				

Miscellaneous Improvements

There is no improvement information to display.

Sales History

NOTE: This section is not intended to be a complete chain of title. Additional official book/page numbers may be listed in the property description above and/or recorded and indexed with the Clerk of Court. [Follow this link to search all documents by owner's name.](#)

Book/Page	Sale Date	Instrument	Qualified/Unqualified	Vacant/Improved	Sale Price
5221 / 205	12/12/2018	Quit Claim Deed	Unqualified	Vacant	\$100.00
5035 / 2490	9/26/2017	Quit Claim Deed	Unqualified	Vacant	\$100.00
2120 / 2103	1/18/2002	Warranty Deed	Unqualified	Vacant	\$0.00
Click here to search for mortgages, liens, and other legal documents. ⓘ					

Values and Estimated Ad Valorem Taxes ⓘ

Values shown below are 2020 WORKING VALUES.

Advertising Receipt

CITY OF CLERMONT
Paola Vasquez
P.O. BOX 120219
CLERMONT, FL 34712

Account Number: 7101866
Order Number: 10097182
Phone: (352) 241-7331
Date: 06/17/20
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	06/30/2020	07/21/2020	\$173.52

LEGAL NOTICE

City Clerk

Notice is hereby given that the City of Clermont will consider a request for an amendment to a Conditional Use Permit (2010-24), Lost Lake Reserve, to re-designate allowable uses for Parcel I within a Planned Unit Development.

Ad No: 10097182
June 30, 2020 &
July 21, 2020

LOCATION

Northwest of Citrus Tower Boulevard
and Steve's Road
(Alternate Key # 3809307 &
3846870)

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 the request on Tuesday, July 7, 2020 at 6:30P.M., and

The City Council will consider the request at a public hearing on Tuesday, July 28, 2020 at 6:30P.M.

All meetings will be held in the Clermont City Hall, first floor Council Chambers, located at 685 West Montrose Street Clermont, FL 34711.

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

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

Payment Info	
Ad Price	\$173.52
Tax	\$0.00
Sub Total	\$173.52
Prepaid Amount	\$0.00
Balance Due	\$173.52



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date								
Tuesday, July 7, 2020								
Agenda Item Name								
Ordinance No. 2020-25 <i>Medical Marijuana Dispensary</i>								
Requested Action								
Recommend approval of Ordinance No 2020-25.								
Staff Report								
This is a staff initiated Ordinance to amend the Clermont Code of Ordinances, Chapter 18, Businesses” of the City Code, Article III. “Medical Marijuana Dispensaries and Cannabis Farms”: In November 2016, the Florida voters approved Amendment 2, a constitutional amendment that legalized the cultivation and distribution of marijuana within the State of Florida for specified medical purposes. The State Legislature adopted Senate Bill 8A, which was signed into law by Governor Rick Scott, this Bill authorized local cities and counties the ability to prohibit the operation of medical marijuana dispensaries and cannabis farms within their jurisdictional limits and boundaries. The Clermont City Council on September 26, 2017, approved and adopted (Ordinance No. 2017-32), which prohibited the operation of medical marijuana dispensaries and cannabis farms in Clermont. At that time, the Council deemed it necessary and in the best interest of the citizens and community to prohibit this use. The proposed code amendment would allow medical marijuana dispensaries as a permitted use in designated zoning districts that include C-1 Light Commercial, C-2 General Commercial and M-1 Industrial and certain Planned Unit Development (PUD) developments with a commercial or industrial component. Medical Marijuana Dispensaries also known as Medical Marijuana Treatment Centers are approved and regulated by the Florida Department of Health and must comply with certain laws and criteria that are similar to the operation of a Pharmacy. Staff recommends approval of Ordinance No. 2020-25.								
Additional Analysis								
Fiscal Impact Summary								
Fiscal Impact	Fund Number and Description	Available Budget Amount						
Exhibits Attached (copies of original agreements)								
<table border="0"><tr><td>1.</td><td>Ordinance 2020-25 - Medical Marijuana Text Amendment - PROOFED AND FORMATED BL</td><td>Ordinance 2020-25 - Medical Marijuana Text Amendment - PROOFED AND FORMATED BL.pdf</td></tr><tr><td>2.</td><td>ORDINANCE NO 2020-25 Final AD</td><td>ORDINANCE NO 2020-25 Final AD.pdf</td></tr></table>			1.	Ordinance 2020-25 - Medical Marijuana Text Amendment - PROOFED AND FORMATED BL	Ordinance 2020-25 - Medical Marijuana Text Amendment - PROOFED AND FORMATED BL.pdf	2.	ORDINANCE NO 2020-25 Final AD	ORDINANCE NO 2020-25 Final AD.pdf
1.	Ordinance 2020-25 - Medical Marijuana Text Amendment - PROOFED AND FORMATED BL	Ordinance 2020-25 - Medical Marijuana Text Amendment - PROOFED AND FORMATED BL.pdf						
2.	ORDINANCE NO 2020-25 Final AD	ORDINANCE NO 2020-25 Final AD.pdf						



CITY OF CLERMONT
ORDINANCE NO. 2020-25

AN ORDINANCE OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, RELATED TO MEDICAL MARIJUANA DISPENSARIES AND, AMENDING CHAPTER 18 “BUSINESSES”, ARTICLE III, “MEDICAL MARIJUANA DISPENSARIES AND CANNABIS FARMS”, SECTIONS 18-85, “PURPOSE AND DEFINITIONS”, 18-86 “MEDICAL MARIJUANA DISPENSARIES AND CANNABIS FARMS PROHIBITED” AND 18-88 “EFFECT OF ANNEXATION” DELETING AND REPEALING THE PROHIBITION ON MEDICAL MARIJUANA DISPENSARIES; AMENDING CHAPTER 82 “GENERAL PROVISIONS”, SECTION 82-12 “LAND USE DEFINITIONS” TO ADD A DEFINITION OF “MEDICAL MARIJUANA DISPENSARY”; AMENDING CHAPTER 122 “ZONING”, ARTICLE III ‘DISTRICTS’, DIVISION 10 “C-1 LIGHT COMMERCIAL DISTRICT”, SECTION 122-203 “PERMITTED USES”, DIVISION 11 “C-2 GENERAL COMMERCIAL DISTRICT”, SECTION 122-223 “PERMITTED USES”, DIVISION 12 “CBD CENTRAL BUSINESS DISTRICT”, SECTION 122-243 “PERMITTED USES” TO ESTABLISH MEDICAL MARIJUANA DISPENSARIES AS PERMITTED USES; AND PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, in 2016 Amendment 2 to the Florida Constitution was adopted by vote of the electors of the State of Florida; and

WHEREAS, Amendment 2 legalized the cultivation and distribution of marijuana within the State of Florida for specified medical purposes; and

WHEREAS, the Legislature of the State of Florida adopted Senate Bill 8A which was signed into law by Governor Rick Scott and which provided and authorized among other things that the City could adopt a prohibition on the operation of cannabis farms within the jurisdictional limits of the City; and

WHEREAS, the City Council of the City of Clermont finds that it is in the best interests of the health, safety, welfare and morals of the citizens of Clermont to prohibit the operation of cannabis farms within the municipal limits; and

WHEREAS, the City Council of the City of Clermont finds that it is in the best interests of the health, safety, welfare and morals of the citizens of Clermont to permit the operation of medical marijuana dispensaries in all zoning districts in which retail pharmacies are permitted within the municipal limits; and

WHEREAS, based on all of the foregoing, the City Council deems it necessary and in the best interest of the City to enact an ordinance prohibiting the operation of such businesses.

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



CITY OF CLERMONT
ORDINANCE NO. 2020-25

SECTION 1. RECITALS

The foregoing Whereas clauses are hereby ratified and incorporated as the legislative intent and findings supporting this Ordinance.

SECTION 2. CODE AMENDMENT(S)

Chapter 18 “Businesses”, Article III “Medical Marijuana Dispensaries and Cannabis Farms”, Sections 18-85 “Purpose and Definitions”, 18-86 “Medical Marijuana Dispensaries and Cannabis Farms” and 18-88, “Effect of annexation”, are hereby amended to read as follows (note strikethrough indicates removed words and underlined indicates added):

Article III “~~Medical Marijuana Dispensaries and Cannabis Farm~~ Prohibited”

Sec. 18-85. Purpose and definitions.

- (a) *Purpose and intent.* The purpose and intent of this Article is to prohibit the maintenance or operation of a ~~medical marijuana dispensary and to prohibit~~ or a cannabis farm as defined herein.
- (b) *Definitions.* For the purpose of this Article, the following definitions shall apply:

Cannabis refer to the meaning given cannabis in Section 893.02(3), Florida Statutes, and shall include all forms of medical cannabis or low-THC Cannabis

Cannabis Farm shall mean any property used in whole or in part for the growing or cultivation of Cannabis plants, whether or not such growing or cultivation is lawful under the laws of Florida.

Marijuana shall mean and be synonymous with, Cannabis.

~~*Medical Marijuana Dispensary* shall mean any treatment center, entity, establishment, or portion thereof, which is lawfully licensed to acquire, cultivate, possess, process, transfer, transport, sell, dispense or administer marijuana, products containing marijuana, products derived from marijuana, related supplies, or educational materials. A pharmacy as defined in Section 465.003, Florida Statutes that employs a Florida Licensed pharmacist onsite shall not be considered a Medical Marijuana Dispensary.~~

Medical Use shall mean any use of any form of cannabis to treat a qualifying medical condition as provided in Amendment 2 and any legislation adopted to implement Amendment 2.

Non – Medical Use shall refer to any possession, sale, distribution, transfer, delivery, or use, of Cannabis or Cannabis based products when not associated with any Medical Use thereof.



CITY OF CLERMONT
ORDINANCE NO. 2020-25

Sec. 18-86. ~~Medical Marijuana Dispensaries and Cannabis Farms Prohibited~~

The maintenance or operation of a ~~Medical Marijuana Dispensary or Cannabis Farm~~ is declared to be unlawful and is prohibited in all applicable land use and zoning categories and districts within the City.

Sec. 18-87. Effect of Annexation.

If a ~~Medical Marijuana Dispensary or Cannabis Farm~~ is lawfully located on property outside the municipal limits of Clermont, which is later annexed into the City of Clermont, such ~~Medical Marijuana Dispensary or Cannabis Farm~~ shall be allowed to continue its operations within the property so annexed, for a period not to exceed 180 days, after which further operation as a ~~Medical Marijuana Dispensary or Cannabis Farm~~ shall be unlawful under this article.

SECTION 3. CODE AMENDMENT(S)

Chapter 82 “General Provisions”, Section 82-12 “Land Use Definitions” is hereby amended to read as follows (note strikethrough indicates removed words and underlined indicates added):

Sec. 82-12. Land Use Definitions.

Medical Marijuana Dispensary shall mean any treatment center, entity, establishment, or portion thereof, which is lawfully licensed to acquire, cultivate, possess, process, transfer, transport, sell, dispense or administer marijuana, products containing marijuana, products derived from marijuana, related supplies, or educational materials. A pharmacy as defined in Section 465.003, Florida Statutes that employs a Florida Licensed pharmacist onsite shall not be considered a Medical Marijuana Dispensary.

SECTION 4. CODE AMENDMENT(S)

Chapter 122 “Zoning”, Article III “Districts”, Division 10 “C-1 Light Commercial District”, Section 122-203 “Permitted Uses”; Division 11 “C-2 General Commercial District”, Section 122-223 “Permitted Uses”; Division 12 “CBD Central Business District”, Section 122-243 “Permitted Uses” are hereby amended to read as follows: (note strikethrough indicates removed words and underlined indicates added):

Sec. 122-203. Permitted uses.

(a) *Generally.* Permitted uses in the C-1 district are as follows:

(1) Retail businesses which supply commodities on the premises, such as but not limited to groceries, baked goods or other foods, drugs, dry goods,



CITY OF CLERMONT
ORDINANCE NO. 2020-25

clothing, decorations, hardware, furniture, appliances, sporting goods, flowers, etc.

(2) Personal service establishments, such as but not limited to beauty shops or barber shops, tailor or dressmaking shops, shoe repair, music, dancing and photographic studios and dry cleaners. Permanent makeup service may be allowed as an accessory use; with a business tax receipt and with medical supervision, within an existing salon, beauty shop, barber shop, medical office, or similar use. Such service shall be limited to the face area and would consist of cosmetic permanent makeup for eyeliner, eyebrow and mouth/lip liner definition.

(3) Professional offices, doctor offices, banks, loan companies, insurance and real estate offices, and similar businesses.

(4) Dwelling units permitted in the R-3 district, provided that they meet the regulations of the R-3 district.

(5) Buildings, structures and uses maintained or operated by the city.

(6) Lodges and clubs.

(7) Churches and places of religious worship, less than one acre or 5,000 square feet or less.

(8) Restaurants.

(9) Shopping centers. Any group of businesses with shared parking or in which the total land area of the development less than five acres.

(10) Medical Marijuana Dispensaries.

(b) *Floor space.* Any business establishment or structure proposing to occupy more than 5,000 square feet of floor space shall require a conditional use permit. The floor area ratio for any structure shall not exceed that identified by policies of the adopted comprehensive plan.

(c) *Uses to be enclosed; outdoor storage.* All uses must be within a completely enclosed building, except for outdoor storage, which must be screened from public streets and adjacent property.

(d) *Sidewalk use.* Restaurant or food service business establishments may utilize outside private sidewalk area adjacent to the business for patron use to include non-fastened small tables and chairs or benches during business hours only. Businesses which utilize this type of sidewalk use shall maintain at least a four-foot wide open area for passage from one property to the next, from the inside of any curb toward the business front, and in accordance with the Americans with Disabilities Act (ADA). Where such four-foot open space is not available, table or chairs shall not be allowed. All such uses shall be approved by the applicable city administrator. Number and size limitations are as follows:

(1) Limited to 50 percent of restaurant frontage as approved by the planning and zoning department.



CITY OF CLERMONT
ORDINANCE NO. 2020-25

- (2) Maximum number of tables and chairs; four tables with maximum four chairs each.
- (3) Maximum table width; four feet.
- (4) Umbrellas may be utilized provided they adhere to the four-foot clearance for Americans with Disabilities Act (ADA) access and do not have any advertising unless approved by the planning and zoning department.
- (e) Restaurants or similar food service business establishments with larger outdoor seating area available that can be isolated may be permitted with the following provisions:
 - (1) Site plan approval is required by the site review committee. Location and any separation from other uses; sidewalks, parking, landscape, and so forth, must be demonstrated and maintained.
 - (2) Separation or isolation from other uses may be provided with decorative fencing; no chain link is permitted, landscaping, or similar materials as approved by the site review committee.
 - (3) Outdoor seating cannot exceed more than half the total square feet or number of seats; whichever is less, of the indoor seating area.
 - (4) Any outdoor seating shall be provided for with approved parking spaces according to the Land Development Code.
 - (5) All sidewalks and pedestrian access areas shall maintain Americans with Disabilities Act (ADA) accessibility.
 - (6) No advertising shall be permitted on table umbrellas or fencing material unless approved by the planning and zoning department.
 - (7) Required landscaping must be maintained in accordance with the city Land Development Code.

Sec. 122-223. Permitted uses.

- (a) *Generally.* Permitted uses in the C-2 district are as follows:
 - (1) Retail businesses: Any retail business or service, including the sale of goods and services for resale, as long as it is incidental to and in conjunction with a retail business.
 - (2) Personal service establishments, such as but not limited to beauty shops or barber shops, tailor or dressmaking shops, shoe repair, music, dancing and photographic studios and dry cleaning establishments. Permanent makeup service may be allowed as an accessory use; with a business tax receipt and with medical supervision, within an existing salon, beauty shop, barber shop, medical office, or similar use. Such service shall be limited to the face area and would consist of cosmetic permanent makeup for eyeliner, eyebrow and mouth/lip liner definition.



CITY OF CLERMONT
ORDINANCE NO. 2020-25

- (3) Professional offices, doctors' offices, banks, loan companies, insurance and real estate offices, and similar businesses.
- (4) Recreation facilities, theaters, including drive-ins, bowling alleys, skating rinks, billiard halls, miniature golf courses, driving ranges and tourist attractions.
- (5) Restaurants and lounges.
- (6) Buildings, structures or uses maintained or operated by the City.
- (7) No retail establishment may occupy more than 100,000 square feet.
- (8) Lodges and clubs.
- (9) Laundries.
- (10) Hotels and motels.
- (11) Convenience stores and gas stations.
- (12) Shopping centers; Any group of businesses with shared parking or in which the total land area of the development is less than ten acres.
- (13) Nursery schools, kindergartens or child care centers; provided the outdoor play area is enclosed by a fence at least four feet high and all state requirements are met.
- (14) Medical Marijuana Dispensaries

(b) *Floor space.* Any business establishment or structure proposing to occupy more than 20,000 square feet of floor space shall require a conditional use permit. The floor area ratio for any structure shall not exceed that identified by policies of the adopted comprehensive plan.

(c) *Uses to be enclosed; outdoor storage.* All uses must be conducted within a completely enclosed building; except for outdoor storage, which must be screened from a public street and adjacent property.

(d) *Sidewalk use.* Restaurant or food service business establishments may utilize the outside private sidewalk area adjacent to the business for patron use, to include non-fastened small tables and chairs or benches during business hours only.

Businesses which utilize this type of sidewalk use shall maintain at least a four-foot wide open area for passage from one property to the next, from the inside of any curb toward the business front, and in accordance with the Americans with Disabilities Act. Where such four-foot open space is not available, table or chairs shall not be allowed. All such uses shall be approved by the applicable City administrator. Number and size limitations are as follows:

- (1) Limited to 50 percent of restaurant frontage as approved by the development services department.
- (2) Maximum number of tables and chairs; four tables with a maximum of four chairs each.



CITY OF CLERMONT
ORDINANCE NO. 2020-25

- (3) Maximum table width; four feet.
- (4) Umbrellas may be utilized provided they adhere to the four-foot clearance for Americans with Disabilities Act access and do not have any advertising.
- (e) Restaurants or similar food service business establishments with larger outdoor seating area available that can be isolated may be permitted with the following provisions:
 - (1) Site plan approval is required by the site review committee. Location and any separation from other uses; sidewalks, parking, and landscape for example, must be demonstrated and maintained.
 - (2) Outdoor seating cannot exceed more than half the total square feet or number of seats, whichever is less, of the indoor seating area.
 - (3) All sidewalks and pedestrian access areas shall maintain Americans with Disabilities Act accessibility.
 - (4) No advertising shall be permitted on table umbrellas or fencing material unless approved by the city administrative official.
 - (5) Required landscaping must be maintained in accordance with the city Land Development Code.

Sec. 122-243. Permitted uses.

- (a) *Generally* . Permitted uses in the central business district are as follows:
 - (1) Retail businesses which supply commodities on the premises, such as but not limited to groceries, baked goods or other foods, drugs, dry goods, clothing, decorations, hardware, furniture, appliances, sporting goods, flowers, etc.
 - (2) Personal service establishments, such as but not limited to beauty shops or barbershops, tailor or dressmaking shops, shoe repair, music, dancing and photographic studios and dry cleaners. Permanent makeup service may be allowed as an accessory use (with a business tax receipt, and with medical supervision) within an existing salon, beauty shop, barber shop, medical office, or similar use. Such service shall be limited to the face area and would consist of cosmetic permanent makeup for eyeliner, eyebrow and mouth/lip liner definition.
 - (3) Professional offices, doctors' offices, banks and loan companies (excluding drive-through facilities except with a conditional use permit), insurance and real estate offices and similar businesses.
 - (4) Dwelling units, single-family and two-family, permitted in the R-2 district, and other residential uses as permitted in the R-3 district, provided that lot size and coverage regulations of the respective district can be accommodated and the lot width of this district is met.



CITY OF CLERMONT
ORDINANCE NO. 2020-25

- (5) Buildings, structures and uses maintained or operated by the city.
- (6) Lodges and clubs.
- (7) Restaurants less than 3,000 square feet.
- (8) Medical Marijuana Dispensaries .

(b) *Floor space* . Any business establishment or structure proposing to occupy 3,000 square feet of total floor space or more shall require application for a conditional use permit.

(c) *Uses to be enclosed, outdoor storage* . All uses must be within a completely enclosed building, except for outdoor storage, which must receive site plan approval and be screened from public streets and adjacent property.

(d) *Sidewalk use* . Business establishments may utilize outside private or public sidewalk area for patron use to include non-fastened small tables and chairs, or benches during business hours only. Compact outside display areas may also be utilized provided the display has a maximum width of 25 percent of a retail store width or ten feet in width, whichever is less, four feet in depth, and six feet in height. Businesses which utilize this type of sidewalk use shall maintain at least a four-foot wide open area for passage from one property to the next, from the inside of any curb toward the business front, and in accordance with the Americans with Disabilities Act. Where such four-foot open space is not available, table and chairs or displays shall not be allowed. All such uses shall be approved by the city manager or his designee.

SECTION 5. CODIFICATION

The text of Section 2, 3 and 4 of this Ordinance shall be codified as a part of the Clermont City Code. The codifier is authorized to make editorial changes not effecting the substance of this Ordinance by the substitution of "article" for "ordinance", "section" for "paragraph", or otherwise to take such editorial license.

SECTION 6. CONFLICT

All ordinances or parts of ordinances, all City Code sections or parts of City Code sections, and all resolutions or parts of resolutions in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION 7. SEVERABILITY

Should any provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part declared to be invalid.



CITY OF CLERMONT
ORDINANCE NO. 2020-25

SECTION 8. EFFECTIVE DATE

This Ordinance shall be published as provided by law and shall become law and shall take effect on the date of its Second Reading and Final Passage.

First Reading this 23rd day of June, 2020.

Second Reading this 14th day of July, 2020.



CITY OF CLERMONT
ORDINANCE NO. 2020-25

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 14th day of July, 2020.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Advertising Receipt

CITY OF CLERMONT
Paola Vasquez
P.O. BOX 120219
CLERMONT, FL 34712

Account Number: 7101866
Order Number: 10097093
Phone: (352) 241-7331
Date: 06/17/20
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	06/22/2020	06/29/2020	\$264.04

LEGAL NOTICE

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

ORDINANCE NO. 2020-25

AN ORDINANCE OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, RELATED TO MEDICAL MARIJUANA DISPENSARIES AND, AMENDING CHAPTER 18 "BUSINESSES", ARTICLE III, "MEDICAL MARIJUANA DISPENSARIES AND CANNABIS FARMS", SECTIONS 18-85, "PURPOSE AND DEFINITIONS", 18-86 "MEDICAL MARIJUANA DISPENSARIES AND CANNABIS FARMS PROHIBITED" AND 18-88 "EFFECT OF ANNEXATION" DELETING AND REPEALING THE PROHIBITION ON MEDICAL MARIJUANA DISPENSARIES; AMENDING CHAPTER 82 "GENERAL PROVISIONS", SECTION 82-12 "LAND USE DEFINITIONS" TO ADD A DEFINITION OF "MEDICAL MARIJUANA DISPENSARY"; AMENDING CHAPTER 122 "ZONING", ARTICLE III "DISTRICTS", DIVISION 10 "C-1 LIGHT COMMERCIAL DISTRICT", SECTION 122-203 "PERMITTED USES", DIVISION 11 "C-2 GENERAL COMMERCIAL DISTRICT", SECTION 122-223 "PERMITTED USES", DIVISION 12 "CBD CENTRAL BUSINESS DISTRICT", SECTION 122-243 "PERMITTED USES" TO ESTABLISH MEDICAL MARIJUANA DISPENSARIES AS PERMITTED USES; AND PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

The Planning and Zoning Commission will consider this ordinance at a pub-

lic hearing on Tuesday, July 7, 2020 at 6:30 P.M.

A public meeting to consider the ordinance will be held before the City Council on Tuesday, July 14, 2020 at 6:30 P.M. for final enactment.

All meetings will be held at Clermont City Hall, inside the first floor Council Chambers, located at 685 West Montrose Clermont, FL 34711.

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

Please be advised that, under State law, if you should decide to appeal a decision made with respect to this matter, you will need a record of the proceedings, and may need to ensure that a verbatim record is made. 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: 10097093
June 22, 2020 &
June 29, 2020

Payment Info	
Ad Price	\$264.04
Tax	\$0.00
Sub Total	\$264.04
Prepaid Amount	\$0.00
Balance Due	\$264.04



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, July 7, 2020		
Agenda Item Name		
Ordinance No 2020-28 <i>School Concurrency Amendment</i>		
Requested Action		
Recommend approval of Ordinance No 2020-28.		
Staff Report		
This is a staff initiated Ordinance to amend the Clermont Code of Ordinances, Chapter 90 Concurrency Management, Article III, Section 90-31. School Concurrency, The City of Clermont's Comprehensive Plan goals, objectives and policies for the Public School Facilities Element implemented an inter-local agreement between Lake County, Lake County Public School Board and Municipalities for School Facilities Planning and Siting. The agreement requires all final development orders with any residential uses to the extent that generate student seats; must comply with concurrency management requirements to ensure the capacity of schools are sufficient to support student growth at the adopted level of service for each year of the long range planning period. Staff has amended this section of the code to provide clarification of when school concurrency shall be deemed to have adequate public facilities to serve the future residential development in the City. A capacity reservation shall be required prior to formal approval of the subdivision plat and/or final site plan approval for any development orders with a residential use and not considered exempt from the requirements of school concurrency. This amendment is consistent with the requirements of Lake County, Lake County School Board and other surrounding jurisdictions. Staff recommends approval of Ordinance No. 2020-28.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. ORDINANCE NO 2020-28 Legal AD	ORDINANCE NO 2020-28 Legal AD.pdf	
2. Final Ord 2020-28 - School Concurrency Draft Ordinance - Reviewed and Formatted BL	Final Ord 2020-28 - School Concurrency Draft Ordinance - Reviewed and Formatted BL.pdf	

Advertising Receipt

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

CITY OF CLERMONT
Paola Vasquez
P.O. BOX 120219
CLERMONT, FL 34712

Account Number: 7101866
Order Number: 10097238
Phone: (352) 241-7331
Date: 06/19/20
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	06/22/2020	07/13/2020	\$202.72

LEGAL NOTICE

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

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) 241-7330, at least 48 hours prior to the public hearings.

ORDINANCE NO. 2020-28

Tracy Ackroyd Howe, MMC
City Clerk

AN ORDINANCE OF THE CITY OF CLERMONT, LAKE COUNTY FLORIDA, RELATED TO CONCURRENCY MANAGEMENT, AND AMENDING THE CODES OF ORDINANCES, CHAPTER 90 CONCURRENCY MANAGEMENT, ARTICLE III, SECTION 90-31 SCHOOL CONCURRENCY; AND PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION, AND EFFECTIVE DATE.

Ad No: 10097238
June 22, 2020 &
July 13, 2020

The Planning and Zoning Commission will consider this ordinance at a public hearing on Tuesday, July 7, 2020 at 6:30 P.M.

A public meeting to consider the ordinance will be held before the Clermont City Council on Tuesday, July 14, 2020 at 6:30 P.M. for (Introduction), and a public meeting will be held on Tuesday, July 28, 2020 at 6:30 P.M. for (final enactment).

All meetings will be held at Clermont City Hall, first floor Council Chambers, located at 685 West Montrose Clermont, FL 34711.

This ordinance is available for public inspection in the office of the City Clerk, 2nd Floor, located at 685 W. Montrose Street Clermont, FL 34711, 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

Payment Info	
Ad Price	\$202.72
Tax	\$0.00
Sub Total	\$202.72
Prepaid Amount	\$0.00
Balance Due	\$202.72



CITY OF CLERMONT
ORDINANCE NO. 2020-28

AN ORDINANCE OF THE CITY OF CLERMONT, LAKE COUNTY FLORIDA, RELATED TO CONCURRENCY MANAGEMENT, AND AMENDING THE CODES OF ORDINANCES, CHAPTER 90 CONCURRENCY MANAGEMENT, ARTICLE III, SECTION 90-31. SCHOOL CONCURRENCY; AND PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION, AND EFFECTIVE DATE.

WHEREAS, pursuant to the provisions of Chapter 163, Florida Statutes, the City of Clermont Planning and Zoning Commission, acting as the Local Planning Agency of the City, has held a public hearing on July 7, 2020 and following such hearing found this Ordinance to be in the best interest of the City of Clermont, and recommended that the City Council adopt this Ordinance; and

WHEREAS, the City Council of the City of Clermont desires to amend Chapter 90 Concurrency Management, Section 90-31 School Concurrency, of the City of Clermont's Code of Ordinances;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Clermont, Florida as follows:

SECTION 1: AUTHORITY

The City Council of the City of Clermont has the authority to adopt this Ordinance pursuant to Article VIII of the Constitution of the State of Florida and Chapter 163 and 166, Florida Statutes.

SECTION 2: AMENDMENTS

Chapter 90 Concurrency Management, Article III, Section 90-31. School Concurrency, of the Clermont Code of Ordinances is hereby amended to read as follows (underlined indicates added text and strikethrough indicates text deletion):

Sec. 90-31. – School concurrency

- (d) The following procedures will be utilized to obtain a school concurrency determination from the Lake County School Board and to allow for mitigation if a development proposal is determined not to be in compliance.
- (e) A completed application provided by and delivered to the Lake County School Board must be submitted concurrent with a final development order by an applicant proposing residential development. The application at a minimum shall include the following information:
 - (1) Proposed development name
 - (2) Application type
 - (3) Intake date
 - (4) Signature of agent
 - (5) Number of residential units broken down by unit type



CITY OF CLERMONT
ORDINANCE NO. 2020-28

- (6) Property deed
 - (7) Consent form
 - (8) Phasing plan (if applicable)
 - (9) Site plan
 - (10) Survey
 - (11) Justification statement
 - (12) Location map
- (f) Within three days of submitting to the school board, the applicant must present a copy of the application to the City. The City shall provide a determination of authenticity to the school board within three days of receiving the application.
- (g) The school board shall review the application in accordance with the provisions of section 5.5.2 of the agreement and base the concurrency determination on standards outlined in section 5.5.3 of the agreement.
- (h) No development order shall be approved unless a letter of determination of concurrency has been issued by the school board finding the development in compliance.
- (i) Once the school board has reviewed the application it shall issue a letter of determination of concurrency within 30 days if the impact of the proposed developments student growth does not cause the adopted level of service to be exceeded.
- (j) If the development is not in compliance, the letter of determination of concurrency shall detail why the development is not in compliance and shall offer the applicant the opportunity to enter into a 90-day negotiation period in accordance with the provisions of section 5.6 of the agreement.
- (k) During the 90-day negotiation period the applicant shall meet with the school board in an effort to mitigate the impact from the development.
- (1) Mitigation shall be limited to those options, which the school board recognizes and assumes the responsibility to operate and which will maintain the adopted level of service standards for the first five years from receipt of the school boards letter of determination of concurrency.
 - (2) The City of Clermont shall have the opportunity to review the mitigation options.
 - (3) The City Council shall approve all proportionate share agreements.
- (l) If mitigation is not agreed to, the letter of determination of concurrency shall detail why mitigation proposals were rejected and detail why the development is not in compliance. In this case, no development order shall be issued.
- (m) If the school board and the applicant agree to mitigation, the letter of determination of concurrency shall be issued based on the agreed mitigation measures and an agreement between the school board, the city and the applicant.



CITY OF CLERMONT
ORDINANCE NO. 2020-28

- (n) A letter of determination for school concurrency, finding the development in compliance, issued by the school board shall be valid for one year from the date of issuance unless extended by the school board. Once the development order is issued, the concurrency determination shall run with the development order.
- (o) If the letter of determination of concurrency requires conditions or mitigation to be placed on the development, the development order issued by the City of Clermont shall incorporate conditions as set forth by the school board.
- (p) If the letter of determination of concurrency requires the development to be phased to school construction or other mitigation, the conditions of approval of the development order shall reflect the phasing requirements by withholding subsequent development orders for building permits.
- (q) In no case shall a development order be issued unless provisions are made through conditions of approval or by agreement between the school board, the city and the applicant to provide performance security when required.
- (r) An Adequate Public Facilities Determination is an analysis of the assigned school facility capacities for a residential development. It is not binding and does not reserve or encumber capacity. The Adequate Public Facilities Determination is obtained from Lake County School Board at the start of the development process. This review shall be performed at the initial development order stage and is used to determine if there are adequate public facilities/schools to serve the future residential development.
- (s) School concurrency is based on service areas and shall be reserved for the residential development to determine if school capacity is available or will be made available concurrent with the impact of the development. A capacity reservation shall be required prior to formal approval of the subdivision final plat and/or formal site plan approval for all development orders with any residential component and not considered exempt from the requirements of school concurrency.

SECTION 3: CONFLICT

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

SECTION 4: SEVERABILITY

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.



CITY OF CLERMONT
ORDINANCE NO. 2020-28

SECTION 5: CODIFICATION

The text of Section 2 of this Ordinance shall be codified as a part of the Clermont City Code. The codifier is authorized to make editorial changes not effecting the substance of this Ordinance by the substitution of "Article" for "Ordinance", "Section" for "Paragraph", or otherwise to take such editorial license.

SECTION 6: ADMINISTRATIVE CORRECTION

Regardless of whether such inclusion in the Code as described in Section 6 is accomplished, sections of the Ordinance may be re-numbered or re-lettered and the correction of typographical and/or scrivener's errors which do not affect the intent may be authorized by the City Manager or designee, without need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

SECTION 7: EFFECTIVE DATE

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



CITY OF CLERMONT
ORDINANCE NO. 2020-28

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 28th day of July 2020.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney