



**CITY OF CLERMONT
CITY COUNCIL MEETING
LOCATION: CLERMONT CITY CENTER
AGENDA
6:30 PM, Tuesday, August 25, 2020**

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

CALL TO ORDER

INVOCATION & PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

REPORTS

CONSENT AGENDA

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

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| Item No. 1 - Meeting Minutes | Consider approval of minutes: July 21, 2020 Budget Workshop, July 22, 2020 Budget Workshop, July 28, 2020 Council Meeting, and Aug. 11, 2020 Council Meeting. |
| Item No. 2 - Term Contract Award | Consider award to All City Management Services, Inc. to provide crossing guard services for school year 2020-21 in the annual budgeted amount of \$53,049.60. |
| Item No. 3 - Term Contract Award | Consider award to Show Masters Production Logistics, Inc. for on-call audio visual services in the total estimated contract value for the initial three year term is \$65,000. |
| Item No. 4 - Term Contract Award | Consider award to Recreation Today of Idaho, LLC. to purchase picnic tables on an as-need basis. |
| Item No. 5 - Bid Award | Consider award to Carr & Collier, Inc. for the expansion of the rapid infiltration basin in the budgeted amount of \$1,189,307. |
| Item No. 6 - Dispatch Services Agreement | Consider Lake County Sheriff's Office agreement renewal from Oct. 1, 2020 to Sept. 30, 2021 in the budgeted amount of \$488,733.80 for a one year term. |

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Item No. 7 - Single Source Purchase and Budget Amendment

Consider single sole source purchase and software maintenance from Pileum Corporation to acquire body worn cameras for police officers in the total amount of \$440,500 and budget amendments in the amount of \$220,250 (General Fund, Infrastructure Fund, and Police Impact Fund) associated with the costs for the first year of the contract.

Item No. 8 - Resolution No. 2020-51R

Consider Fiscal Year 2020 Budget amendment.

UNFINISHED BUSINESS

Item No. 9 - Ordinance No. 2020-16 *Final*
Hartwood Marsh Assisted Living Facility CPA
Table to November 10, 2020

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

Item No. 10 - Ordinance No. 2020-17 *Final*
Hartwood Marsh Assisted Living Facility
Table to November 10, 2020

Consider rezoning from R-1 Single Family Medium Density Residential to Planned Unit Development located at the southeast corner of Hartwood Marsh and Hancock Road.

Item No. 11 - Ordinance No. 2020-21 *Final*
Medium-Density Residential FLU Amendment

Consider future land use amendment to allow opportunities to increase residential density in the Medium-Density Future Land Use within a defined area.

Item No. 12 - Ordinance No. 2020-29 *Final*
Advent Health ROW

Consider the vacation of a thirty-foot (30') platted right of way that runs parallel to SR 50 in front of the Advent Health property.

NEW BUSINESS

Item No. 13 - Lien Reduction Request
365 Citrus Tower

Consider request for lien reduction.

Item No. 14 - Resolution No. 2020-21R
South Lake Hospital Bed Expansion CUP

Consider request for a new inpatient tower with up to 110 beds and rerouting of the main entrance to Legend's Way at the South Lake Health Campus.

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Item No. 15 - Resolution No. 2020-30R
Artwalk Eatery CUP

Consider a Conditional Use Permit to allow an outdoor eatery business in the Central Business District adjacent to the Artwalk project.

Item No. 16 - Ordinance No. 2020-31 *Introduction*

Consider ordinance introduction to establish no wake/idle speed zones.

ADJOURN

Public Notice

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

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.

Meeting agendas are available on the city website and are posted within the first floor of City Hall.

Should any person desire to appeal any decision of the City Council with respect to any matter to be considered at this meeting, that person shall ensure that a verbatim record of the proceedings is made including all testimony and evidence upon which any appeal may be based (F.S. 286.0105).

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in this proceeding may contact the Office of the City Clerk at (352) 241-7331 (Voice) no later than two (2) business days prior to the proceeding or by contacting the City Clerk's Office at cityclerk@clermontfl.org. TTY users may call via 711 (Florida Relay Service) no later than two (2) business days prior to the proceeding.

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

City of Clermont
MINUTES
COUNCIL WORKSHOP
July 21, 2020

The Clermont City Council met at a workshop on Tuesday, July 21, 2020, in the Clermont City Center at City Hall. Mayor Ash called the workshop to order at 6:30pm with the following Council Members present: Council Members Purvis, Brishke, Bates, and Travis.

Other City officials present were City Manager Gray, Assistant City Manager Dauderis and City Clerk Ackroyd Howe.

Proposed Fiscal Year 2020-2021 Budget Discussion

City Manager Gray reviewed the purpose of the budget workshops. There has been a decrease in sales tax revenues due to COVID-19 therefore there are no new positions and department budget cuts. He recommend we use funds from reserves to balance the budget. Tonight is the first of two budget workshops. Each Department Director will present their budget in a summary format and will be available for questions. The Recreation and Fire Departments will present their budgets tomorrow evening as well as discussion of the master plan.

Finance Director Brosniski provided an overview of the Fiscal Year 2020/2021 General Fund budget and citywide budget highlights. The citywide budget totals \$157.7 million, which is \$4.9 million or 3.03 percent less than the current year budget. The decrease is due to revenue decreases in state shared revenues offset by reduced operating and capital costs and the use of reserves. Reserves at the end of Fiscal Year 2021 projected to be \$53.7 million, which is \$3.8 or 6.54 percent less than the current year ending reserves.

Ad Valorem Taxes, the city's largest single revenue source, projected to be \$14.2 million or \$1.3 million higher than the current year. The increase in Ad Valorem Taxes based on a 10.18 percent increase in property values and maintaining the current millage rate is 4.2061 without a proposed increase for the sixth consecutive year.

The proposed budget reestablishes an annual budget for boat ramp parking lot fees of \$25,000.

Utility Service and Impact Fee revenues projected to be \$1.07 million more than the current year due to expected continued growth and rate increases tied to inflation based indexes. There are no other fee increases proposed in Fiscal Year 2021.

Personnel Services total \$35.4 million, which is \$2.4 million or 7.39 percent more than the current year budget. Contract and merit pay increases for all eligible employees including lump sum payments for employees at the maximum of their pay grade.

Operating budget total \$20.2 million, which is \$1.8 million or 8.21 percent less than the current year budget. Capital Outlay totals \$37.9 million, which is \$1.9 million or 4.73 percent less than the current year budget to include public services facility, replacement vehicles, body cameras, SCBA air pack and accessory replacements, vacuum excavation facility expansion and various utility projects.

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The General Fund budget totals \$40.5 million, which is \$831,000 or 2.01 percent less than the current year budget. The decrease is primarily due to economic conditions from the COVID-19 pandemic.

The proposed General Fund budgeted revenues are less than budgeted expenditures resulting in use of \$1,831,723 of reserves to balance the fund. The City's Reserves Policy requires specific fund reserves to be at least 25 percent of operating expenditures. All budgeted funds in compliance with the Reserves Policy. For the Fiscal Year 2021, the General Fund's total reserves as a percentage of operating expenditures is 18.95 percent or 6.05 percent short of the 25 percent policy.

City Manager Gray reviewed the organizational changes. He combined the Environmental Service and Public Works Departments into Public Services. Stoney Brunson is the Director of Public Services. In addition, he split out the Development Services Department into two separate departments - Planning and Development Services with Curt Henschel as the Director and Building Services with Lisa Widican as the Director.

Public Services Director Brunson presented the department budget. The decrease in the budget is due to fewer capital projects and a reduction in operating budget. The significant items include the Public Works facility. The items to be evaluated in 2021 are capital items totaling \$927,100, annual paving projects, rehabilitation of parks and facilities, no wake signs, truck replacement, sidewalks, ADA door operators, utility trailer, East Avenue Complete Street, Bishop Field renovation, and Asset management implementation.

Council Member Travis requested a list of street repaving projects.

Public Services Director Brunson reviewed the Environmental Services division. The increase is due to capital projects. The significant items included in the proposed budget: replace water main, CDBG utility improvements, lift station submersible pumps, Sunburst lower floridan pump building controls, wastewater treatment plant expansion, utility expansion for Public Services facility and construction. The significant items included in the five-year capital plan are Greater Hills wastewater treatment plant ground storage, lower floridan well pump, reclaimed water storage, regional lift station and force main, and wastewater plant expansion.

Police Chief Broadway reviewed the department budget. The significant items included in the proposed budget replacement vehicles, body cameras, and School Resource Officer agreement revenues. Items to be evaluated in January 2021 are five new positions and operating expenses, new police officer capital, marked vehicles and one unmarked vehicle. The significant items included in the five-year capital plan are replacement vehicles, public safety training facility design and construction, secure storage facility, mobile command vehicle and police headquarter expansion. Chief Broadway was appointed to a subcommittee to review police reform recommendations to continue to strengthen relationships between the police and the community. In addition, Chief Broadway provided an update on the traffic complaint process.

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Planning and Development Services Director Henschel presented the department budget. During Fiscal Year 2020, the Development Services department was split into two separate departments. Planning and Development Services and Building Services. The budget decrease is primarily due to a reduction in capital projects. In Fiscal Year 2019, the department processed 236 agenda items comparing to current year processed the same amount of agenda items with canceling 3 public meetings due to COVID-19. He also provided an update on Wellness Way.

Council Member Purvis asked about role of Economic Development Director position. City Manager Gray remarked the responsibilities have been split between Planning and Development Services Director Henschel, City Manager Gray and Communications Director Deen in order to save money.

Building Services Director Widican presented the department budget. The increase is due to the addition of the Director Position and reallocation of various positions as well as a 6-month limitation duration Document Imaging Specialist. The significant items included in the proposed budget are building plans review services. She reviewed the building permit statistics.

City Clerk Ackroyd Howe presented the department budget. The lien search revenues is included in the proposed budget.

Finance Director Brosonski presented the department budget. She reviewed the primary responsibilities of the department. The decrease in the budget is due to personnel costs. There are no significant items in the budget.

Finance Director Brosonski provided an update on utility late payment penalties, disconnect, and connect fees in association with COVID-19. Staff surveyed other local governments regarding handling of non-payment. Recommend resume in August and set up payment plans.

City Manager Gray remarked the grace period extended to the end of July, and will need to address nonpayment of utility bills. There are accounts that have not paid since March.

Council Member Purvis would like this on an agenda for discussion. He requested a payment plan and establishing a date.

City Manager Gray recommended letting it expire the end of July and will implement the existing policy August 1. He will provide an update to Council.

Information Technology Director Dennis presented the department budget. The decrease in the budget is primarily due to Fiber Optic Network improvements in the current budget not included in the proposed budget. The significant items in the budget include 20 replacement workstations. The replace of 50 workstations will be evaluated in January 2021. The Five Year Capital Plan includes fiber network conduit and replacement workstations and servers.

City Manager Gray thanked IT Director Dennis and his staff. Within two days of the emergency

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order, they were able to have 80 percent of staff working from home.

Human Resources Director Ohlinger presented the department budget. She reviewed the primary responsibilities of the department. The increase in the budget is due to personnel costs. She highlighted the insurance plan renewals.

Procurement Services Director Suarez presented the department budget. Through the budget process, the Purchasing Department was renamed the Procurement Services Department. The decrease is due to a vacant position that was removed from the budget. He highlighted \$1,182,828 in savings from October 1, 2019 to June 30, 2020 to include the fuel card program, purchasing card program, online auction program and contract negotiations. The P-Card rebate for calendar year 2019 - \$61,238; Fuel Card rebate from June 2019 to June 2020 - \$6,160; Surplus Auction Sales from June 2019 to June 2020 - \$61,900 for a total savings of \$129,298. Savings for Fiscal Year 2019 through competitive bid process equals \$1,525,200.

Assistant City Manager Dauderis presented the City Manager's office budget. The decrease is due to operating reductions. There are no significant items in the budget. The City Manager's budget includes the Communications Department.

The next budget workshop will be Wednesday, July 22, 2019 at 6:30pm to review the master plan and the Recreation and Fire Departments.

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Conclusion: The workshop concluded at 8:29pm with no further comments.

APPROVED:

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

City of Clermont
MINUTES
COUNCIL WORKSHOP
July 22, 2020

The Clermont City Council met at a budget workshop on Tuesday, July 22, 2020, in the Clermont City Center at City Hall. Mayor Ash called the workshop to order at 6:30pm with the following Council Members present: Council Members Purvis, Brishke, Bates, and Travis. Other City officials present were City Manager Gray, Assistant City Manager Dauderis and City Clerk Ackroyd Howe.

Proposed Fiscal Year 2020-2019 Budget Discussion

City Manager Gray provided an overview of the budget workshop. Fire Chief Ezell as well as Parks and Recreation Director Davidoff will review their department budgets. A presentation will be given on the master plan and capital projects update. He remarked on the contract with Richard Levey regarding the Economic Development position and is currently recruiting for the Business Liaison position. Furthermore, he welcomed Lake County Commissioner Breedon.

Parks and Recreation Director Davidoff presented the department budget. The department budget decreased due to a reduction in operating, capital projects, and grants and aids in the proposed budget. The significant items included in the proposed budget is a metal storage building at the Arts and Recreation Center. The significant items not included in the proposed budget is Cooper Memorial Library staffing, grants to community partners and National Night Out.

Mr. Davidoff remarked the City Council entered into an inter-local agreement with Lake County in October of 2018 to provide funding for the Cooper Memorial Library in the total amount of \$76,920. The funding was to provide expanded hours for the library on an annual basis. The agreement's cost is not included in the Fiscal Year 2021 proposed budget and the City Council to consider terminating the agreement.

The City Council designated events as Community Partner Events: Sommer Sports Events, Pig on the Pond Community Festival and The Spring Games. The city has waived fees for those events.

The items to be evaluated in January 2021 includes mainstage telescopic seating at the Arts and Recreation Center, Hancock soccer field re-sod, Black box theater seating replacement, senior room divider at the Arts and Recreation Center and communication system, camcorder, and tablets at the Clermont Performing Arts Center. The significant items included in the five-year capital plan are aquatics upgrade and re-sod athletic fields.

City Manager Gray noted there are individuals present to speak on the Cooper Memorial Library. The Council can wait until January and see how revenues come in then make a decision on funding.

George Taylor, Director of the Office of Library Services was present and available for questions. He clarified the library will continue to be open during the extended hours on Friday and Saturday.

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Lake County Commissioner Breeden informed the Council the Board of County Commissioners took \$1 million from reserves, which left an additional \$2.7 million and voted to decrease the millage rate. Furthermore, they did not decrease the library budget.

The City Council agreed to review the library funding again in January 2021.

City Manager Gray requested an update on the CARES Act.

Commissioner Breeden confirmed the Board of County Commissioners gave staff direction to implement a plan that will put \$15.5 million directly into assisting businesses and organizations.

City Manager Gray reviewed the community partner events. The Council has traditionally budgeted a \$15,000 grant for Sommer Sports however; the Fiscal Year 2021 proposed budget does not include funding for this grant. The Council can reevaluate in September or January.

Council Member Travis expressed concerns with the reserves and suggested the Council be fiscally responsible.

Council Member Purvis stated the city is under a State of Emergency and we have a resolution to stay within 25 percent of the reserves. He requested the Council consider allowing the City Manager a period of one year in the event he needs to drop down below the 25 percent reserves policy. The Council can determine the percentage.

City Manager Gray noted if we go below 25 percent, staff would return to Council at a budget hearing to amend the resolution. Furthermore, we have continued to provide services with a decrease in revenue.

City Manager Gray noted the city would continue to work with the community partners. The Pig on the Pond event will need an answer in September and Spring Games requests a fee waiver.

Fire Chief Ezell presented the department budget. The budget increase is due to personnel costs. It includes one frozen Fire Inspector position. The significant items included in the budget are replacement of SCBA air packs and accessories and trench/confined space equipment. The items to be evaluated in January 2021 are eight diesel filters for fire trucks and 54 replacement bunker gear sets. The significant items included in the Five Year Capital Plan are Fire Station No. 5 land, design and construction, engine and equipment; replace Engine 101 and equipment, public safety training facility design and construction, Fire Station No. 6 land, design and construction, engine and equipment.

Fire Chief Ezell provided a project status update and the benefits of Fire Station No. 2. The entire facility can be developed on the existing site as a modern facility that incorporates industry best practices for firefighter safety. A layout that maximizes response efficiency. Critical infrastructure built to withstand Florida's windstorm events. Enough room to address today's needs and those of the future.

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Chief Ezell reported effective July 1, 2020; the Clermont Fire Department awarded an ISO Class 1 PPC. Class 1 represents superior property fire protection; Class 10 does not meet minimum criteria. Class 1 departments provide their communities with the lowest hazard insurance premiums available. There are 29,705 public fire departments in the U.S. There are only 186 (.06%) fire departments that are ISO Class 1, 94 (.03%) of those are also accredited agencies.

Public Services Director Brunson provided an update on the master plan and other projects. The following projects are complete: Gateway entrance and city limit signs, Victory Pointe, Kehler Recreation Center replacement, and Boat Ramp. The Public Works relocation design is complete, out to bid in August 2020 and expected completion in August 2021. The Artwalk project is expected to completion in early September 2020. The downtown Waterfront District Phase 1 – Osceola Street and West Avenue – streetscape is 75 percent complete and expected completion in October 2020. Phase 2 8th Street and Minneola Avenue – design complete contractor costs for Council for approval in September. Phase 3 – Montrose Street – staff is reviewing design proposal from Engineer. No wake zone is the area around the boat ramp. Permitting will be through the Department of Environmental Protection and the Florida Wildlife Commission at approximately \$20,000.

IT Director Dennis provided a project update on the public WI-FI.

The Council approval of a tentative millage rate at the July 28, 2020 Council Meeting will be required in order to be included in the TRIM notices mailed by the Lake County Property Appraiser's Office.

The Public Hearing to adopt the tentative millage rate and budget is scheduled for September 3, 2020 at 6:30pm at the Clermont City Center. The Public Hearing to adopt the final millage rate and budget is scheduled for September 17, 2020 at 6:30pm at the Clermont City Center.

City Manager Gray thanked Finance Director Brosnoki, Budget Analyst Tina Kilbury and all of the Directors on the budget.

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July 22, 2020

Conclusion: The workshop concluded at 8:10pm with no further comments.

APPROVED:

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
JULY 28, 2020

The City Council met in a regular meeting on Tuesday, July 28, 2020 at the Clermont City Center. Mayor Ash called the meeting to order at 6:30 pm with the following Council Members present: Council Members Brishke, Travis, Bates, and Purvis.

Other City officials present were City Manager Gray, City Attorney Mantzaris, and Deputy City Clerk Brian Lueth.

INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation given by Pastor Chris Tabone of the First United Methodist Church was followed by the Pledge of Allegiance.

After the pledge, Mayor Ash gave an update on Covid-19 and the City's response. She informed the Council that there are 700 cases in 34711, and over 1,000 cases in the surrounding area. She also stated that the City Center remains closed, but the City administration is constantly evaluating the services that can be provided.

PUBLIC COMMENTS

Darren Johnson. 1075 West Lakeshore Drive, Clermont – Commented on Bike Trail downtown. He told the Council that the trails are becoming dangerous. He sees people being nearly hit by bicyclists. His uncle was hit with three other senior citizens recently. Mr. Johnson displayed a photo of his uncle in the hospital.

Dani Page. Tuscany Ridge subdivision, Clermont – Commented on business dealings with her HOA. She wanted to bring attention to issues dealing with local POA/HOA's, specifically Sentry Management, which she asserts has not been following Florida Statutes. She warned against dealing with HOA's who cannot follow the law.

Rachelle Carrol. 2479 Hastings Blvd., Clermont – Commented on crosswalk safety. She expressed concern about Steve's Road and Hooks Street and Steve's Road and Citrus Tower Blvd. City Manager Gray asked that Development Services follow-up with Ms. Carrol.

Charlene Forth. 939 West DeSoto Street, Clermont – Commented on races that close streets in residential areas. She does not support and stated she plans to sue the City if additional races are authorized in her neighborhood.

In response to Ms. Forth, Council Member Purvis requested discussion on a future agenda regarding activities in residential and non-residential areas. City Manager Gray reminded the Council that any street closures have to be approved by the City Council.

Kimberly Grogan 1030 West Lakeshore Drive, Clermont. – Commented on the letter received by Ms. Forth. She informed the Council that a proposed racecourse must be noticed to residents before it comes to a vote before the City Council. She stated that races promote the City and are an economic enhancer. She stated that she welcomes any feedback and concerns.

City Manager Gray stated that the July 4 run was requested by the residents as a way to celebrate the holiday since all other activities had been cancelled. City Manager Gray stated that his office did not receive any complaints from the Fourth of July event. He stated that he understands that there are issues of residential versus business, and he will bring it forward on an agenda.

Mayor Ash stated that the public might comment on residential versus business use of streets during the workshop.

City of Clermont
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REGULAR COUNCIL MEETING
JULY 28, 2020

REPORTS

CITY MANAGER REPORT

City Manager Gray informed the Council that “Pig on the Pond” festival manager Cheryl Fishel had passed away. She was a great supporter of youth in the community and it is a huge loss.

City Manager Gray continued that there is a storm brewing in the Caribbean. The City is preparing and keeping an eye on the storm.

There were two (2) changes to the agenda to items 11 and 12. *Motions and votes recorded at the agenda item.*

CITY ATTORNEY REPORT

City Attorney Mantzaris – No Report

CITY COUNCIL REPORT

Council Member Bates – No Report

Council Member Purvis

- Requested for 30 seconds of silence for Cheryl Fishel.

Council Member Brishke

- Attended Grand Opening of 50 West. The inside is amazing with exposed wood and many windows. It is an amazing building.

Council Member Travis

- No report

Mayor Ash

- No report
- Spoke in memory of Cheryl Fishel. This is a huge loss for the City of Clermont.

CONSENT AGENDA

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

Item No. 1 – Meeting Minutes

Consider approval of the minutes from the July 14, 2020 City Council Meeting.

Item No. 2 – Right of Way Dedication

Consider dedication of city owned property as required by Lake County to become additional right-of-way on Hancock Road.

Item No. 3 – Professional Civil Engineer Services Agreement

Consider proposal for Civil Engineer Professional Services with Tetra Tech for the Sunburst Lane Water Treatment Plant and Potable Water Storage Tank in the budgeted amount of \$384,591.

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REGULAR COUNCIL MEETING
JULY 28, 2020

Item No. 4 – Piggyback Contract

Consider request to piggyback the Osceola County contract with Folsom Services, Inc to provide preventative maintenance and repairs of HVAC low/high voltage equipment and controls in the estimated budgeted amount of \$100,000

Item No. 5 – Piggyback Contract

Consider piggyback of the Orange County contract with Hydra Services, Inc to provide the purchase and repairs of submersible pumps and parts in the estimated budgeted amount of \$50,000

Mayor Ash opened the floor for comments from the public; seeing no public come forth, the floor was closed.

MOTION TO APPROVE the consent agenda for August 25, 2020 made by Council Member Brishke. Seconded by Council Member Purvis. Passed unanimously with all members present voicing aye.

UNFINISHED BUSINESS

Item No. 6 – Resolution No. 2020-29R – Woodhouse Spa

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.

City Manager Gray requested that items 6 and 7 be heard together and voted on separately. The Council consented to the request.

Deputy City Clerk Lueth read the legal title into the record. City Planner John Kruse provided the presentation. Planner Kruse highlighted that the 6,000 sq. ft. building, which is allowed under code but requires approval of the City Council as it is over 3,000 sq. ft. The structure consists of two (2) parcels. The total project is ¼ acre in size. The building will be under the 55 ft. height limitation and will not be to the property line. Both staff and Planning & Zoning Board recommend approval.

In regards to the variance request in agenda item 7, Planner Kruse explained the applicant is requesting a reduction of landscape requirements. The landscape will be installed, but the width is smaller than code requires. The reduction in buffer was reviewed by the fire department and was approved without objection. Staff recommends approval. This concluded the staff presentation.

Darren Johnson. 1075 West Lakeshore Drive, Clermont - *Applicant*. Mr. Johnson provided an overview of business. A day spa provides all different types of treatments. It is a resort type of spa, found at an affordable price, not attached to a resort.

Council Member Purvis asked for the treatments to be read. Mr. Johnson read the treatments.

Mayor Ash opened the floor for comments from the public.

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Stephen Franklin. 378 12th Street – Requested from the Council that he be allowed to reflect on Cheryl Fishel’s life before his time limited comments on the agenda subject. There was no objection from the Council. Mr. Franklin stated that it is a wonderful looking building. He feels that the building will be an asset to the downtown. He is, however, concerned about the number of employees and customers. He is concerned about parking.

Charlene Forth. 939 West DeSoto Street, Clermont. - Concerned about parking downtown.

Seeing no further public come forth, Mayor Ash closed the floor from further comments.

Council Member Bates asked about parking. Mr. Johnson said he purchased the one (1) acre lot across the street, and he has submitted a parking plan.

Council Member Travis asked if the property he purchased is the property that was sold to Mark Graff. Mr. Johnson said yes and the City currently leases the property from him now.

Council Member Purvis stated he is concerned about the overuse of the property and the possible parking issue. He believes that Mr. Johnson is not being forthcoming about future intentions of the property.

Council Member Brishke stated that she agrees with Council Member Purvis. She believes that the property is too large to be a parking lot.

City Manager Gray clarified that the variance request is not for the building size. The building size is allowed under the current code; however, any building over 3,000 sq. ft. needs a conditional use permit.

Council Member Travis asked how many parking spaces are required. Mr. Johnson said thirteen (13) spots are required; he has five (5) on-site.

Mayor Ash inquired about the occupancy. Mr. Johnson stated he does not know at this time. City Manager Gray informed the Council it is too early to tell. Occupancy numbers are identified during the site review process.

City Attorney Mantzaris stated that the current parking agreement does not meet the City Code. It is not a lease; what is required is a permanent parking encumbrance recorded in the public records. If the parking goes away, then so does the business.

City Manager Gray stated there are two parking lots to consider, and there are more areas for parking.

Mr. Johnson clarified the eight (8) spots that are required for the proposed business are not a part of the area that is leased by the City.

Council Member Purvis asked if overflow would be at the historic village. Mr. Johnson said it would not be at the historic village.

MOTION TO APPROVE the conditional use permit contained in Resolution 2020-29R made by Council Member Bates. Seconded by Mayor Ash. Passed 3-2 with Council Members Purvis and Brishke opposing.

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REGULAR COUNCIL MEETING
JULY 28, 2020

Item No. 7 – Variance Request – Woodhouse Spa

Presentation heard with agenda item no. 6.

MOTION TO APPROVE the variance request for the Woodhouse Spa made by Council Member Bates. Seconded by Mayor Ash. Passed 3-2 with Council Members Purvis and Brishke opposing.

Item No. 8 – Variance Request – Mirror Lake Subdivision

Development Services Director Henschel presented. The applicants are requesting six (6) variances, on 21 lots. The zoning is R1, low density residential. The six variances would be for:

1. Private streets rather than public streets
2. Construction of a cul-de-sac at the end of the street with no intermediate cul-de-sac
3. Reduction of landscape buffer along east property line to five (5) ft. instead of ten (10) ft
4. Reduction of the street right-of-way to fifty (50) ft. from sixty (60) ft.
5. Construct sidewalk on only one (1) side of street instead of both sides
6. Reduction of front setbacks to twenty (20) ft. instead of twenty five (25) ft.

The development would have one (1) access point. The Council has previously approved variances for a 24-lot development at this site but it was never constructed. Staff does not support the variance requests. This concludes staff presentation.

Director Henschel informed the Council that he spoke with Mr. David Black, the adjoining property owner to the West, who is requesting a fence and a 15ft landscape buffer if approved.

Wade Boyette, 12913 Tiger Lily Court, Clermont – *applicants representative*. Introduced the applicant team and stated they are not opposed to Mr. Black's requests.

Cam Bradford, Winter Garden, FL. Home Builder – *applicant representative*. Regarding emergency vehicle access, they will demonstrate that the Clermont fire trucks can make the turn on the radius uninterrupted. He added that they would put in a lighted crosswalk for bicyclists and pedestrians across Old Highway 50.

Mayor Ash opened the floor for comments from the public; seeing no one come forth, the floor was closed.

Council Member Bates and Travis disclosed they had met with the applicant individually prior to the Council meeting.

Council Member Bates had a concern with the landscape-buffering request. Mr. Bradford clarified that only affects property 5 – 9, as they are the lots with the narrowest lines.

Council Member Purvis disclosed that he met with the applicant approximately ten (10) weeks ago and was told they would address the number of variances before coming to Council. He is disappointed that ten (10) weeks later the plan has not changed.

Council Member Bates asked if this is the same owner as was granted variances before. Mr. Bradford stated that it is not the same owner.

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Mayor Ash echoed concerns about emergency access. City Manager Gray clarified for the Council that those items are addressed during the site review process, which has not been initiated yet.

Council Member Purvis asked if the Fire Department have the authority to lessen any of these conditions pending outcome. City Manager Gray said only the City Council could amend things. The applicant also has to meet state code.

MOTION TO APPROVE the applicants requests as amended with the following provisions: 1) a fence be constructed along the western border; 2) a 15ft landscape buffer be implemented along the western border; 3) reduction of landscape buffer along the east property line to five (5) ft only will apply to lots 5-9.; 4) reduction of the street right-of-way to fifty (50) ft only; 5) Construction of a sidewalk may only be on one (1) side of the street; and 6) reduction of the front setbacks to twenty (20) ft will only apply to lots 5-9 made by Council Member Travis. Seconded by Council Member Purvis. Passed 4-1 with Council Member Purvis opposing.

Item No. 9 – Ordinance No. 2020-24 – FINAL – Governor’s Lake

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.

Deputy Clerk Lueth read the title into the record. Director Henschel gave the staff presentation. He explained this development is known as Kings Crossing Commercial, and this ordinance rectifies conflicts with prior passed ordinances. The Planned Unit Development was previously approved by the City Council. There are no other changes, but resolves a textual issue raised by the title company. Both staff and the Planning & Zoning Board recommend approval.

Jimmy Crawford. – *Applicants representative*. Reiterated that there is no change to the approved PUD.

MOTION TO APPROVE and adopt Ordinance No. 2020-24 made by Council Member Bates. Seconded by Council Member Purvis. Passed unanimously on roll call vote with all members voting aye.

Item No. 10 – Ordinance No. 2020-28 – FINAL – School Concurrency Text Amendment

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.

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Deputy Clerk Lueth read the legal title into the record. City Planner Kruse made presentation. He explained the ordinance provides for the altering of residential capacity to allow for greater concurrency. This is compatible with surrounding jurisdictions. Both staff and the Planning & Zoning Board recommend approval.

Council Member Purvis asked what prompted staff to address this. City Manager Gray stated that many cities do it this way. The Clermont code does not clarify the reservation of capacity for schools. They may not build, but this reserves capacity for planned developments.

MOTION TO APPROVE and adopt Ordinance No. 2020-28 made by Council Member Bates. Seconded by Council Member Purvis. Passed unanimously on roll call vote with all members voting aye.

A ten (10) minute recess was called by Mayor Ash at 8:10PM.

The meeting resumed at 8:20PM.

NEW BUSINESS

Item No. 11 – Resolution No. 2020-21R – South Lake Hospital Bed Expansion

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.

This item was considered out of order during the City Manager's Report.

Deputy City Clerk Lueth read the legal title into the record.

MOTION TO TABLE consideration of Resolution No. 2020-21R until the City Council meeting of August 25, 2020 made by Council Member Bates. Seconded by Council Member Purvis. Passed unanimously with all members present voicing aye.

Item No. 12 – Resolution No. 2020-30R – Artwalk Eatery

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE PERMIT TO ALLOW AN OUTDOOR EATERY BUSINESS IN THE CENTRAL BUSINESS DISTRICT.

This item was considered out of order during the City Manager's Report.

Deputy City Clerk Lueth read the legal title into the record.

MOTION TO TABLE consideration of Resolution No. 2020-21R until the City Council meeting of August 25, 2020 made by Council Member Bates. Seconded by Council Member Purvis. Passed unanimously with all members present voicing aye.

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Item No. 13 – Resolution No. 2020-33R – *Clermont Oncology*

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 I WITHIN THE PLANNED UNIT DEVELOPMENT ZONING DISTRICT.

Deputy Clerk Lueth read the legal title into the record. City Planner Kruse provided the staff presentation. The parcel in question is located at the intersection of Steve's Road and Citrus Tower Boulevard. The applicant would like to change the use from worship use to office use. The facility would be approximately 40,000 sq. ft. of office space for medical offices. The applicant has not requested any variances for this project and has increased the landscape buffering against the existing residential to the west. The proposed buffering would be 40 ft. wide instead of the ten (10) ft. wide. The proposed plan shows an ingress and regress access point on both Citrus Tower and on Steve's Road. The Transportation Impact Study shows 220 trips per hour. The level of service for both Steve's Road and Citrus Tower Blvd is D. Both staff and the Planning & Zoning Board recommend approval. The Planning & Zoning Board recommended the additional condition that the applicant provide a solution for enhanced safety at the Steve's Road access point. This concluded the staff presentation.

Cecilia Bonifay. Ackerman Law Firm, Orlando – *applicant's representative*. She is representing Dr. Gupta who is proposing Clermont Oncology for this site. This will be a new facility. She stated they took the feedback received from the Planning & Zoning Board hearing and adjusted their plan to increase pedestrian safety along their property. However, Ms. Bonifay stated the school board informed them those children who use the schools locate on Excalibur Drive do not live, immediately West of Citrus Tower Blvd. Ms. Bonifay showed a map received from the School District. She stated that students who utilize those schools and could walk live much farther to the West and have to cross multiple driveways to get the schools.

Christopher Gordon. Interplan LLC, Orlando – *applicant representative*. Mr. Gordon is the planner for the project. He stated they made additional changes in response to the feedback received. They have the following enhanced proposals:

1. Write "STOP" on the sidewalk in bright yellow paint.
2. Put a pedestrian crossing sign.
3. Put a visual marker above the crosswalk such as pavers.
4. Put a detectable warning such that is used for those who are blind.

Mr. Gordon stated this is the most signage he has seen planned for a single driveway in his career.

Mayor Ash opened the floor for comments from the public.

Stephen Franklin. 378 12th Street, Clermont – Concerned about the safety of the intersection. Would prefer to see a single entrance on Citrus Tower Blvd. Opposed to a driveway on Steve's Road.

Trista Fauts. 1727 Chickadee Way, Clermont – Lives in Lost Lake Community off Excalibur. Concerned specifically with the driveway off Steve's Road. Would prefer to see two entrances on Citrus Tower.

Kristy Moliberan. 151 South Grand Highway, Clermont – Concerned with second entrance on Steve's Road.

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Dani Page. Tuscan Ridge, Clermont – Requested that the Council disregard any communication they have received from the Lost Lake Property Owners Association as they have not been following Florida Statutes nor insuring her due process as alluded to in her comments during the public comment period. She is opposed to the crosswalk enhancements believing they will not assist. She believed that the traffic report submitted also does not take into consideration multiple factors such as the occupancy of the nearby The Addison property.

Due to Ms. Page exceeding her three (3) minute allotted time and insisting that she be allowed to continue with her comments, Mayor Ash ordered that her microphone be cut off and that Clermont Police Officers escort Ms. Page away from the podium.

Mayor Ash called a recess at 8:40PM at the request of the Council members in order to allow the situation time to defuse.

The meeting resumed at 8:46PM.

Nancy Hensley. 3734 Peaceful Valley Drive, Clermont – Continued Ms. Page's comments. Opposed to Steve's Road entrance.

Vincent Niemiec. Regency Hills, Clermont – Concerned about number of parking stalls planned. Favors the crosswalk idea. Supports the building, opposed to Steve's Road entrance.

Charlene Forth. 929 West DeSoto Street, Clermont – Disagreed with the actions taken against Ms. Page.

Council Member Purvis interceded that Ms. Forth's comments were not relevant to the topic being discussed. Ms. Forth disagreed.

Mayor Ash stated that never in her tenure as Mayor has she ever had to ask someone to leave the microphone. She then asked that the focus be returned to the item under consideration.

Cecelia Bonifay. Ackerman Law Firm, Orlando – *applicants representative*. Ms. Bonifay began by stating that though she did not object at the time, she objects to the attack by Ms. Page against her HOA's credibility made during the Public Comment period for items not on the agenda. She asserted that Ms. Page was misusing that time as those comments were clearly intended for this discussion item. She asserted that Ms. Page did in fact then have more than her three (3) minutes when adding the times together.

Ms. Bonifay continued that she has not heard or seen any data or evidence for any of the allegations that have been made. She took offense that the Lake County staff names invoked when they were not present. She stated that they had the written comments of said staff, which their engineer can speak to though they plan to address comments received at time of site plan review.

Ms. Bonifay said that the statements made by Ms. Page are lies provided to undermine and denigrate a traffic study done by a certified engineer.

Tony Luke. Luke's Engineering Consultants, Orlando – *applicant representative*. Mr. Luke said that he has been doing traffic studies since 1984. He discussed the methodology of the traffic study.

Ms. Bonifay returned to the podium for any other questions.

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Council Member Purvis asked how the designation of church/school came to be on the parcel. Ms. Bonifay who was part of the development of Lost Lake Reserve over 20 years ago stated that it was designated that as a placeholder for institutional use and nothing more.

Council Member Purvis asked what the second building use would be for on the site. Ms. Bonifay stated that the second building does not have a use yet other than a medical office purpose as identified in the CUP.

Council Member Purvis asked how many kids cross the street at Citrus Tower and Steve's Road when schools in session. Ms. Bonifay said it is under 20.

Council Member Purvis asked if the City has ever had a Crossing Guard at that intersection. City Manager Gray responded that the City has not.

City Attorney Mantzaris reminded the Council that they could impose conditions on the site.

Council Member Bates asked if the applicant had considered utilizing only one entrance. Ms. Bonifay stated that that was not the way the transportation study was done.

Council Member Purvis disclosed that he has spoken the applicant's representatives prior to the meeting specifically regarding the access issue on Steve's Road.

Council Member Travis asked if they could do a second entrance on Citrus Tower and avoid the Steve's Road issue. Ms. Bonifay stated that because she does not know the impact of the Councils request that they table the issue until the next meeting.

Mr. Luke stated that the County would not allow a second entrance on Citrus Tower. There is a safety concern there, as well because of the stress it would put on Citrus Tower. A second entrance is also helpful for quick access for emergency services.

Council Member Brishke asked if the City could look into this intersection and the problems raised by residents.

City Manager Gray stated that Citrus Tower Blvd. is a County Road, but the Police Department is able to do enforcement. He also reminded that Citrus Tower Blvd. was constructed to connect US27 to the hospital as a bypass.

MOTION TO DENY made by Council Member Purvis. Motion dies for lack of a second.

Nipleem Gupta. Unknown Address – *Applicant*. The looked at having two (2) entrances, but due to topography it is not possible. They do not have to have an access on Steve's Road, but it does a disservice not to for a variety of reasons.

MOTION TO APPROVE as presented with the condition that the Steve's Road access be a right in/right out made by Council Member Bates. Seconded by Council Member Brishke. Passed 4-1 with Council Member Purvis opposing.

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Item No. 14 – Variance Request – *Clermont Yacht Club*

Development Services Director Henschel made the staff presentation. The applicant is asking for a variance from the property maintenance code for a four (4) acre parcel of land. The applicant is stating that due to topography the property is unable to be maintained. Staff does not recommend approval stating that other properties in the City with challenging topography have found ways to maintain their property.

Paul Schroeder. 535 Drewry Lane, Winter Springs – *applicant*. Mr. Schroeder clarified that the property is tiered which makes it difficult to mow. He is asking that the embankment along Grand Highway be allowed to grow naturally and not have to be maintained. He asserted that kids and animals are destabilizing the embankment by running up and down towards Grand Highway.

Mayor Ash opened the floor for comments from the public.

Ron Melichek. 205 Harbor Cove Way, Clermont – Opposes the variance.

Michelle Wasniak. 203 Readings Way, Clermont – Opposes the variance.

Steve Franklin. 378 12th Street, Clermont. – Opposes the variance. Suggested a retaining wall.

Trista Fauts. 1727 Chickadee Way, Clermont – Opposes the variance.

Charlene Forth. 939 West DeSoto Street. – Opposes the variance.

Seeing no other public come forth, Mayor Ash closed the floor from further comments.

Council Member Purvis asked for a point of order in that two Council Members reside in the Yacht Club neighborhood and asked if they needed to abstain from voting.

City Attorney Mantzaris clarified that the Yacht Club HOA does not own the property, so there is no direct gain to the Council Members regarding the vote.

MOTION TO DENY the variance request made by Council Member Travis. Seconded by Council Member Brishke. Passed unanimously with all members present voicing aye.

Item No. 15 – FY 2021 Proposed Ad Valorem Millage Rate

Finance Director Brosonski made a short presentation on the proposed millage rate and the remaining budgetary process. There will be no change in the next fiscal year.

Mayor Ash opened the floor for comments from the public; seeing no public come forth, the floor was closed.

MOTION TO APPROVE the proposed millage rate of 4.2061 for FY 2021 made by Council Member Brishke. Seconded by Council Member Bates. Passed unanimously with all members present voicing aye.

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Item No. 16 – Ordinance No. 2020-05 – *INTRODUCTION - CarMax*

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.

Deputy City Clerk Lueth read the legal title into the record.

MOTION TO INTRODUCE for future consideration Ordinance No. 2020-05 made by Council Member Bates. Seconded by Council Member Brishke. Passed unanimously with all members voicing aye.

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ADJOURN: With no further comments, this meeting adjourned at 10:20 pm.

APPROVED:

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

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The City Council met in a regular meeting on Tuesday, August 11, 2020 in the Clermont City Center. Mayor Ash called the meeting to order at 6:30pm with the following Council Members present: Council Members Brishke, Travis, Bates, and Purvis.

Other City officials present were City Manager Gray, City Attorney Mantzaris, and City Clerk Howe.

INVOCATION AND PLEDGE OF ALLEGIANCE

A Moment of Silence was observed in place of an invocation followed by the Pledge of Allegiance.

PUBLIC COMMENTS

Ms. Sami Yackovetic. 4448 Powderhorn Place Drive, Clermont. – Wanted to address the issue of traffic on Hartwood Marsh Road, which affects 4,000 homeowners. She quoted from the City's comprehensive plan on matters of concurrency, stated that Hartwood Marsh is a failed road, and cannot handle more traffic. She asked that all development along Hartwood Marsh corridor be halted until the road is upgraded to a safe condition.

Charlene Forth, 939 W. Desoto Street, Clermont – Spoke against Roman Gonzalez and the Council's approval vote of the Elysian Hotel.

Vincent Niemick. 4569 Barrista Drive, Clermont – He is a resident of Regency Hills and wished to speak on the Assisted Living Facility planned on Hartwood Marsh. City Attorney Mantzaris asked that he hold comments on Assisted Living Facility until its next agenda date. Mr. Niemick asked he could speak to the traffic on Hartwood Marsh. Attorney Mantzaris stated that was allowable. Mr. Niemick stated that both Hancock and Hartwood Marsh are rated as F for their level of service grading. He warned the Council to be aware of how busy those roads are.

City Manager Gray reminded the Council that both Hartwood Marsh and Hancock are county roads, which the City has been fighting for years for the County to expand these roads. While the City has annexed in multiple properties abutting Hancock Road, Hartwood Marsh is still primarily in Lake County's jurisdiction. City Manager Gray stated that he would follow up with Mr. Niemick.

REPORTS

Mayor Ash stated that Council Member Brishke had a statement to make.

Council Member Brishke announced her resignation from seat 4 of the Clermont City Council effective August 20, 2020.

CITY MANAGER REPORT

City Manager Gray began his report by wishing Council Member Brishke the best and stating that it has been a pleasure working with her. He then proceeded to announce a Special Election for the Seat 4 position. He spoke to the Supervisor of Elections and it will be on the November ballot.

City Clerk Howe read the Mayor's Election Proclamation into the record.

City Manager Gray explained that the elected candidate would fulfill the unexpired term, which will expire in 2021.

City Clerk Howe provided the Council with the qualifying dates.

City Manager Gray continued his report by reminding the Council that there is a Primary Election on August 18 for the County and Clermont City Council Seat 3.

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He also announced the August Workshop has been rescheduled to Thursday, August 20; the parking study will be on the agenda.

City Manager Gray gave an overview of how community events were progressing while still in Phase 2. The numbers have since increased and while the City did allow some events to occur, administration is recommending a halt on events going forward. Any indoor events will have to wait until phase 3. However, the City will continue to allow the Farmers Market, now expanded onto Montrose Street with only the grocers; no entertainers or food trucks.

City Manager Gray gave an update on Lake Minneola by informing the Council the St. Johns Water Management District has moved approximately \$1.7 million to go into an algae cleanup project. The water authority is up to speed and the City will put a link on the website.

City Manager Gray concluded his report by going through changes to agendas including items that will be tabled and/or withdrawn. *Changes, motions and/or votes are reflected in each agenda item.*

CITY ATTORNEY REPORT - No report.

CITY COUNCIL REPORT

Council Member Bates –

- Wished Council Member Brishke well.
- Inquired about the Special Election and whether there would be an appointment in the interim.

In regards to the question on vacancy, City Attorney Mantzaris stated that the City Charter states the Council “shall” appoint someone if there is a vacancy. If someone is running in the election, it does not preclude him or her from being appointed during the interim; however, it has been the policy of the Council to not appoint that individual. He feels the Council does need to appoint someone until the seat is filled.

City Attorney Mantzaris later clarified that after rereading the charter that he would ask the Council to allow staff additional time to look into the issue regarding an appointment to fill the vacancy. He will provide the Council with a memorandum stating his legal opinion as to whether they are required to appoint an individual.

Council Member Purvis

- Congratulated the Fire Department on achieving an ISO 1 rating, and reminded the Council that they should also remember to acknowledge former Chief Carle Bishop who started the City on the process 10 years ago to achieve that status.

Council Member Brishke – No Report

Council Member Travis –

- Commended Public Works employees for their hard word.

Mayor Ash –

- Attended the July 31 soft opening of Piesano’s Pizza; Attended the August 4 ribbon cutting of Piesano’s;
- Attended the August 5 memorial in honor of Cheryl Fishel.

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CONSENT AGENDA

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

- | | |
|---|---|
| Item No. 1 – Plat Approval | Consider plat for the Canyons sections of the Highland Ranch subdivision for Phase 7, 45 lots. |
| Item No. 2 – Surplus Request | Consider declaring end of life inventory as surplus from Parks and Recreation, Public Services and the Fire Department and dispose of in accordance with the Procurement Services Policy. |
| Item No. 3 – Cooper Library Agreement | Consider termination of Interlocal Agreement between Lake County and the City of Clermont for Cooper Memorial Library Funding (effective December 5, 2018) for expanded hours of the library. |
| Item No. 4 – School Resource Officer Agreement | Consider School Resource Officer Agreement for Imagine South Lake Charter School. |

A member of the public requested to pull Item Number 3 for further consideration.

MOTION TO APPROVE items 1, 2, and 4 of the consent agenda made by Council Member Bates. Seconded by Council Member Brishke. Passed unanimously with all members present voicing aye.

Stephen Franklin, 378 12th Street, Clermont – Would like to see the city continue to support the library.

City Manager Gray explained the library is currently closed due to Covid-19 during the extended hours the City is paying them to be open. The City needs to terminate the agreement in order to save its money as written in the agreement. Once operations return to normal, the City can resume funding at that time.

MOTION TO APPROVE item 3 of the consent agenda made by Council Member Bates. Seconded by Council Member Brishke. Passed unanimously with all members present voicing aye.

UNFINISHED BUSINESS

Item No. 5 – Ordinance No. 2019-14 – FINAL – Wise Annexation

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

This item was considered during the City Manager Report.

City Clerk Howe read the legal title into the record.

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MOTION TO TABLE until the City Council meeting scheduled for December 8, 2020, Ordinance No. 2019-14 made by Council Member Bates. Seconded by Council Member Brishke. Passed unanimously with all members present voicing aye.

Item No. 6 – Ordinance No. 2019-15 – FINAL – Wise Large-Scale CPA

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

This item was considered during the City Manager Report.

City Clerk Howe read the legal title into the record.

MOTION TO TABLE until the City Council meeting scheduled for December 8, 2020, Ordinance No. 2019-15 made by Council Member Bates. Seconded by Council Member Brishke. Passed unanimously with all members present voicing aye.

Item No. 7 – Ordinance No. 2019-16 – FINAL – Wise PUD Rezoning

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.

This item was considered during the City Manager Report.

City Manager Gray informed the Council this ordinance was withdrawn.

Item No. 8 – Ordinance No. 2020-03 – FINAL – CarMax Annexation

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

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This item was considered during the City Manager Report.

City Clerk Howe read the legal title into the record.

MOTION TO TABLE until the City Council meeting scheduled for October 13, 2020, Ordinance No. 2020-03 Council Member Bates. Seconded by Council Member Brishke. Passed unanimously with all members present voicing aye.

Item No. 9 – Ordinance No. 2020-04 – FINAL – CarMax CPA

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

This item was considered during the City Manager Report.

City Clerk Howe read the legal title into the record.

MOTION TO TABLE until the City Council meeting scheduled for October 13, 2020, Ordinance No. 2020-04 made by Council Member Bates. Seconded by Council Member Brishke. Passed unanimously with all members present voicing aye.

Item No. 10 – Ordinance No. 2020-05 – FINAL – CarMax Rezoning

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.

This item was considered during the City Manager Report.

City Clerk Howe read the legal title into the record.

MOTION TO TABLE until the City Council meeting scheduled for October 13, 2020, Ordinance No. 2020-05 made by Council Member Bates. Seconded by Council Member Brishke. Passed unanimously with all members present voicing aye.

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NEW BUSINESS

Item No. 11 – Lien Reduction Request – Prickett

Development Services Director Curt Henschel presented the lien reduction request. In 2019, the City initiated a Code Enforcement case related to rubbish and garbage. The applicant has corrected the code issues, has paid over \$27,000 in penalties, and is asking that the remaining balance waived. The property is currently in compliance, and staff recommends waiving remaining penalties and releasing the lien.

Jack Prickett, Property Owner. – *Applicant*. Mr. Prickett apologized for the violations. He stated that he has paid over \$27,000 in fines. He would appreciate consideration of the Council to waive the remaining balance.

Mayor Ash opened the floor for comments from the public. Seeing no public come forth, the Mayor closed the floor from further comments.

Council Member Purvis stated that although he normally opposes items like these, he is fully supporting the request as the applicant has paid significant penalty, has come into compliance, and is remorseful.

MOTION TO APPROVE the lien reduction request to \$0.00 and to release the lien made by Council Member Bates. Seconded by Council Member Purvis. Passed unanimously with all members present voicing aye.

Item No. 12 – Variance Request – 3324 Blossom Lane

Development Services Director Curt Henschel presented the variance request to allow for a reduced rear yard setback at 3324 White Blossom Lane at Magnolia Park subdivision. The applicant is requesting construction of screen porch addition 13' x 36'. 16' from the rear property line. The proposed structure is not in conflict, and staff recommends approval of variance request.

Chris Cornett, 3324 White Blossom Lane, Clermont – *applicant*. Requested consideration to be allowed to build; he confirmed there is no encroachment and conforms to other properties in the area.

Mayor Ash opened the floor for comments from the public.

Charlene Forth, 939 W. Desoto Street, Clermont - Supported the request.

Seeing no additional public come forth, the floor was closed from further comment.

Mayor Ash asked for clarification if the setback was 16ft or 20ft as the documentation in their packet, states 20ft. Director Henschel clarified that it is 16ft.

MOTION TO APPROVE the variance request for 3324 Blossom Lane made by Council Member Bates. Seconded by Council Member Brishke. Passed unanimously with all members present voicing aye.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
AUGUST 11, 2020

Item No. 13 – Variance Request – *Indian Shores*

Development Services Coordinator Nicholas Gonzalez presented the request. The applicant is requesting three (3) setback variances to allow for the construction of a single-family residence. Beginning in 1999, several homes were constructed with approved variances. The lot in question was originally approved for a 20ft setback from the side property line, and was later approved for a 25ft rear setback and 25ft side setback, but because the development did not happen within one-year period the variance is no longer valid.

The applicant is requesting a rear yard setback of 22ft, to allow for front yard setback of 25ft, and allow side yard setback of 25ft. The applicant's proposal is to construct a 3,443 sq. ft. house, which is well below the impervious surface ratio, and the requested setbacks are compatible to the existing homes in the neighborhood. The applicant would start construction to avoid expiration of the variance. Development Services staff recommended approval and concluded the staff presentation.

Andrew Matella, 1713 Bella Lago Drive – *applicant*. Stated this was brought before Council last year. They were not ready to move forward last year due to unforeseen circumstances, but now they are and requests the Council to approve.

Jerod Spencer. Unknown address – *applicant*. Informed the Council that other houses in the subdivision have been granted similar variances.

Mayor Ash opened the floor for comments from the public.

Charlene Forth, 939 W. Desoto Street. - Supported the request.

Seeing no other speakers come forth, Mayor Ash closed the floor from further comments.

Council Member Purvis recalled this variance being granted. He expressed concern about the size of the house on the lot and expressed opposition to the request.

Council Member Bates inquired how the proposed home would conform to the surrounding lots.

Mr. Matella replied that the total impervious is 3,443 sq. ft. of that 2450 sq. ft. is living space.

Director Henschel added that the lot in question is a corner lot. Over thirty (30) lots in the subdivision have been granted variances.

City Manager Gray reminded the Council that the Indian Shores subdivision has had multiple developers that makes it a unique neighborhood.

Director Henschel stated that staff did not receive objections.

Mr. Matella stated that he did not receive any objections.

MOTION TO APPROVE the variance request for subject property made by Council Member Bates. Seconded by Council Member Brishke. Passed 4-1 with Council Member Purvis opposing.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
AUGUST 11, 2020

Item No. 14 – Event and Road Closure Request

This item was considered during the City Manager Report.

MOTION TO TABLE until the City Council meeting scheduled for September 8, 2020, consideration of the event and road closure request made by Council Member Bates. Seconded by Council Member Brishke. Passed unanimously with all members present voicing aye.

Item No. 15 – Ordinance No. 2020-29 – INTRODUCTION

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, CLOSING AND PERMANENTLY ABANDONING THAT UNNAMED RIGHT OF WAY LYING SOUTHERLY OF TRACTS 9 AND 10, AND NORTHERLY OF TRACTS 23 AND 24, AS SHOWN ON THE PLAT OF LAKE HIGHLANDS COMPANY RECORDED IN PLAT BOOK 2, PAGE 28, AND PLAT BOOK 3, PAGE 24, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, LYING IN SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST AND DESCRIBED HEREIN AS SHOWN BELOW; PROVIDING FOR SEVERABILITY, PUBLICATION, RECORDING, AND FOR AN EFFECTIVE DATE.

MOTION TO INTRODUCE for future consideration Ordinance No. 2020-29 made by Council Member Bates. Seconded by Council Member Brishke. Passed unanimously with all members present voicing aye.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
AUGUST 11, 2020

ADJOURN: With no further comments, this meeting adjourned at 7:34 pm.

APPROVED:

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date	
Tuesday, August 25, 2020	
Agenda Item Name	
Term Contract Award	
Requested Action	
Recommend to approve term contract between the City of Clermont and All City Management Services, Inc. to provide crossing guard services.	
Staff Report	
The evaluation committee recommends approval of the above action. The Police Department contacted the Procurement Services Department to determine the most cost effective manner to acquire crossing guard services. The Procurement Services Department issued a Request For Proposal (RFP) number 20-027 on July 2, 2020 to obtain the services of a qualified company to provide crossing guard services. The RFP was fully competed, advertised and complies with the City of Clermont Procurement Services Policy. There were four (4) responses to the RFP. The scope of services having a crossing guard management company to provide six (6) fully trained crossing guards at six (6) crossing guard posts with a maximum of two (2) hours per location, Monday through Friday, excluding days and schools are not in session. The schools number of locations covered under these services include: Cypress Ridge Elementary - 1 location Clermont Middle - 1 location Clermont Elementary - 2 locations Lost Lake Elementary - 1 location Imagine South Lake Charter - 1 location An evaluation committee composed of four (4) City staff members (three voting members and one non-voting member) reviewed, scored and ranked the proposals. All City Management Services, Inc. was the top ranked company selected for their qualifications, knowledge and experience. The Procurement Services Director entered into negotiations with the top ranked firm All City Management Services, Inc. which resulted in a reduction in annual price from \$53,589.60 to \$53,049.60 for a savings of \$540. The reduction in cost did not affect the level of service. The award recommendation is being made to the most qualified respondent, All City Management Services, Inc. The initial term contract is for a two (2) year period with up to four (4) additional one (1) year renewal periods at the option of the City.	
Additional Analysis	
Fiscal Impact Summary	

The estimated amount of this contract anticipated to be spent in FY 2020-2021 is \$53,049.60 and will be included in the FY 2021 budget.

Fiscal Impact		Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)			
1.	RFP 20-027 Response Tabulation	RFP 20-027 Response Tabulation.pdf	
2.	RFP 20-027 Evaluation Summary	RFP 20-027 Evaluation Summary.xlsx	
3.	RFP 20-027 Award Recommendation	RFP 20-027 Award Recommendation.pdf	
4.	Negotiated Price and Statement of Work	Exhibit A.pdf	



RESPONSE TABULATION

RFP 20-027 CROSSING GUARD SERVICES

DUE DATE/TIME: JULY 2, 2020 AT 2:00 P.M. (EST)

COMPANY NAME	ADDENDUM 1	1 – DIGITAL COPY
Safeway Services Group, Inc. – Orlando, FL	N	Y
Andy Frain Services, Inc. – Plantation, FL	Y	Y
Everything Parking, Inc. d/b/a Cross Safe – Tallahassee, FL	Y	Y
All City Management Services, Inc. – Planation, FL	N	Y

*Addendum 1 was not a mandatory submission with proposal

RFP 20-027 Evaluation Summary for Crossing Guard Services
Evaluation Closing Date: July 24, 2020 at 5:00 P.M.

All City Management Services	Total Average				Evaluator 1			Evaluator 2			Evaluator 3		
Criteria	Weight	Score	Percent	Points	Score	Percent	Points	Score	Percent	Points	Score	Percent	Points
TAB A - Introduction Letter	5%	9.33 of 10	4.67%	4.67 of 5 pts	10 of 10	5%	5 of 5 pts	9 of 10	4.5%	4.5 of 5 pts	9 of 10	4.5%	4.5 of 5 pts
TAB B - License and Insurance	5%	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts
TAB C - Company Background	10%	10 of 10	10%	10 of 10 pts	10 of 10	10%	10 of 10 pts	10 of 10	10%	10 of 10 pts	10 of 10	10%	10 of 10 pts
TAB D - Company Project Experience	20%	10 of 10	20%	20 of 20 pts	10 of 10	20%	20 of 20 pts	10 of 10	20%	20 of 20 pts	10 of 10	20%	20 of 20 pts
TAB E - Personnel Experience	20%	10 of 10	20%	20 of 20 pts	10 of 10	20%	20 of 20 pts	10 of 10	20%	20 of 20 pts	10 of 10	20%	20 of 20 pts
TAB F - Experience of Subcontractor's/Subconsultant's	10%	10 of 10	10%	10 of 10 pts	10 of 10	10%	10 of 10 pts	10 of 10	10%	10 of 10 pts	10 of 10	10%	10 of 10 pts
TAB G - Cost of Services	15%	7 of 10	10.5%	10.5 of 15 pts	8 of 10	12%	12 of 15 pts	9 of 10	13.5%	13.5 of 15 pts	4 of 10	6%	6 of 15 pts
TAB H - Business Location	5%	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts
TAB I - Quality of Submittal	10%	9.67 of 10	9.67%	9.67 of 10 pts	10 of 10	10%	10 of 10 pts	9 of 10	9%	9 of 10 pts	10 of 10	10%	10 of 10 pts
		76 of 80	95%	94.83 of 100 pts	78 of 80	97%	97 of 100 pts	77 of 80	97%	97 of 100 pts	73 of 80	91%	90.5 of 100 pts

Everything Parking, Inc. DBA Park, Inc.	Total Average				Evaluator 1			Evaluator 2			Evaluator 3		
Criteria	Weight	Score	Percent	Points	Score	Percent	Points	Score	Percent	Points	Score	Percent	Points
TAB A - Introduction Letter	5%	9.33 of 10	4.67%	4.67 of 5 pts	8 of 10	4%	4 of 5 pts	10 of 10	5%	5 of 5 pts	10 of 10	5%	5 of 5 pts
TAB B - License and Insurance	5%	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts
TAB C - Company Background	10%	9.33 of 10	9.33%	9.33 of 10 pts	8 of 10	8%	8 of 10 pts	10 of 10	10%	10 of 10 pts	10 of 10	10%	10 of 10 pts
TAB D - Company Project Experience	20%	9.33 of 10	18.67%	18.67 of 20 pts	8 of 10	16%	16 of 20 pts	10 of 10	20%	20 of 20 pts	10 of 10	20%	20 of 20 pts
TAB E - Personnel Experience	20%	9.33 of 10	18.67%	18.67 of 20 pts	8 of 10	16%	16 of 20 pts	10 of 10	20%	20 of 20 pts	10 of 10	20%	20 of 20 pts
TAB F - Experience of Subcontractor's/Subconsultant's	10%	9.33 of 10	9.33%	9.33 of 10 pts	8 of 10	8%	8 of 10 pts	10 of 10	10%	10 of 10 pts	10 of 10	10%	10 of 10 pts
TAB G - Cost of Services	15%	7.67 of 10	11.5%	11.5 of 15 pts	8 of 10	12%	12 of 15 pts	10 of 10	15%	15 of 15 pts	5 of 10	7.5%	7.5 of 15 pts
TAB H - Business Location	5%	4.67 of 5	4.67%	4.67 of 5 pts	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts	4 of 5	4%	4 of 5 pts
TAB I - Quality of Submittal	10%	9 of 10	9%	9 of 10 pts	8 of 10	8%	8 of 10 pts	10 of 10	10%	10 of 10 pts	9 of 10	9%	9 of 10 pts
		73 of 80	91%	90.83 of 100 pts	66 of 80	82%	82 of 100 pts	80 of 80	100%	100 of 100 pts	73 of 80	91%	90.5 of 100 pts

Andy Frain Services, Inc.	Total Average				Evaluator 1			Evaluator 2			Evaluator 3		
Criteria	Weight	Score	Percent	Points	Score	Percent	Points	Score	Percent	Points	Score	Percent	Points
TAB A - Introduction Letter	5%	8 of 10	4%	4 of 5 pts	7 of 10	3.5%	3.5 of 5 pts	10 of 10	5%	5 of 5 pts	7 of 10	3.5%	3.5 of 5 pts
TAB B - License and Insurance	5%	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts
TAB C - Company Background	10%	8 of 10	8%	8 of 10 pts	7 of 10	7%	7 of 10 pts	10 of 10	10%	10 of 10 pts	7 of 10	7%	7 of 10 pts
TAB D - Company Project Experience	20%	7.67 of 10	15.33%	15.33 of 20 pts	6 of 10	12%	12 of 20 pts	10 of 10	20%	20 of 20 pts	7 of 10	14%	14 of 20 pts
TAB E - Personnel Experience	20%	8 of 10	16%	16 of 20 pts	6 of 10	12%	12 of 20 pts	10 of 10	20%	20 of 20 pts	8 of 10	16%	16 of 20 pts
TAB F - Experience of Subcontractor's/Subconsultant's	10%	8.67 of 10	8.67%	8.67 of 10 pts	6 of 10	6%	6 of 10 pts	10 of 10	10%	10 of 10 pts	10 of 10	10%	10 of 10 pts
TAB G - Cost of Services	15%	4 of 10	6%	6 of 15 pts	7 of 10	10.5%	10.5 of 15 pts	0 of 10	0%	0 of 15 pts	5 of 10	7.5%	7.5 of 15 pts
TAB H - Business Location	5%	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts
TAB I - Quality of Submittal	10%	7.67 of 10	7.67%	7.67 of 10 pts	5 of 10	5%	5 of 10 pts	10 of 10	10%	10 of 10 pts	8 of 10	8%	8 of 10 pts
		62 of 80	76%	75.67 of 100 pts	54 of 80	66%	66 of 100 pts	70 of 80	85%	85 of 100 pts	62 of 80	76%	76 of 100 pts

Safeway Services Group, Inc.	Total Average				Evaluator 1			Evaluator 2			Evaluator 3		
Criteria	Weight	Score	Percent	Points	Score	Percent	Points	Score	Percent	Points	Score	Percent	Points

TAB A - Introduction Letter	5%	8.33 of 10	4.17%	4.17 of 5 pts	6 of 10	3%	3 of 5 pts	10 of 10	5%	5 of 5 pts	9 of 10	4.5%	4.5 of 5 pts
TAB B - License and Insurance	5%	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts
TAB C - Company Background	10%	6 of 10	6%	6 of 10 pts	7 of 10	7%	7 of 10 pts	4 of 10	4%	4 of 10 pts	7 of 10	7%	7 of 10 pts
TAB D - Company Project Experience	20%	6.67 of 10	13.33%	13.33 of 20 pts	7 of 10	14%	14 of 20 pts	6 of 10	12%	12 of 20 pts	7 of 10	14%	14 of 20 pts
TAB E - Personnel Experience	20%	6.33 of 10	12.67%	12.67 of 20 pts	6 of 10	12%	12 of 20 pts	6 of 10	12%	12 of 20 pts	7 of 10	14%	14 of 20 pts
TAB F - Experience of Subcontractor's/Subconsultant's	10%	7.33 of 10	7.33%	7.33 of 10 pts	6 of 10	6%	6 of 10 pts	6 of 10	6%	6 of 10 pts	10 of 10	10%	10 of 10 pts
TAB G - Cost of Services	15%	3.33 of 10	5%	5 of 15 pts	0 of 10	0%	0 of 15 pts	6 of 10	9%	9 of 15 pts	4 of 10	6%	6 of 15 pts
TAB H - Business Location	5%	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts
TAB I - Quality of Submittal	10%	7 of 10	7%	7 of 10 pts	7 of 10	7%	7 of 10 pts	7 of 10	7%	7 of 10 pts	7 of 10	7%	7 of 10 pts
		55 of 80	66%	65.5 of 100 pts	49 of 80	59%	59 of 100 pts	55 of 80	65%	65 of 100 pts	61 of 80	73%	72.5 of 100 pts

Evaluation Committee Members:

Brent Joyner, Police Captain
Nathan Farzati, Patrol Officer
Kathryn Deen, Communications Director
Freddy Suarez, Procurement Services Director (non-voting member)
Ramsey Gross, Senior Procurement Agent (non-voting member)

Meeting Summary:

The Evaluation Committee met on July 29, 2019 at 11:00 A.M. in a virtual Zoom meeting to discuss the proposals and score summary. The scoring was done individually by each evaluator, electronically through BidSync. At the time of the meeting the Procurement Services Director provided the score summary to the committee and proceeded to review the scores. The Evaluation Committee agreed on the score summary and opted to rank each proposal in the same order. The Evaluation Committee chose All City Management Services to negotiate a contract with.



FREDDY L. SUAREZ
Procurement Services Director
352-241-7350
fsuarez@clermontfl.org

AWARD RECOMMENDATION
AUGUST 10, 2020
RFP 20-027 – CROSSING GUARD SERVICES

Based on the evaluation of the Request for Proposals submittals, the Evaluation Committee is recommending award to number one ranked company, All City Management Services, Inc.

EXHIBIT A
All City Management Services Inc.

Client Worksheet 2020/2021 & 2021/2022

Billing Rate: \$24.81

City of Clermont
685 W. Montrose St.
Clermont, FL 34711

KEY:

Traditional Calendar:

For sites with no regularly scheduled early release days, use 180 regular days

For sites with one regularly scheduled early release day/week, use 144 regular days and 36 minimum days

Sites with traditional calendar 2020/2021:

		12		180		\$24.56	=	\$53,049.60
6	Sites at 2.0 hrs per day	Total Hrs/day	X	days/yr	X	Hourly Billing Rate		

TOTAL PROJECTED HOURS	2160	TOTAL ANNUAL PROJECTED COST	\$53,049.60
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Sites with traditional calendar 2021/2022:

		12		180		\$24.56	=	\$53,049.60
6	Sites at 2.0 hrs per day	Total Hrs/day	X	days/yr	X	Hourly Billing Rate		

TOTAL PROJECTED HOURS	2160	TOTAL ANNUAL PROJECTED COST	\$53,589.60
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TOTAL PROJECTED HOURS FOR 2 YRS	4320	TOTAL PROJECTED FOR 2 YRS	\$106,099.00
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SECTION – B
STATEMENT OF WORK

The City of Clermont is seeking the services of a qualified respondent(s) with experience in crossing guard management and services to provide six (6) fully trained crossing guards at six (6) crossing guard posts, Monday through Friday, excluding days when schools are not in session. The total hours for crossing guard services being sought is a maximum of two (2) hours per guard per location, or a weekly average of sixty (60) service hours, with service decreasing or increasing contingent on school scheduled and City desires.

The successful respondent(s) will be able to fully manage crossing guard services including the following:

1. Provide fully trained and equipped crossing guards for each of the crossing guard locations within City limit.
2. Provide a program manager who will coordinate crossing guard services with the City liaison.
3. Provide a supervisor to ensure guard activities are taking place at the required places and times and that guards are complying with the proper safety procedures.
4. Provide fully trained and equipped alternate personnel to ensure all contracted locations are covered in the event regular personnel are absent.
5. The firm shall have a Pre-employment Screening Program for crossing guards that includes: employment reference check, criminal background check/fingerprint service, and social security verification.
6. Provide crossing guards with identification badges, a standardized uniform and proper weather apparel and gear, approved by City, which will be worn at all times, while performing their duties.
7. Provide all crossing guards with handheld stop signs and reflective vest which will be worn at all times to comply with State laws and regulations.
8. All crossing guards provided by the successful responded must be trained by the successful respondent. Training must include State and City laws and codes pertaining to general pedestrian safety and school crossing areas. Training must also include general traffic safety for pedestrians, motorists, and crossing guards. Crossing guards must also be trained in first aid and CPR, in accordance with Red Cross certification guidelines. The successful respondent must provide copies of training certificates and CPR certifications for each crossing guard prior to providing services and annually thereafter. A copy of all training materials must be included in the proposal.

SECTION – B
STATEMENT OF WORK

9. Provide the City with a monthly schedule, in advance, of the locations to be serviced, the personnel deployed at those locations, and the start and end times of each shift at each location.
10. The successful respondent must be prepared to hire existing City crossing guards that are interested in transitioning from City employment. Existing crossing guards that are transition to the successful respondent employment must be provided training, certifications, and equipment as described above.
11. The successful respondent must investigate all public complaints concerning crossing guard services. In the event of a complaint, the successful respondent must contact the City liaison, within twenty-four (24) hours to advice status of remedy/resolution of said complaint. The successful respondent must furnish a written report of the incident to the City liaison within five (5) business days after the occurrence.
12. On a quarterly basis, the firm's supervisor must be required to meet with school representatives for evaluation and comments, and City staff to assess and discuss existing problems that may have occurred. A quarterly report, to be approved by the City, is to be submitted at the end of each quarter.
13. Successful respondent must provide crossing guard coverage for the school locations listed below. Other additions and deletion of locations will be at the same hourly rate and daily hours allowed per location and will be subject to the approval of the City Manager or designee.

Lake County Schools	Crossing Guard Location
Cypress Ridge Elementary 350 East Ave., Clermont, FL	Position 1: Intersection of East Ave. and Oak Street
Clermont Middle 301 East Ave., Clermont, FL	Position 2: East Ave. and SR. 50
Clermont Elementary 680 E. Highland Ave., Clermont, FL	Position 3: Intersection of Bloxam Ave. and East Desoto Street Position 4: Bloxam Ave. and SR. 50.
Lost Lake Elementary 1901 Johns Lake Road, Clermont, FL	Position 5: Crosswalk in front of school.

SECTION – B
STATEMENT OF WORK

Imagine South Lake Charter 2750 Hartwood Marsh Rd., Clermont, FL	Position 6: Crosswalk in front of school.
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Respondents must provide a detailed budget for the scope of services listed above. Successful respondent will bill for services on a monthly basis. Crossing guard services will start at the beginning of the Lake County school year beginning August 10, 2020 through May 28, 2021.

END OF SECTION – B



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, August 25, 2020		
Agenda Item Name		
Term Contract Award		
Requested Action		
Recommend to approve contract between the City of Clermont and Show Masters Production Logistics, Inc. to provide on-call audio visual services.		
Staff Report		
The evaluation committee recommends approval of the above action. The Procurement Services Department issued a Request for Proposal (RFP) number 20-029 on July 23, 2020 to obtain the services of a qualified company to provide audio visual services. The RFP was fully competed, advertised and complies with the City of Clermont Procurement Services Policy. There were four (4) responses to the RFP. An evaluation committee composed of four (4) City staff (three voting members and one non-voting member) reviewed, scored and ranked the proposals. Show Masters Production Logistics, Inc. was the top ranked firm selected for their qualifications, knowledge and prior experience. The company's hourly rates was deemed fair and reasonable based on current market and specialized field. The work involves providing on-call technical services for audio, lighting, and video for city functions and special events. The award recommendation is being made to the most qualified respondent Show Masters Production Logistics, Inc. It is recommended that the Council approve and execute a fixed unit price term contract with Show Masters Production Logistics, Inc. to provide on-call audio visual services. The initial term contract is for a three (3) year period with one (1) additional three (3) year renewal, at the option of the City.		
Additional Analysis		
Fiscal Impact Summary		
The budgeted amount of the contract for the first year is \$15,000. An estimated amount for second year is \$25,000 and third year is \$25,000. The total combined estimated contract value for the initial three year term is \$65,000. Department Account No.: 10579-53401		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		

1.	RFP 20-029 Response Tabulation	RFP 20-029 Response Tabulation.pdf
2.	RFP 20-029 Evaluation Summary	RFP 20-029 Evaluation Summary.xlsx
3.	RFP 20-029 Ranking Order	RFP 20-029 Ranking Order.pdf
4.	RFP 20-029 Award Recommendation	RFP 20-029 Award Recommendation.pdf



RESPONSE TABULATION

RFP 20-029 ON-CALL AUDIO VISUAL SERVICES

DUE DATE/TIME: JULY 23, 2020 AT 2:00 P.M. (EST)

COMPANY NAME	ADDN. 1	1 – DIGITAL COPY
Rebekah's Dreams Entertainment & Production Services, Inc. – West Palm Beach, FL	Y	Y
Audio Visual Nation, LLC – Orlando, FL	N	Y
Show Masters Production Logistics, Inc. – Carrollton, TX	Y	Y
Crew Call Inc. – Orlando, FL	Y	Y

- Addendum 1 was not a mandatory submittal with bid response.

RFP 20-029 On-Call Audio Visual Services
Evaluation Closing Date: August 11, 2020 at 5:00 P.M.

Show Masters Production Logistics, Inc.	Total Average				Evaluator 1			Evaluator 2			Evaluator 3		
Criteria	Weight	Score	Percent	Points	Score	Percent	Points	Score	Percent	Points	Score	Percent	Points
TAB A - Introduction Letter	10%	8.67 of 10	8.67%	8.67 of 10 pts	9 of 10	9%	9 of 10 pts	8 of 10	8%	8 of 10 pts	9 of 10	9%	9 of 10 pts
TAB B - License and Insurance	5%	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts
TAB C - Company Background	10%	8 of 10	8%	8 of 10 pts	7 of 10	7%	7 of 10 pts	8 of 10	8%	8 of 10 pts	9 of 10	9%	9 of 10 pts
TAB D - Company Project Experience	20%	8.67 of 10	17.33%	17.33 of 20 pts	8 of 10	16%	16 of 20 pts	9 of 10	18%	18 of 20 pts	9 of 10	18%	18 of 20 pts
TAB E - Personnel Experience	20%	7 of 10	14%	14 of 20 pts	7 of 10	14%	14 of 20 pts	7 of 10	14%	14 of 20 pts	7 of 10	14%	14 of 20 pts
TAB F - Experience of Subcontractor's/Subconsultant's	10%	7.67 of 10	7.67%	7.67 of 10 pts	7 of 10	7%	7 of 10 pts	7 of 10	7%	7 of 10 pts	9 of 10	9%	9 of 10 pts
TAB G - Cost of Services	20%	8.33 of 10	16.67%	16.67 of 20 pts	9 of 10	18%	18 of 20 pts	9 of 10	18%	18 of 20 pts	7 of 10	14%	14 of 20 pts
TAB H - Quality of Submittal	5%	5 of 10	2.5%	2.5 of 5 pts	5 of 10	2.5%	2.5 of 5 pts	5 of 10	2.5%	2.5 of 5 pts	5 of 10	2.5%	2.5 of 5 pts
		58.33 of 75	80%	79.83 of 100 pts	57 of 75	79%	78.5 of 100 pts	58 of 75	81%	80.5 of 100 pts	60 of 75	81%	80.5 of 100 pts

Rebekah's Dreams Entertainment & Production Service, Inc.	Total Average				Evaluator 1			Evaluator 2			Evaluator 3		
Criteria	Weight	Score	Percent	Points	Score	Percent	Points	Score	Percent	Points	Score	Percent	Points
TAB A - Introduction Letter	10%	8.33 of 10	8.33%	8.33 of 10 pts	9 of 10	9%	9 of 10 pts	8 of 10	8%	8 of 10 pts	8 of 10	8%	8 of 10 pts
TAB B - License and Insurance	5%	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts
TAB C - Company Background	10%	8 of 10	8%	8 of 10 pts	8 of 10	8%	8 of 10 pts	7 of 10	7%	7 of 10 pts	9 of 10	9%	9 of 10 pts
TAB D - Company Project Experience	20%	8.33 of 10	16.67%	16.67 of 20 pts	9 of 10	18%	18 of 20 pts	8 of 10	16%	16 of 20 pts	8 of 10	16%	16 of 20 pts
TAB E - Personnel Experience	20%	5.33 of 10	10.67%	10.67 of 20 pts	9 of 10	18%	18 of 20 pts	0 of 10	0%	0 of 20 pts	7 of 10	14%	14 of 20 pts
TAB F - Experience of Subcontractor's/Subconsultant's	10%	8.67 of 10	8.67%	8.67 of 10 pts	10 of 10	10%	10 of 10 pts	7 of 10	7%	7 of 10 pts	9 of 10	9%	9 of 10 pts
TAB G - Cost of Services	20%	8.67 of 10	17.33%	17.33 of 20 pts	9 of 10	18%	18 of 20 pts	9 of 10	18%	18 of 20 pts	8 of 10	16%	16 of 20 pts
TAB H - Quality of Submittal	5%	4.33 of 10	2.17%	2.17 of 5 pts	4 of 10	2%	2 of 5 pts	4 of 10	2%	2 of 5 pts	5 of 10	2.5%	2.5 of 5 pts
		56.67 of 75	77%	76.83 of 100 pts	63 of 75	88%	88 of 100 pts	48 of 75	63%	63 of 100 pts	59 of 75	80%	79.5 of 100 pts

Crew Call Inc.	Total Average				Evaluator 1			Evaluator 2			Evaluator 3		
Criteria	Weight	Score	Percent	Points	Score	Percent	Points	Score	Percent	Points	Score	Percent	Points
TAB A - Introduction Letter	10%	7.67 of 10	7.67%	7.67 of 10 pts	8 of 10	8%	8 of 10 pts	7 of 10	7%	7 of 10 pts	8 of 10	8%	8 of 10 pts
TAB B - License and Insurance	5%	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts
TAB C - Company Background	10%	8.33 of 10	8.33%	8.33 of 10 pts	8 of 10	8%	8 of 10 pts	8 of 10	8%	8 of 10 pts	9 of 10	9%	9 of 10 pts
TAB D - Company Project Experience	20%	7.67 of 10	15.33%	15.33 of 20 pts	8 of 10	16%	16 of 20 pts	8 of 10	16%	16 of 20 pts	7 of 10	14%	14 of 20 pts
TAB E - Personnel Experience	20%	7.67 of 10	15.33%	15.33 of 20 pts	8 of 10	16%	16 of 20 pts	9 of 10	18%	18 of 20 pts	6 of 10	12%	12 of 20 pts
TAB F - Experience of Subcontractor's/Subconsultant's	10%	5.67 of 10	5.67%	5.67 of 10 pts	10 of 10	10%	10 of 10 pts	0 of 10	0%	0 of 10 pts	7 of 10	7%	7 of 10 pts
TAB G - Cost of Services	20%	6.67 of 10	13.33%	13.33 of 20 pts	6 of 10	12%	12 of 20 pts	7 of 10	14%	14 of 20 pts	7 of 10	14%	14 of 20 pts
TAB H - Quality of Submittal	5%	4 of 10	2%	2 of 5 pts	4 of 10	2%	2 of 5 pts	3 of 10	1.5%	1.5 of 5 pts	5 of 10	2.5%	2.5 of 5 pts
		52.67 of 75	73%	72.67 of 100 pts	57 of 75	77%	77 of 100 pts	47 of 75	70%	69.5 of 100 pts	54 of 75	72%	71.5 of 100 pts

Audio Visual Nation LLC	Total Average				Evaluator 1			Evaluator 2			Evaluator 3		
Criteria	Weight	Score	Percent	Points	Score	Percent	Points	Score	Percent	Points	Score	Percent	Points
TAB A - Introduction Letter	10%	6 of 10	6%	6 of 10 pts	7 of 10	7%	7 of 10 pts	5 of 10	5%	5 of 10 pts	6 of 10	6%	6 of 10 pts
TAB B - License and Insurance	5%	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts	5 of 5	5%	5 of 5 pts
TAB C - Company Background	10%	6.33 of 10	6.33%	6.33 of 10 pts	6 of 10	6%	6 of 10 pts	6 of 10	6%	6 of 10 pts	7 of 10	7%	7 of 10 pts

TAB D - Company Project Experience	20%	4.67 of 10	9.33%	9.33 of 20 pts	4 of 10	8%	8 of 20 pts	6 of 10	12%	12 of 20 pts	4 of 10	8%	8 of 20 pts
TAB E - Personnel Experience	20%	5.33 of 10	10.67%	10.67 of 20 pts	5 of 10	10%	10 of 20 pts	6 of 10	12%	12 of 20 pts	5 of 10	10%	10 of 20 pts
TAB F - Experience of Subcontractor's/Subconsultant's	10%	6 of 10	6%	6 of 10 pts	5 of 10	5%	5 of 10 pts	7 of 10	7%	7 of 10 pts	6 of 10	6%	6 of 10 pts
TAB G - Cost of Services	20%	5 of 10	10%	10 of 20 pts	4 of 10	8%	8 of 20 pts	6 of 10	12%	12 of 20 pts	5 of 10	10%	10 of 20 pts
TAB H - Quality of Submittal	5%	4.33 of 10	2.17%	2.17 of 5 pts	5 of 10	2.5%	2.5 of 5 pts	3 of 10	1.5%	1.5 of 5 pts	5 of 10	2.5%	2.5 of 5 pts
		42.67 of 75	56%	55.5 of 100 pts	41 of 75	52%	51.5 of 100 pts	44 of 75	61%	60.5 of 100 pts	43 of 75	55%	54.5 of 100 pts

Evaluation Committee Members:

Scott Davidoff, Parks and Recreation Director
Christopher Dudeck, Arts & Events Manager
Jonathan Pominville, Lead State Technician
Freddy Suarez, Procurement Services Director (non-voting member)

Meeting Summary:

The Evaluation Committee met on August 12, 2020 at 9:00 A.M. in a virtual Zoom meeting to discuss the proposals and score summary. The scoring was done individually by each evaluator, electronically through BidSync. At the time of the meeting the Procurement Services Director provided the score summary to the committee and proceeded to review the scores.

The Evaluation Committee agreed on the score summary and chose to rank the proposals in the same order. The Procurement Services Director will attempt to negotiate a contract with Show Masters Production Logistics, Inc.



FREDDY L. SUAREZ
Purchasing Director
Purchasing Department

352-241-7350
fsuarez@clermontfl.org

August 12, 2020

RFP 20-029, On-Call Audio Visual Services

Based on the informal presentations from shortlisted firms to the Evaluation Committee, the following is the ranking order of shortlisted firms.

Company Name	Ranking Order
Show Masters Production Logistics, Inc.	1
Rebekah's Dreams Entertainment & Production Service, Inc.	2
Crew Call, Inc.	3
Audio Visual Nation, LLC.	4

The Purchasing Director, assisted by city staff, will proceed to negotiate a contract with the number one ranked company. In the event a contract cannot be negotiated, negotiations will discontinue and the Purchasing Director will start negotiations with the next company in accordance with the ranking order. This process will continue until an agreement is reached or the short list is exhausted.



FREDDY L. SUAREZ
Procurement Services Director
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AWARD RECOMMENDATION
AUGUST 14, 2020
RFP 20-029 – ON-CALL AUDIO VISUAL SERVICES

Based on the evaluation of the Request for Proposal submittals, the Evaluation Committee is recommending award to number one ranked company, Show Masters Production Logistics, Inc.



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date			
Tuesday, August 25, 2020			
Agenda Item Name			
Term Contract Award			
Requested Action			
Recommend to approve contract between the City of Clermont and Recreation Today of Idaho, LLC. to purchase picnic tables on an as-need basis.			
Staff Report			
The Procurement Services Department and the Public Services Department recommend approval of the above action. It is recommended that the Council approve and execute a fixed unit price term contract with Recreation Today of Idaho, LLC. to provide picnic tables. The initial term contract is for a two (2) year period with up to four (4) additional one (1) year renewals at the option of the City. The Procurement Services Department issued a Request for Bid (RFB) number 20-030 on June 22, 2020 to establish a term contract to purchase picnic tables. The RFB was fully competed, advertised, and complies with the City of Clermont Procurement Services Policy. There were five (5) responses to the RFB. There are three types of picnic tables: 6-foot table, 8-table, and 8-foot table ADA accessible. All tables include the City of Clermont logo on table top and abide by the Brand Standards Manual and color specifications. Award is being recommended to low responsive and responsible bidder Recreation Today of Idaho, LLC. for the estimated quantities provided in the bid document total price of \$31,184.45, including shipping, who complied with all terms, conditions, and specifications stated in the RFB.			
Additional Analysis			
Fiscal Impact Summary			
Items will be purchased on an as-need basis and funding will be covered by the departments approved budget.			
Fiscal Impact	Fund Number and Description	Available Budget Amount	
Exhibits Attached (copies of original agreements)			
1.	RFB 20-030 Response Tabulation	RFB 20-030 Response Tabulation.pdf	
2.	RFB 20-030 Award Recommendation	RFB 20-030 Award Recommendation.pdf	



RESPONSE TABULATION

RFB 20-030, PICNIC TABLES RE-BID

DUE DATE/TIME: JULY 16, 2020 AT 2:00 P.M. (EST)

COMPANY NAME	ADDENDUM 1	TOTAL PRICE w/shipping
Recreation Today of Idaho, LLC. – Nampa, ID	N	\$31,184.45
Sandberg & Associates Design – Fern Park, FL	Y	\$42,709.00
Lanier Plans, Inc. d/b/a KorKat – Carrollton, GA	Y	\$47,790.35
Bliss Products and Services, Inc. – Lithia Springs, GA	Y	\$48,050.00
Varsity Brands Holdings Co., Inc. d/b/a BSN Sports – Dallas, TX	Y	\$59,867.45

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



FREDDY L. SUAREZ
Procurement Services Director
352-241-7350
fsuarez@clermontfl.org

AWARD RECOMMENDATION
JULY 30, 2020
RFP 20-030 – PICNIC TABLES RE-BID

Based on the results of the Request for Bid submittals, the Procurement Services Department is recommending award to Recreation Today of Idaho, LLC.



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date			
Tuesday, August 25, 2020			
Agenda Item Name			
Bid Award			
Requested Action			
Recommend to approve contract between the City of Clermont and Carr & Collier, Inc. for the expansion of the rapid infiltration basin at the Environmental Services facility.			
Staff Report			
The Procurement Services Department and the Public Services Department recommend approval of the above action. The Procurement Services Department issued a Request for Bid (RFB) number 20-028 on July 23, 2020 to acquire a contractor for the expansion of the rapid infiltration basins at the Environmental Services facility. The RFB was fully competed, advertised, and complies with the City of Clermont Procurement Services Policy. There were five (5) responses to the RFB. The work consists of the following: 1. Expand the capacity of the rapid infiltration basins (RIBs) by modifying the existing 15-cell RIB system to create four (4) larger RIBs. 2. Construct seepage barrier. 3. Demolish and replace feed piping to the RIBs. 4. Demolition and modifications of the yard piping, magnetic flowmeter, control valve and other appurtenances as required to replace and relocate the flow metering station. 5. Electrical demolition and modifications as necessary to replace and relocate the existing flow meter. 6. Coordination with the construction of two (2) monitoring wells. Award is being recommended to the low responsive and responsible bidder, Carr & Collier, Inc., in the lump sum price of \$1,189,307 who complied with all terms, conditions, and specifications stated in the RFB.			
Additional Analysis			
Fiscal Impact Summary			
The fiscal impact of \$1,189,307 is included in the current year approved budget. Department Account Code No.: 44535-66201-35114			
Fiscal Impact	Fund Number and Description	Available Budget Amount	
Exhibits Attached (copies of original agreements)			

1.	RFB 20-028 Response Tabulation	RFB 20-028 Response Tabulation.pdf
2.	RFB 20-028 Award Recommendation	RFB 20-028 Award Recommendation.pdf



RESPONSE TABULATION

RFB 20-028, EAST SIDE WATER RECLAMATION FACILITY RIBS RERATE RE-BID
DUE DATE/TIME: JULY 23, 2020 AT 2:00 P.M. (EST)

COMPANY NAME	BID BOND	ADDN. 1	ADDN. 2	LUMP SUM PRICE
Carr & Collier, Inc. – Leesburg, FL	Y	Y	Y	\$1,189,307.00
Boykin Construction, Inc.– Minneola, FL	Y	Y	Y	\$1,238,233.60
Intercounty Engineering, Inc. – Pompano Beach, FL	Y	Y	Y	\$1,302,872.43
Prime Construction, Inc. – Orlando, FL	Y	Y	Y	\$1,384,000.00
Providence Construction & Development Company – Apopka, FL	Y	Y	Y	\$1,412,385.00



FREDDY L. SUAREZ
Procurement Services Director
352-241-7350
fsuarez@clermontfl.org

AWARD RECOMMENDATION

AUGUST 13, 2020

RFB 20-028 – EAST SIDE WATER RECLAMATION FACILITY RIBS RERATE RE-BID

Based on the evaluation of the bid submittals, the Procurement Services Department is recommending award to the low responsive and responsible bidder, Carr & Collier, Inc., in the lump sum price of \$1,189,307.



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, August 25, 2020		
Agenda Item Name		
Dispatch Services Agreement		
Requested Action		
Recommend to approve the Lake County Sheriff's Office dispatch services renewal from October 1, 2020 to September 30, 2021 in the budgeted amount of \$488,733.80 for the one year term.		
Staff Report		
Renewal of Law Enforcement dispatch services provided by the Lake County Sheriff's Office from October 1, 2020 to September 30, 2021 in consideration for \$488,733.80 for the one year term.		
Additional Analysis		
Fiscal Impact Summary		
The fiscal impact of \$488,733.80 is included in the proposed FY 2021 budget.		
Department Account Code: 10521-53400		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. LCSO Dispatch Services Agreement	LCSO Dispatch Services Agreement.pdf	

**RENEWAL OF LAW ENFORCEMENT DISPATCH
SERVICES AGREEMENT**

This Renewal of Law Enforcement Dispatch Services Agreement (hereinafter RENEWAL) is made and entered into by and between Peyton C. Grinnell, as Sheriff of Lake County, Florida, a constitutional officer of the State of Florida (hereinafter SHERIFF) and The City of Clermont, a municipal corporation existing pursuant to the laws of the State of Florida, its successors and assigns through its City Council (hereinafter CITY) (collectively the CITY and the SHERIFF hereinafter the PARTIES).

WITNESSETH:

WHEREAS, the PARTIES entered into that certain 2010 – 2015 Law Enforcement Dispatch Services Agreement (hereinafter the AGREEMENT) on August 26, 2010 for the rendition of law enforcement dispatch services;

WHEREAS, section 9 of the AGREEMENT provided for subsequent renewal of the AGREEMENT between the PARTIES subject to negotiations of relative terms, conditions, and consideration; and

WHEREAS, the PARTIES mutually desire to renew the AGREEMENT for a subsequent one (1) year term based upon agreed upon terms.

NOW THEREFORE, in consideration of the mutual promises, covenants, conditions and payments hereinafter contained, the PARTIES agree as follows:

1. Recitals. The above recitals are true and correct and incorporated herein.

2. Law Enforcement Dispatch Service. The SHERIFF shall continue provide to the CITY, for the term indicated or as it may be extended in accordance with the provisions of this RENEWAL, competent professional law enforcement dispatch services within and throughout the corporate limits of the CITY under the authority given the SHERIFF by the laws of the State of Florida, by providing police dispatch service each day of the year on a twenty-four (24) hour per day basis from October 1, 2020 to September 30, 2021.

3. Consideration. The CITY shall pay to the SHERIFF the following sums in consideration of the services and responsibilities to be performed during the term of this RENEWAL:

- a. The sum of at least Four Hundred Seventy Seven Thousand Forty Five Dollars and Twenty Cents (\$477,045.20) each year for the 1 year term of this contract for salaries and benefits for eight (8) dispatchers employed by the SHERIFF.

This sum shall be payable in advance in quarterly payments as follows:

- i. One Hundred Nineteen Thousand Two Hundred Sixty One Dollars and Thirty Cents (\$119,261.30) to be paid on or before October 1st of 2020;
- ii. One Hundred Nineteen Thousand Two Hundred Sixty One Dollars and Thirty Cents (\$119,261.30) to be paid on or before January 1st of 2021;
- iii. One Hundred Nineteen Thousand Two Hundred Sixty One Dollars and Thirty Cents (\$119,261.30) to be paid on or before April 1st of 2021;
and
- iv. One Hundred Nineteen Thousand Two Hundred Sixty One Dollars and Thirty Cents (\$119,261.30) to be paid on or before July 1st of 2021.

- b. Additional sums for needed dispatch equipment. Any equipment purchased hereunder is and shall remain the SHERIFF'S property. The PARTIES further agree that the SHERIFF reserves the right to determine when the dispatch equipment is to be purchased. The sum of Eleven Thousand Six Hundred Eighty Eight Dollars and Sixty Cents (\$11,688.60) is to be paid on or before October 1, 2020.
4. Appointment of Personnel. The SHERIFF shall retain and/or hire said dispatchers as employees of the SHERIFF to provide adequate and professional service as he sees fit and proper. All benefits, training and promotional opportunities for such persons shall be provided by the SHERIFF. The CITY shall not be required to assume any liability for direct payment for any salaries, wages or other compensation, contributions to pension funds, insurance premiums, workers compensation funds, vacation or compensatory time, sick leave benefits, or any other amenities or employment to any personnel of the SHERIFF performing the services, duties and responsibilities pursuant to this RENEWAL for the benefit of the CITY and its residents or any other liabilities whatsoever unless otherwise specifically provided herein. However, the CITY shall remain responsible for any and all damages, actions, suits, claims and demands of whatsoever kind made by or on behalf of any person or entity which are alleged to have arisen out of, in connection with, or by reason of all law enforcement services and administrative actions taken by the CITY'S Police Department and the CITY prior to the inception of this RENEWAL and the AGREEMENT. Nothing contained in this RENEWAL shall be construed to limit or modify the provisions of law for the

sovereign immunity of the SHERIFF or the CITY, including but not limited to Chapter 768, Florida statute as it applies to the CITY and to the SHERIFF.

5. Performance of Services by SHERIFF. The SHERIFF shall have and maintain the responsibility for the control and rendition of all law enforcement services, duties and responsibilities described and contemplated in this RENEWAL. Nothing in this RENEWAL shall be construed to mean that the CITY is contracting away its constitutional authority. Furthermore, the SHERIFF shall designate a radio channel as the communications channel for the Clermont Police Department to use and no other agency shall use said channel unless emergency and/or exigent circumstances exist where utilization of the channel is for the safety of any deputy or officer. The PARTIES agree that the determination of the CITY to provide police dispatch services by this RENEWAL is an exercise of the legislative planning function of the CITY and that at no time shall the CITY exercise any specific operational control over the activities of any of the telecommunicators, their supervisors, deputy sheriffs or other personnel of the SHERIFF nor shall the CITY perform or undertake any acts that are over and above a planning level function with regard to the administration of law enforcement dispatch services within the CITY during the term of this RENEWAL.
6. Sovereign Immunity. The SHERIFF and the CITY are state agencies or political subdivisions as defined in §768.28, Fla.Stat., and agree to be fully responsible for acts and omissions of their own agents or employees to the extent permitted by law. Nothing herein shall operate as a waiver of the PARTIES' sovereign immunity pursuant to the Florida Constitution and §768.28, Fla.Stat. There are no intended third party beneficiaries to this agreement, and nothing herein shall be construed to grant any

person, firm, or other entity which is not a signatory to this RENEWAL any rights, benefits, or privileges to rely on or demand performance of any provision of this RENEWAL.

7. Liability Insurance For Official Acts. The personnel appointed and employed by the SHERIFF shall be covered in all respects, as are other members of the SHERIFF'S office either through the SHERIFF'S self-insurance fund or through a private company with comparable coverage.
8. Term. This RENEWAL shall take effect on the October 1, 2020 and shall terminate at midnight on September 30, 2021 regardless of the dates on which this agreement is signed by the PARTIES.
9. Renewal. For and in consideration of the mutual benefits herein contained, the sufficiency of which is hereby acknowledged it is agreed between the PARTIES that the SHERIFF and the CITY may extend the term of this RENEWAL past September 30, 2021 subject to negotiations relative to the terms, conditions and consideration between the PARTIES. If the PARTIES elect to extend this RENEWAL, an agreement to do so shall be executed by the PARTIES ninety (90) days prior to September 30, 2021 or later as scheduling may permit.
10. Governing Law. This RENEWAL and all of the rights and obligations of the PARTIES hereto shall be governed both procedurally and substantively by and construed according to the laws of the State of Florida. The PARTIES further agree that venue regarding the rights and obligations of either party under this RENEWAL and any litigation resulting therefrom, whether by arbitration or otherwise, shall lie exclusively in the Fifth Judicial Circuit Court in and for Lake County, Florida.

11. Notices.

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

SHERIFF

CITY

Peyton C. Grinnell, Sheriff
Lake County Sheriff's Office
360 West Ruby Street
Tavares, FL 32778

Darren Gray, City Manager
City of Clermont
685 W. Montrose Street
Clermont, FL 34711

- b. All notices required, or which may be given hereunder shall be considered properly given if: (1) personally delivered, (2) sent by certified United States Mail, return receipt requested, or (3) sent by private overnight letter delivery company.
- c. The effective date of such notices shall be the date personally delivered, or if sent by mail, the date of the postmark, or if sent by overnight letter delivery company, the date the notice was picked up by the overnight letter delivery company.
- d. The PARTIES may designate other parties or addresses to which notice shall be sent by notifying, in writing, the other party in the manner designated for the filling of notice hereunder.

12. Amendments. No modification, amendment or alteration of the terms or conditions contained herein shall be effective unless contained in a written document by the PARTIES with the same formality and of equal dignity of this RENEWAL.

13. Entire Agreement. This document incorporates and includes all prior negotiations, correspondence, conversations, agreements, or understandings applicable to the matters contained herein, and the PARTIES agree that there are no commitments, agreements or understandings concerning the subject matter of this RENEWAL that are not contained in this document. Accordingly, it is agreed that no deviation from the terms hereof shall be predicated upon any prior representations or agreements whether oral or written.

IN WITNESS WHEREOF, the PARTIES have made and executed this RENEWAL on the respective dates under each signature. The CITY, through its City Council, signing by and through its City Manager, authorized to execute same by council on the _____ day of _____, 2020, and Peyton C. Grinnell, as SHERIFF of Lake County, Florida.

CITY

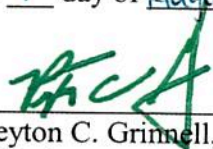
On this ____ day of _____, 2020

BY: _____

Gail Ash, Mayor,
City of Clermont

SHERIFF

On this 4th day of August, 2020

BY:  _____
Peyton C. Grinnell, as Sheriff
of Lake County, Florida

Attest:

Tracy Ackroyd Howe, City Clerk



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date	
Tuesday, August 25, 2020	
Agenda Item Name	
Single Source Purchase and Budget Amendment	
Requested Action	
Recommend to approve single source purchase from Pileum Corporation to acquire body worn cameras for the Police Department in the total amount of \$440,500 and budget amendments (General Fund, Infrastructure Fund, and Police Impact Fund) in the amount of \$220,250 for the current FY.	
Staff Report	
The Procurement Services Department and the Police Department recommend approval of the above action. In accordance with the direction of City Council, the Procurement Services Department issued a Request for Interest (RFI) number 2007-001 to verify whether the specifications for the commodity specified are non-restrictive and capable of being met by more than one company. The City of Clermont Procurement Services Policy provides that a purchase may be made without competition when there is only one source for the required product or service. Therefore a single/sole source purchase is justified if there is only one product of service that can reasonably meet the City's need and there is only one company that can provide such product or service. The RFI was posted on the City's website for seven (7) business days. At the completion of the RFI, the Procurement Services Department received no interest. Based on this, staff recommends that Council approve the single/sole source purchase. The purchase of these body worn cameras will help police officers automatically record and capture arrests, evidence from crime scenes, criminal behavior and interactions with the public. The cameras will demonstrate transparency with our community and are consistent with good sense police reform. Body Cameras will eventually be standard equipment for law enforcement. The fiscal impact of \$220,250 for the first year is not included in the current year approved budget, therefore a budget amendment of \$220,250 is recommended. The initial term of the contract is for one year with the total cost of \$220,250 and four additional years of software support and equipment maintenance at \$55,062.50 per year for a total amount of \$440,500.00.	
Additional Analysis	
Fiscal Impact Summary	
The current year FY 2020 approved budget does not include budgeted funds for this acquisition. A budget amendment to the below listed funds in the amount of \$220,250 is recommended. The funding was originally included in the FY 2021 proposed budget	

10521-66401-21901 Restricted Federal Treasury Funds \$50,000
 10521-66401-21902 Restricted State Confiscation \$50,000
 15521-66401 Capital Equipment – Police Impact \$74,000
 12521-66401 Capital Equipment – Infrastructure \$46,250

The budget amendments will impact the General Fund in the amount of \$100,000, Police Impact Fund in the amount of \$74,000, and the Infrastructure Fund in the amount of \$46,250 for the total reduction from reserves in the amount for \$220,250.

Fiscal Impact		Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)			
1.	Police Body Camera Quote	Police Body Camera Quote.pdf	
2.	Approved Single Source	Approved Single Source.pdf	
3.	RFI 2007-001	RFI 2007-001.pdf	



We have prepared a quote for you

CPD - BodyWorn + Rocket Bundle - Incentive Pricing -
2020-8-10

[Quote # 044615](#)
[Version 4](#)

Prepared for:

Clermont (FL) Police Department

[John Graczyk](#)
jgraczyk@clermontfl.org

Products

Item	Description	Price	Qty	Ext. Price
	BodyWorn and Communications (Rocket)			
BWC-H-4001	HD Body Camera, \$200 Uniform Allotment, BlueTooth, Holster Sensors, Rocket In-Car Router and Locker, Vehicle Triggers, Range Boosting Antenna, Installation, Training	\$2,300.00	60	\$138,000.00
BWC-S-4005	5YR - Unlimited Pro Plan BodyWorn and Communications - AVailWeb and SmartRedaction SaaS, Training and Configuration, Warranty and Technical Support with Unlimited Video Storage and Download	\$6,000.00	60	\$360,000.00
CRED-BWC-H-4001	Credit for Equipment for 5 Year Incentive Pricing	(\$1,000.00)	60	(\$60,000.00)
	Additional Equipment			
RIOT-SWP-2001	Yard SmartWay Point - Yard router for high speed video/media upload	\$2,500.00	1	\$2,500.00

Subtotal: \$440,500.00

190 East Capitol St., Suite 175
Jackson, MS 39201
www.pileum.com
1 (888) 974-5386



CPD - BodyWorn + Rocket Bundle - Incentive Pricing - 2020-8-10

Prepared by:

Pileum Corporation
Sonny Beneke
601-863-0307
Fax 601-510-9718
sonnybeneke@pileum.com

Prepared for:

Clermont (FL) Police Department
3600 S Hwy 27
Clermont, FL 34711
John Graczyk
jgraczyk@clermontfl.org
(352) 536-8408

Quote Information:

Quote #: 044615
Version: 4
Delivery Date: 08/13/2020
Expiration Date: 08/31/2020

Payment Schedule

Description	Amount
Year 1 - 50% of Total Project	\$220,250.00
Year 2 - 12.5% of Total Project	\$55,062.50
Year 3 - 12.5% of Total Project	\$55,062.50
Year 4 - 12.5% of Total Project	\$55,062.50
Year 5 - 12.5% of Total Project	\$55,062.50

Total: \$440,500.00

Taxes, shipping, handling and other fees may apply. We reserve the right to cancel orders arising from pricing or other errors.

Signature _____

Date _____

Pileum - Payment Terms

- Year 1 – 50% due upon delivery of hardware, 40% due upon completion of deployment and training, and 10% due upon final acceptance.
- Year 2 – 5 – Full amount due upon mutually agreed upon anniversary date.
- 5 Year Deal eligible for body camera hardware refresh after 37 months.
- Qty. 6 Retrofits of Standard Uniforms will be allowed per BWC purchased on a Multi-Year Contract.
- Once order has been submitted and processed by Pileum Corporation, a restocking fee may apply if customer decides to cancel the order. Please note that this document is a sales quotation and not an invoice. An invoice will be sent upon delivery of items and/or services ordered. Payment is due upon receipt of invoice. A 1% per month interest charge begins at 30 days.

Signature: _____

Printed Name: _____

Title: _____

Date: _____

Pileum - New Terms and Conditions

Terms and Conditions for BodyWorn

T-1. CONTRACT

This Sales Contract (hereinafter Agreement) is entered into by and among Pileum Corporation (hereinafter SELLER), Utility Associates Inc. (hereinafter MANUFACTURER) and Clermont Police Department (hereinafter BUYER). The Terms and Conditions and order information set forth in this document or incorporated by reference and any modification made pursuant to it shall constitute the complete and exclusive written expression of the terms and conditions of the agreement between the parties, and supersedes all prior or contemporaneous proposals (oral or written), understandings, representations, conditions, warranties, covenants, and all other communications between the parties relating to the subject matter of this contract. The terms and conditions of this Agreement as set out herein may not in any way be explained or supplemented by a prior or existing course of dealings between the parties by any usage of trade or custom, or by any prior performance between the parties pursuant to this contract or otherwise and may not be modified in any way by any subsequent orders, proposals, acknowledgments, or other communications which relate to said order, unless specifically agreed in writing by BUYER, SELLER and MANUFACTURER. Neither SELLER nor MANUFACTURER is responsible for typographical errors made in any of its publications, or for stenographic or clerical errors made in preparation of quotations, acknowledgments, or specifications. All such errors are subject to correction. All prices are based on the quantity and delivery shown on the quotation or acknowledgment.

T-2. LIMITED WARRANTY

Products sold by SELLER pursuant to this Agreement have been manufactured by MANUFACTURER and accordingly are warranted by MANUFACTURER at time of shipment to be free from defects in material and workmanship under normal use and service. This warranty is only applicable to any of MANUFACTURER's products which BUYER returns to MANUFACTURER within one (1) year from the date of initial delivery, and which MANUFACTURER determines to be defective within the terms of this warranty. Products are warranted by MANUFACTURER at time of shipment to be free from defects in material and workmanship under normal use and service. MANUFACTURER'S obligations, with respect to such applicable warranty returns, are limited to repair, replacement, or refund of the purchase price actually paid for the product, at MANUFACTURER's sole option. MANUFACTURER shall bear round-trip shipment costs of defective Items found to be covered by this warranty. Defective Products or parts thereof may be replaced with either new, factory refurbished, or remanufactured parts. Defective parts, which have been replaced, shall become the MANUFACTURER's property. This warranty does not extend to any MANUFACTURER product which has been subjected to misuse, neglect, accident, improper installation, or a use for purposes not included or not in accordance with operational maintenance procedures and instructions furnished by MANUFACTURER, or which has been repaired or altered by BUYER or persons other than MANUFACTURER or which has been damaged by secondary causes, including but not limited to, improper voltages, adverse environment conditions, improper signals, or products which have had their serial number or any part thereof altered, defaced, or removed. MANUFACTURER liability does not cover normal wear and tear or deterioration. THE FOREGOING WARRANTY IS IN LIEU OF ALL OTHER WARRANTIES, INCLUDING, BUT NOT LIMITED TO, WRITTEN, EXPRESS, IMPLIED OR STATUTORY WARRANTIES. IMPLIED WARRANTIES OF FITNESS FOR A PARTICULAR PURPOSE AND MERCHANTABILITY AND DESIGN WARRANTIES ARE SPECIFICALLY EXCLUDED AND SHALL NOT APPLY.

T-3. LIMITATION OF LIABILITY

IN NO EVENT WILL SELLER BE LIABLE FOR ANY SPECIAL, INCIDENTAL OR CONSEQUENTIAL DAMAGES INCLUDING, BUT NOT LIMITED TO, DAMAGES RESULTING FROM LOSS OF PROFIT OR REVENUE, INSTALLATION OR REMOVAL COSTS OR COSTS OF SUBSTITUTE PRODUCTS. BUYER AGREES THAT ANY BASIS FOR IMPOSING ANY LIABILITY ON SELLER FOR PROPERTY DAMAGE, PERSONAL INJURY, OR DEATH, OR LEGAL EXPENSES RELATING TO THE SALE OR USE OF SELLER'S PRODUCTS SHALL BE VOID AND UNENFORCEABLE TO THE EXTENT NOT PROHIBITED BY LAW. THE TOTAL LIABILITY OF SELLER ON ANY CLAIM, WHETHER IN CONTRACT, TORT (INCLUDING NEGLIGENCE) OR OTHERWISE, ARISING

Initials: _____

OUT OF, CONNECTED WITH OR RESULTING FROM THE MANUFACTURE, SALE, DELIVERY, RESALE, REPAIR, REPLACEMENT OR USE OF ANY PRODUCT WILL NOT EXCEED THE PRICE PAID FOR THE PRODUCT OR PART THEREOF WHICH GIVES RISE TO THE CLAIM. BUYER AGREES TO HOLD SELLER HARMLESS FROM ALL LIABILITIES AND CLAIMS ARISING FROM USE OF SELLER'S PRODUCT.

T-4. DELIVERY

The shipment date set out herein is SELLER's best estimate of the time material will be shipped from MANUFACTURER, and neither SELLER nor MANUFACTURER assumes any liability for loss, damage, or consequential damages due to delays for any reason. In no way shall SELLER be bound to a firm shipment or delivery date, regardless of the wording in the BUYER's order, except if expressly agreed to in writing by SELLER.

T-5. SHIPMENTS

All shipments are F.O.B. MANUFACTURER's warehouse. SELLER assumes no liability for loss, delay, breakage, or damage after delivering packaged products in good order to the carrier. All risks of loss transfer to the BUYER upon delivery of the goods to the carrier at the F.O.B. point. All transportation and shipment costs are the sole liability of the BUYER.

T-6. ACCEPTANCE

Final acceptance or rejection of the goods to the contractual requirements shall be at MANUFACTURER's warehouse in accordance with MANUFACTURER's standard acceptance procedure within thirty (30) days after written notice to BUYER of acceptance test schedule. Title shall pass to the BUYER upon acceptance of each line item at MANUFACTURER's warehouse. Upon acceptance of each unit of goods, BUYER waives any right to revoke such acceptance for any reason, whether known or unknown to BUYER at the time of acceptance. BUYER's sole and exclusive remedy regarding any defect or nonconformance becoming apparent in the goods after such acceptance shall be as set out in Clause T-2 hereof entitled WARRANTY.

T-7. FORCE MAJEURE

In no event shall SELLER or MANUFACTURER be liable for any losses or damages (including incidental or consequential damages), delays or defaults occasioned by: (1) acts of God or of a public enemy, (2) acts of the United States or any state or political subdivision thereof, (3) fires, floods, explosions or other catastrophes, (4) epidemics and quarantine restrictions, (5) strikes, slowdowns or labor stoppages of any kind, (6) freight embargoes, (7) unusually severe weather (8) delays of a supplier, or (9) causes beyond the control of SELLER or MANUFACTURER.

T-8. TERMINATION

In the event of termination of all or any part of the order by BUYER or SELLER prior to completion of performance hereunder, SELLER shall be entitled to the amount owed as of the date of termination, which is calculated based on the total project value less the pro-rated amount to be refunded. The amount refunded is calculated as a percentage of time remaining on the original contract.

T-9. PATENTS, TRADEMARKS, AND COPYRIGHTS

None of the MANUFACTURER's patent, trademark, copyright, or trade secret rights is transferred to BUYER other than the right to use products manufactured by MANUFACTURER and supplied by Seller in the normal course of its business.

Initials: _____

T-10. BUYER'S DATA

BUYER agrees that all data furnished in conjunction with its order together with any information furnished orally shall be free from proprietary or confidentiality restriction except as otherwise agreed in writing by SELLER.

T-11. PRICE, QUANTITY AND TAXES

The prices and quantities set out herein represent the quantity information contained in BUYER's order to SELLER, and SELLER's agreed-to-price therefore, and shall be controlling. In case of dispute, both parties shall in good faith seek to reach agreement in accord with the original agreed-to-order. BUYER agrees to pay all applicable federal, state and local revenue, excise, sales, use or similar taxes. BUYER, at SELLER's discretion, shall provide SELLER with a suitable tax-exempt certificate acceptable to the taxing authorities.

T-12. CHANGES

Any changes by BUYER relating to the work to be performed, method of shipment or packing, schedule, or place of delivery must be made by written order to SELLER. If such changes cause an increase or decrease in the cost of performance or in the time required for performance, SELLER shall be entitled to an equitable adjustment and the contract shall be modified accordingly prior to implementation of the change.

T-13. TERMS OF PAYMENT

Payment is due thirty (30) days from the date of shipment, contingent upon credit approval, unless otherwise specified on the invoice. Each shipment shall be considered a separate and independent transaction and therefore payment shall be made accordingly without any setoff. If shipments are delayed by or at the request of BUYER, Amounts outstanding and unpaid beyond the time specified in these terms may, at the sole discretion of the SELLER, accrue interest at 1.5% per month for the duration of the unpaid balance. Orders for custom or special products and/or services are irrevocable and may require advance payment. Failure of BUYER to make payments shall be grounds for SELLER to delay shipment, place the BUYER on Credit Hold or terminate the contract in whole or in part.

T-14. LETTER OF CREDIT

SELLER shall not be obligated to provide a letter of credit or other form of contract guarantee for payments received prior to final delivery.

T-15. ASSIGNMENT

Neither this contract nor any interest herein may be assigned by BUYER, either voluntarily or by operation of law without the prior written consent of SELLER. No consent shall be deemed to relieve BUYER of its obligations to fully comply with the requirements hereof. SELLER may, without BUYER's consent, assign any monies due or to become due hereunder.

T-16. JURISDICTION

This contract shall be governed by and construed according to the Laws of the State of Georgia, and exclusive jurisdiction and venue shall lie in the courts of the State of Georgia.

T-17. MERCHANDISE AND CLAIM TERMS

Orders cancelled by BUYER will be subject to a cancellation charge not to exceed 20% of the value of the cancelled order, at SELLER's discretion.

Initials: _____

T-18. RETURNED GOODS

No merchandise will be accepted for return without written authorization. All returns must be unused, undamaged, in the original factory carton, and accompanied by a "Return Material Authorization" (RMA) number and a copy of the SELLER invoice. Restocking charges apply to returned goods depending upon the circumstances of return and condition of product. All returned goods must be shipped prepaid, insured, and properly packed and the RMA number must be referenced on all correspondence and must be visible on the exterior of the carton.

T-19. GENERAL

MANUFACTURER reserves the right to make changes in design, at any time, without incurring any obligations to provide same on units previously purchased or to continue to supply obsolete units or parts. The invalidity in whole or in part of any provision of this Agreement shall not affect the validity of other provisions. The failure of either party to insist, in any one or more instances, upon the performance of any term or terms of this order shall not be construed as a waiver or relinquishment of that party's right to such performance or to future performance of such a term or terms, and the other party's obligation in respect hereto shall continue in full force and effect.

SELLER specifically rejects and objects to BUYER issuance of any unilateral order not in full compliance and agreement with these SELLER Terms and Conditions of Sale, except if expressly agreed to in writing by SELLER.

Signature: _____

Printed Name: _____

Title: _____

Date: _____

SOLE SOURCE JUSTIFICATION

(Requester must complete Sections A and B and attach copy of sole source letter)

SECTION A - SOLE SOURCE PURCHASE:Complete if sole source purchase is \$1,000 or over, AND competition is not available. Sole Source approvals are valid one year from approval date, unless specified elsewhere.

Supplies/Services Required (be specific):

Bodyworn Cameras with Rocket in-car Routers

Company Name: Pileum

Employee Name: Shane Strickland

Ph: 352-536-8408

Requested by: Shane Strickland

Dept.: Police

Department Director: Chief Charles Broadway

Dept.: Police

Check One: The requested item/service is a sole source procurement due to:

AVAILABILITY/ONE OF A KIND:

No competitive product exists or is available from another vendor.

COMPATIBILITY:

Must match existing piece or brand of equipment and is available from only one vendor.

REPLACEMENT/MAINTENANCE:

Repair or maintenance for specific brand of existing equipment is available from only original equipment manufacturer or designated service dealer.

OTHER:☒ Provide below full explanations, details, complete descriptions, and relevant reasons to support the sole source justification:

This product includes features, specifically their "officer down" feature that is not available by other manufacturers.

SECTION B - REQUESTER CERTIFICATION:

By submitting this request, I certify that the above justification/information is accurate and complete to the best of my knowledge and that I have no personal interests relative to this request.


(Signature of Requester)7/15/2020
(Date)
(Signature of Department Director)7/15/20
(Date)**SECTION C - TO BE COMPLETED BY THE PURCHASING DIRECTOR:**

Based on the information provided in Section A and attached supporting documents,

I concur ☒ / do not concur ☐ (see below) with purchase to be a Sole Source.

Do not concur for the following reason(s):


(Signature of Purchasing Director)7-26-20
(Date)



7/13/20

Chief Charles Broadway
Clermont Police Department
3600 S. Highway 27
Clermont, FL 34711
(352) 394-5588

Dear Chief Broadway,

Utility, Inc. is the only manufacturer that designs a fully integrated AVL & GIS Software, Body, Vehicle Video, and Mobile Router Communications system. Agencies normally utilize four separate vendors to provide similar capabilities to the Utility Rocket IoT & BodyWorn Solution. In contrast, Utility has incorporated video, AVL, mobile communications, emergency response and life safety notifications into one holistic offering. It is the only system of its kind on the market and there are no comparable market alternatives that meet the specifications set forth in this letter. Accordingly, the product has met the criteria set by most Nationwide Law Enforcement Agencies for a sole source procurement methodology.

Referenced in this letter are the components of the Officer and Vehicle Ecosystem. These are the (1) Rocket IoT™, our in-vehicle video and communications system, (2) BodyWorn™, the Body Camera system, and (3) AVailWeb™, the video evidence software management and AVL/GIS software system.

The Rocket IoT™ offers the following unique capabilities to your Department:

- CJIS compliant Video Evidence Vault secured within the vehicle for both In-Car and BodyWorn video, thereby avoiding unnecessary delays for access to video, protection of the chain of custody of data, and avoidance of unnecessary offload docking hardware and associated cost/time to the Department.
- Automated Policy-Based BodyWorn and In-Car video recording
- Fully integrated Body and Vehicle video, meaning multiple Officer / Vehicle video sources are viewable, searchable, and exported simultaneously
- Speed and Signal Boosting Internet connectivity (Wi-Fi/Cellular Hotspot) for all vehicle computing devices, including the MDC
- Unlimited range for the Body Microphone

The BodyWorn™ system offers the following unique capabilities to your Department:

- A Smart Computer for high definition body camera video recording, viewing, and classification directly on the device.
- A patented uniform integrated mounting design that ensures secure mounting and stable video collection
- Over the air policy updates – meaning a device never needs to be docked to receive recording policy changes and important updates to the device firmware.
- Two-way enhanced communications for receipt and transmission of:
 - Amber, Silver, Be on the Lookout (BOLO) messages with suspect information and images
 - Automated video offload from the field via Wi-Fi and/or Cellular means, based on video priority

- Potentially lifesaving "Officer Down" alerts, with the real-time location of a downed Officer to alert resources in the vicinity, Supervisors, Command Staff, dispatch, and other assigned users.
- Ability to activate video automatically during a physical altercation or when a sidearm is unholstered. This is the only automatic trigger on the market that initiates a recording when an Officer deploys their firearm, while reporting to an AVL system to coordinate support resources.
- Live video streaming from active BodyWorn Cameras to dispatch or other authorized users.

The AVaiLWeb™ evidence software offers the following unique capabilities to your Department:

- CJIS compliant secure video evidence that is web accessible, requires no servers and installation disks to run, and remains updated with the latest technology for the duration of your agreement with Utility Inc. at no additional cost.
- A full AVL software to monitor the location and health of all field assets, including Officers and Vehicles, in an easy to use map-based interface.
- GPS, Geo-fence policy-based recording triggers to activate recordings at major public gatherings, sporting events, festival, and during emergency situations like active shootings.
- Computer Aided Dispatch (CAD) Integration that triggers cameras upon entry to a geographic action zone, and imports CAD information directly into the responding Officer's Body and Vehicle video file.
- Automated SmartRedaction™ built directly into the Evidence Management software for ease of access and processing/sharing redacted videos
- Smart Holster™ Technology activates the BodyWorn system upon deployment of a firearm from its holster and can send an alert to Dispatch as well as all other Officers in a pre-defined radius.

Utility's Rocket IoT™ and BodyWorn™ are the first and only policy-based recording devices that can be intelligently activated based upon the industry's largest suite of customizable recording triggers and updated over the air as recording policies evolve.

The Utility Evidence Ecosystem capabilities listed above comprise a unique feature set and fall under Utility Inc.'s intellectual property rights and proprietary protocols, and are therefore, currently only available from the manufacturer, Utility Inc.

This letter documents that Utility Inc. is the sole entity with the authority, access, and ability to provide enhancements, upgrades, and warranty support for its hardware and software products to agencies.

Please contact me at (678) 799-0640 should you have any questions with regard to our products and services.

Sincerely,



Vincent Chiera Jr.
 Manager - Inside
 Sales
 M: (678) 799-0640
vchiera@utility.com
 Utility Associates,
 Inc.



August 12, 2020

To Whom it May Concern:

The purpose of this letter is to confirm that Pileum Corporation, located in Jackson, Mississippi, is the only authorized and active reseller of services and products for Utility Associates.

Please feel free to contact me with any questions or comments concerning the relationship between Utility Associates, Inc. and Pileum, Corporation.

Best regards,

A handwritten signature in black ink that reads 'Mark Wood'.

Mark Wood
National Sales Director
mwood@utility.com
317-538-6232



REQUEST FOR INFORMATION

Justification of Sole Source Acquisition from Pileum

CONTACT INFORMATION:	RFI No. 2007-001	ISSUED DATE: <i>July 15, 2020</i>
Ramsey Gross, MPA Senior Procurement Agent EMAIL: rgross@clermontfl.org Phone: (352) 241-7350	NOTICE OF INTENT TO SOLE SOURCE PURCHASE NOTICE END DATE: <u>July 23, 2020@ 2:00 P.M. (EST)</u> DEADLINE FOR WRITTEN QUESTIONS: <u>Not Applicable</u>	

SOLICITATION RESPONSE: Responses will be received until the notice end date specified above or as otherwise amended. No late responses will be accepted.

Responses may be submitted electronically to the Purchasing Director by email.

Hardcopy responses may be delivered to: City of Clermont Purchasing Department, 685 West Montrose Street, 2nd Floor, Clermont, FL 34711.

This Request for Information (RFI) is intended to verify whether the specifications for the commodity specified below are non-restrictive and capable of being met by more than one company. **This is not an invitation to submit a bid or quote.** This notice will be posted for seven (7) business days.

The City of Clermont Purchasing Policy provides that a purchase may be made without competition when there is only one source for the required product or service. Therefore a "single/sole source" purchase is justified if there is only one product or service that can reasonably meet the City's need and there is only one company who can provide such product or service.

1 – SOLE SOURCE INFORMATION

(a) Department: Police Department

(b) Company Information: Pileum

(c) Product or Service Provided: BodyWorn Cameras with Rocket in-car Routers.

(d) Sole Source Justification: This product includes features, specifically their "officers down" feature that is not available by other manufacturers.

2 – ACTION TO BE TAKEN

No action is required if you agree the proposed purchase is a valid sole source. If you disagree that the proposed purchase is a valid sole source, please contact the Purchasing Director by email or by mail prior to the “Notice End Date” indicated above to advise whether your company can provide the product or service mentioned above.

Prospective respondents are requested to provide information regarding their ability to provide the product or service described. **Respondents are not to provide pricing.** All responses will be evaluated by the Purchasing Department and the Department requesting the product or service which will be the sole determining power in establishing the approved equal status of the commodity offered by the respondent.



7/13/20

Chief Charles Broadway
Clermont Police Department
3600 S. Highway 27
Clermont, FL 34711
(352) 394-5588

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Referenced in this letter are the components of the Officer and Vehicle Ecosystem. These are the (1) Rocket IoT™, our in-vehicle video and communications system, (2) BodyWorn™, the Body Camera system, and (3) AVAILWeb™, the video evidence software management and AVL/GIS software system.

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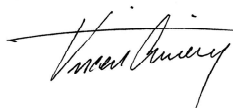
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This letter documents that Utility Inc. is the sole entity with the authority, access, and ability to provide enhancements, upgrades, and warranty support for its hardware and software products to agencies.

Please contact me at (678) 799-0640 should you have any questions with regard to our products and services.

Sincerely,



Vincent Chiera Jr.
 Manager - Inside
 Sales
 M: (678) 799-0640
vchiera@utility.com
 Utility Associates,
 Inc.



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, August 25, 2020		
Agenda Item Name		
Resolution No. 2020-51R		
Requested Action		
Request approval of Resolution No. 2020-51R to amend the FY 2020 Budget.		
Staff Report		
Resolution No. 2020-51R is proposed to amend the FY 2020 Budget. The resolution formally amends the annual budget primarily for adjustments made during the FY 2021 budget process and carryforwards from 2019.		
Additional Analysis		
Fiscal Impact Summary		
Total increase/decrease to fund balance for all funds is \$519,506.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Resolution No. 2020-51R 8-25-20 Resolution No. 2020-51R 8-25-20.pdf		

**CITY OF CLERMONT
RESOLUTION NO. 2020-51R**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CLERMONT, LAKE COUNTY, FLORIDA, AUTHORIZING BUDGET
AMENDMENTS FOR THE CITY OF CLERMONT FOR FISCAL YEAR
2019-2020**

WHEREAS, it is hereby found and determined by the City Council of the City of Clermont, Lake County, Florida, that the following budget amendments are necessary for the Fiscal Year October 1, 2019 to September 30, 2020:

GENERAL FUND

- | | | |
|--|----|--------|
| 1. Increase Election (10511-54915) | \$ | 786 |
| To amend the City Clerk Department budget to partially fund additional election costs related to refilling City Councilmember Seat 4. | | |
| 2. Increase Commercial Insurance (10519-54500) | \$ | 6,891 |
| Increase Software Renewals/Support (10519-55219) | \$ | 5,453 |
| To amend the General Government Department budget to fund commercial insurance premiums and software costs related to the archiving platform. | | |
| 3. Decrease Restrict Current Year Budget (10542-56999) | \$ | 13,130 |
| To amend the Public Works Department budget to reduce operating expenses as a result of the economic impact from COVID – 19. | | |
| 4. Increase Capital Outlay – Network (10561-66406) | \$ | 22,710 |
| Increase Transfer In from Building Services Fund (10381-38103) | \$ | 17,033 |
| To amend the IT Department budget to upgrade the existing Storage Area Network primarily related to building plans and permitting data storage. | | |
| 5. Increase Minor Equipment (10579-55204) | \$ | 5,000 |
| Increase County Grant Revenue (10337-33741) | \$ | 5,000 |
| To amend the Parks & Recreation Department budget for a Lake County Grant for the purchase of minor equipment for the Clermont Performing Arts Center. | | |
| 6. Decrease Fund Balance (10599-59900) | \$ | 5,677 |
| Total General Fund adjustments. | | |

CITY OF CLERMONT
RESOLUTION NO. 2020-51R

BUILDING FUND

- | | | |
|--|----|--------|
| 1. Increase Transfer Out to General Fund (11581-99101) | \$ | 17,033 |
| To amend the Building Services Fund Department budget to fund an upgrade to the existing Storage Area Network from building plans and permitting data storage. | | |
| | | |
| 2 Decrease Fund Balance (11599-59900) | \$ | 17,033 |
| Total Building Services Fund adjustments. | | |

RECREATION IMPACT FUND

- | | | |
|---|----|--------|
| 1. Increase Capital Outlay – Buildings (14575-66201) | \$ | 60,000 |
| Increase Capital Outlay – Professional Services (14575-66900) | \$ | 8,160 |
| To amend the Parks & Recreation Department budget for the carryforward of unexpended FY 2019 funds budgeted for the design and construction of a recreation storage building at the Arts & Recreation Center. | | |
| | | |
| 2. Decrease Fund Balance (14599-59900) | \$ | 68,160 |
| Total Recreation Impact Fee Fund adjustments. | | |

GROUP SELF INSURANCE FUND

- | | | |
|--|----|---------|
| 1. Increase Medical Services/Claims (52519-53130) | \$ | 428,636 |
| To amend the Group Self Insurance budget for claims. | | |
| | | |
| 2. Decrease Fund Balance (52599-59900) | \$ | 428,636 |
| Total Group Self Insurance Fund adjustments. | | |

Net Decrease to Fund Balance – All Funds	\$	519,506
---	-----------	----------------

CITY OF CLERMONT
RESOLUTION NO. 2020-51R

NOW, THEREFORE, BE IT RESOLVED, that the above said budget amendments of the City of Clermont for the Fiscal Year 2019-2020 are hereby adopted.

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 25th day of August, 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



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date

Tuesday, August 25, 2020

Agenda Item Name

Ordinance No. 2020-16 *Final*
Hartwood Marsh Assisted Living Facility CPA
Table to November 10, 2020

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.

The Planning and Zoning Commission voted 4-2 to recommend denial 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.

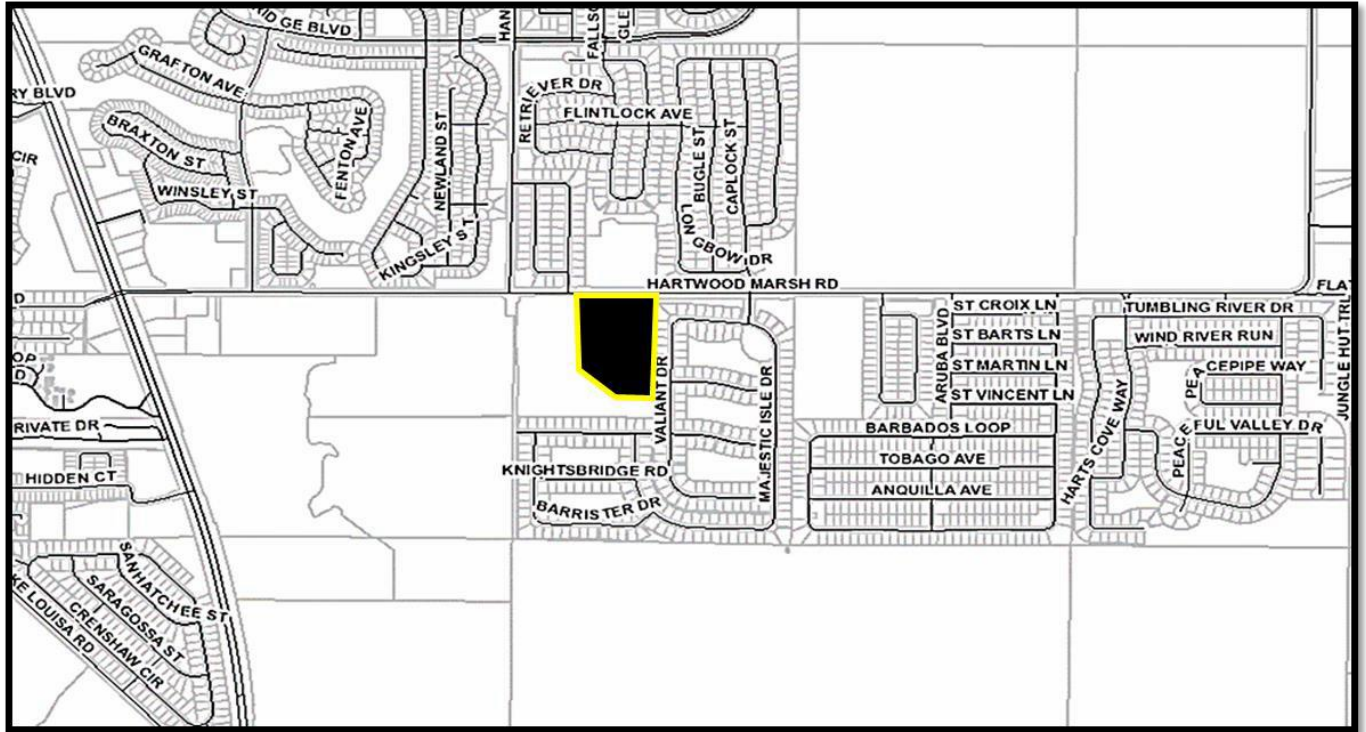
SECTION 3.

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

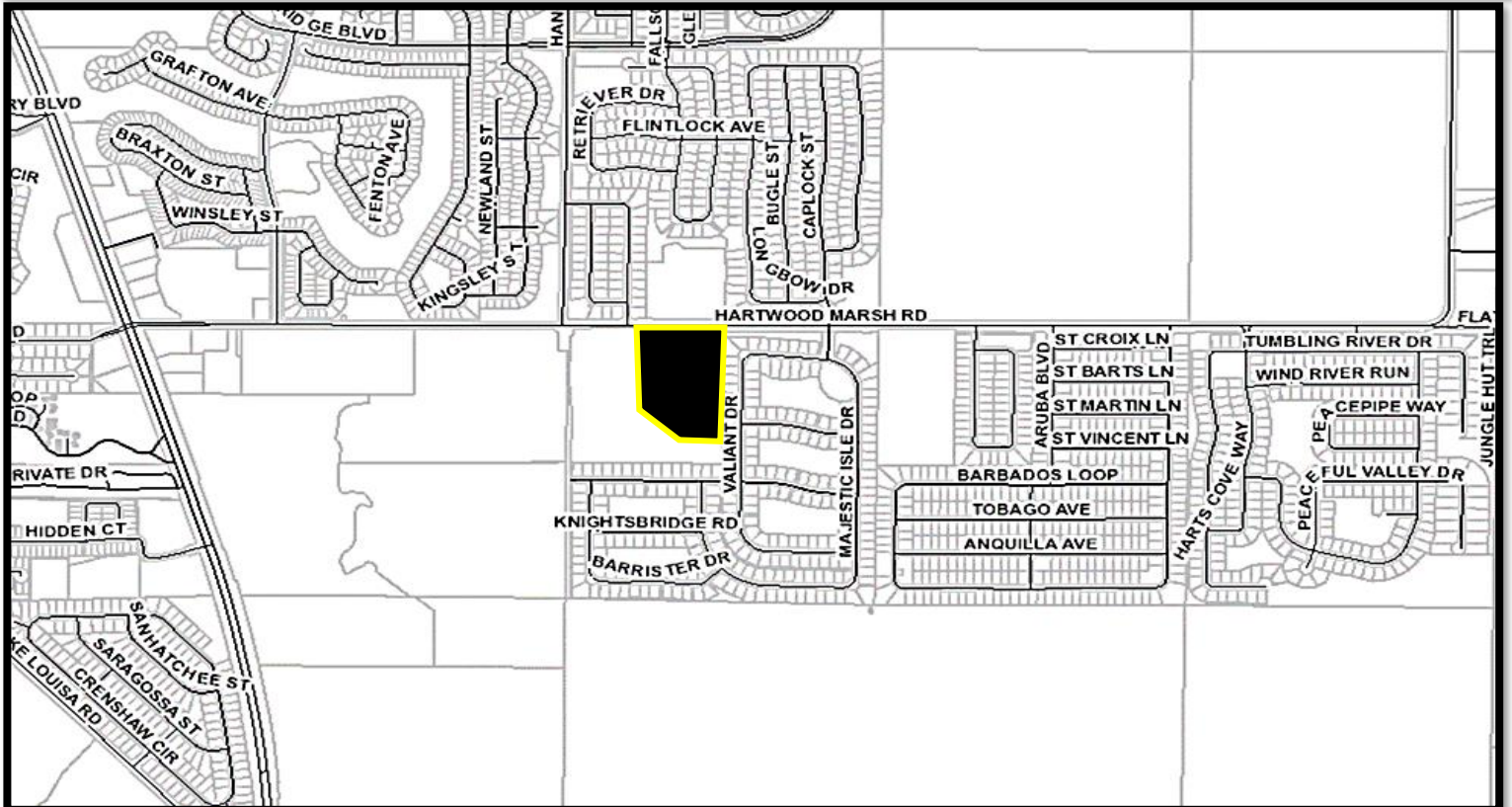
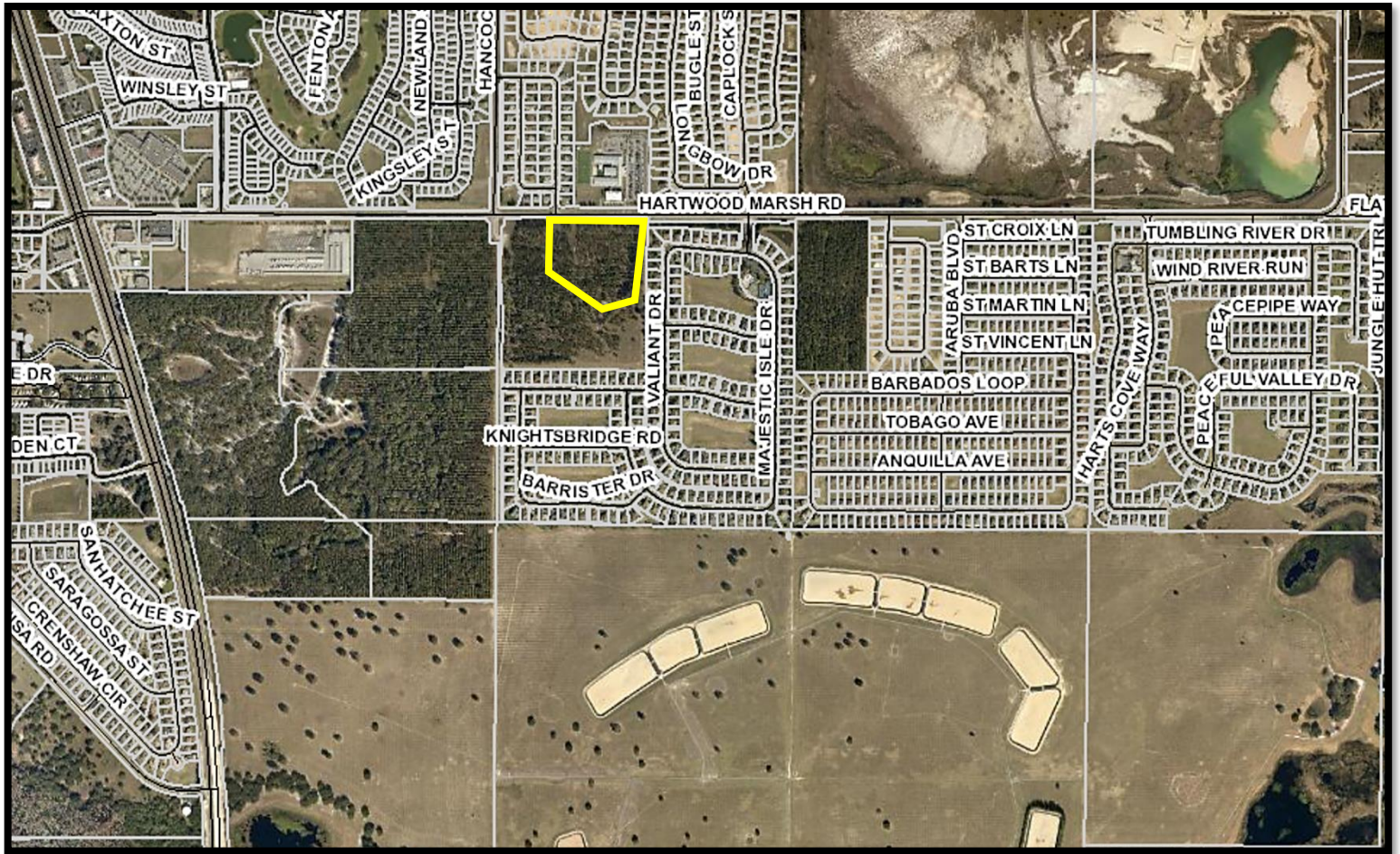
ATTEST:

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

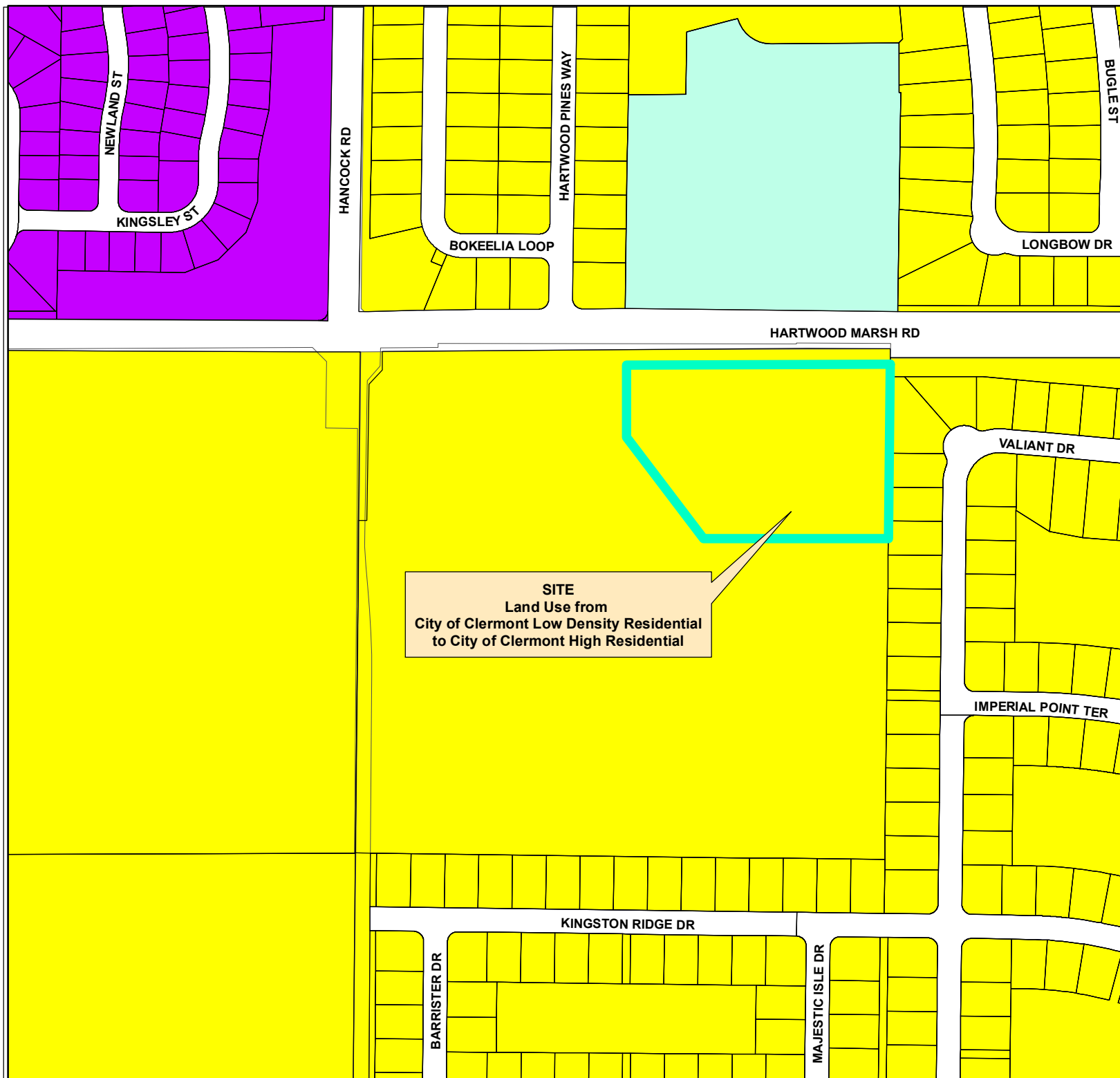


City Limits

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



SITE
Land Use from
City of Clermont Low Density Residential
to City of Clermont High Residential



Future Land Use
2020 - 18

After

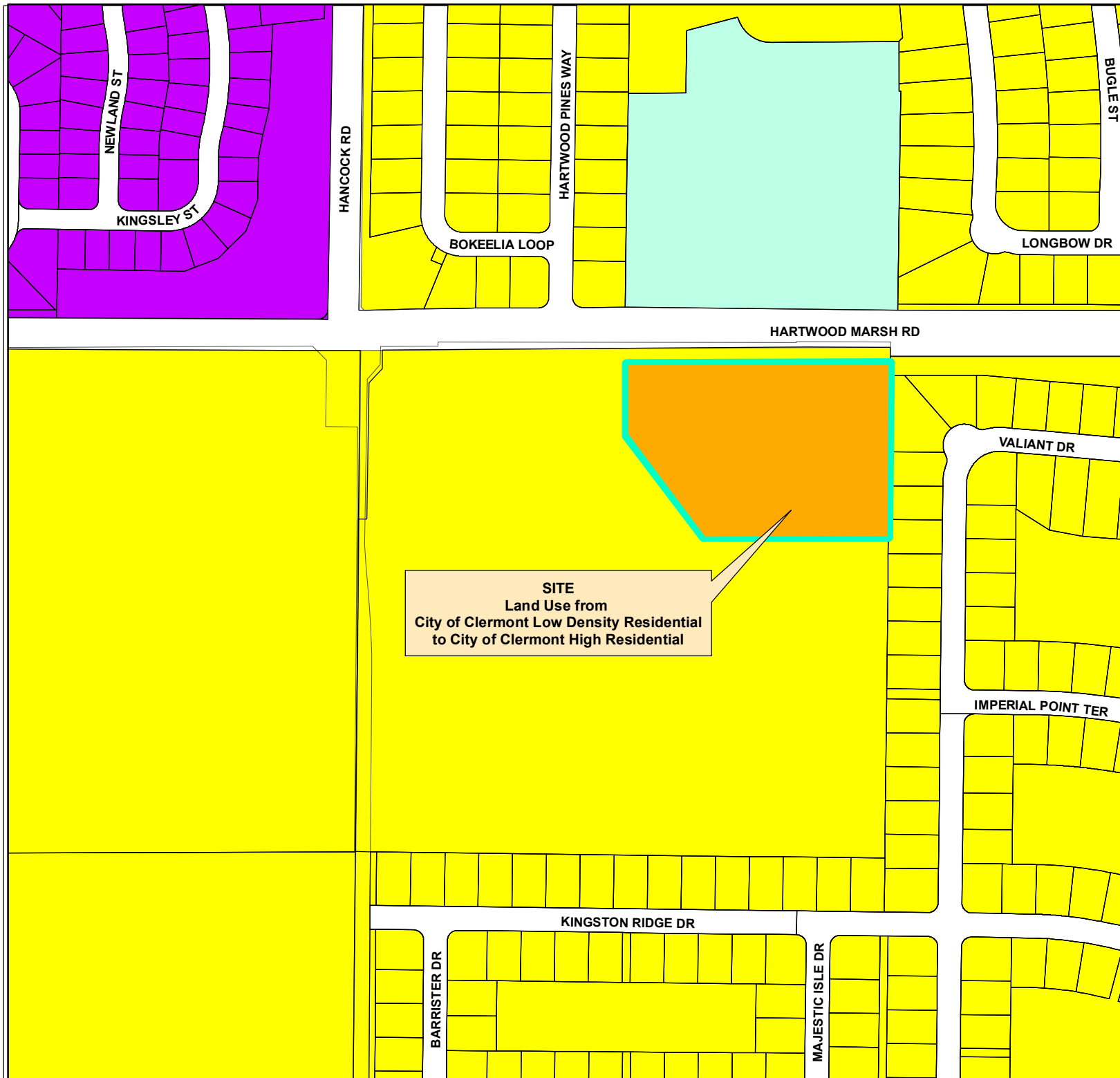
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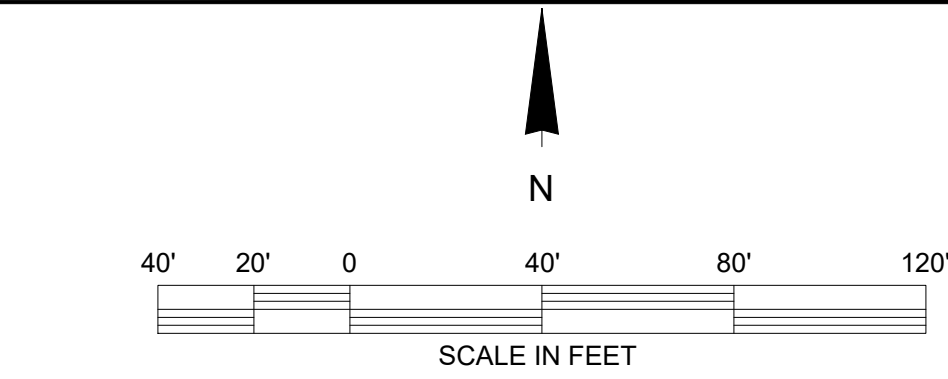
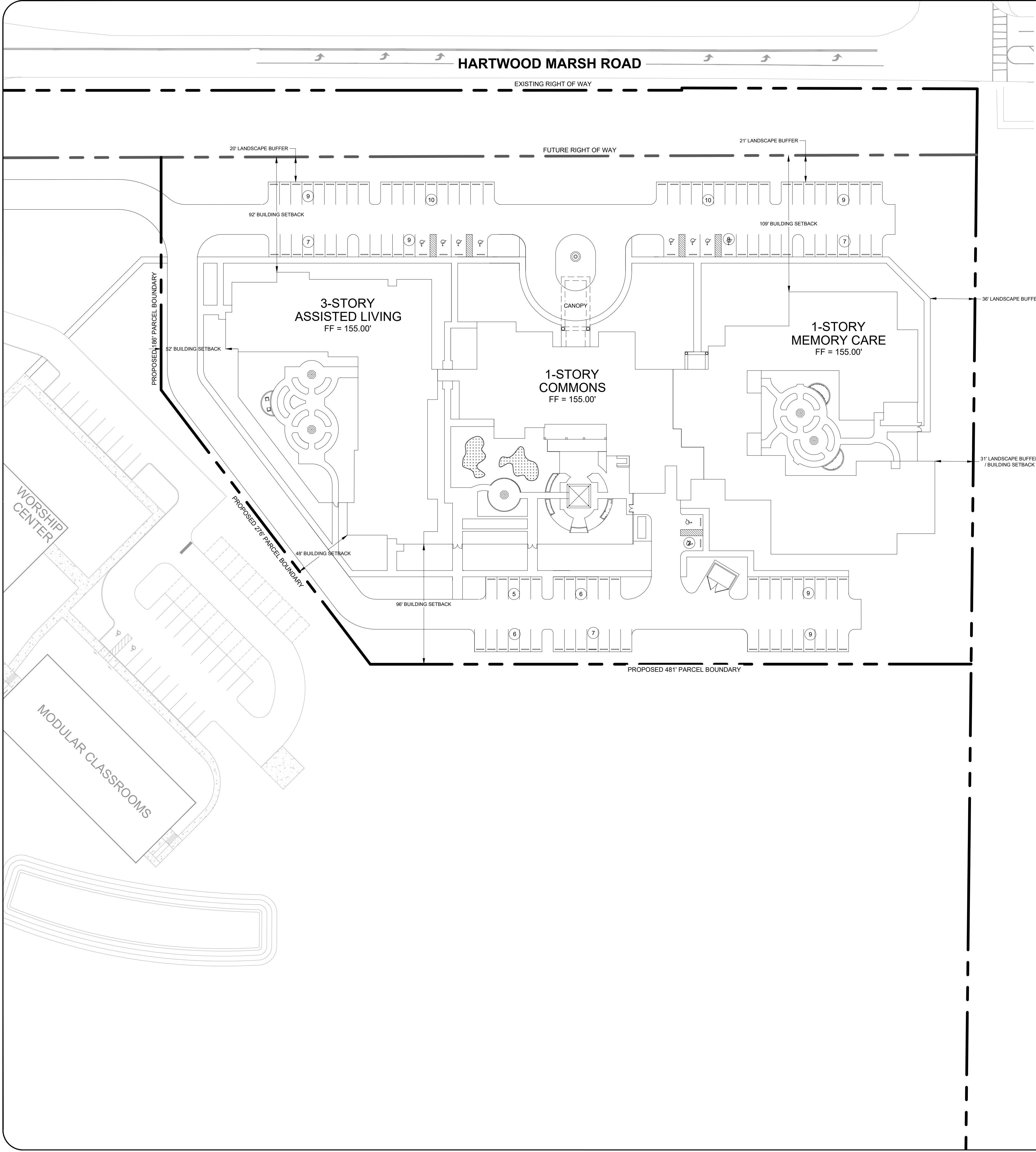
City Limits

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





LEGEND

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

NOTES

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

SITE DATA

1. SITE AREA = 5.64 AC / 245,768 SF (DOESN'T INCLUDE FUTURE R/W DEDICATION)

2. SITE LOCATION

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

3. SITE DESCRIPTION

TAX PARCEL (ALT KEY): 1593905
ZONING: PUD

4. 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'

5. 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

6. 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#850 242-9329
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.

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8270 Woodland Center Blvd
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- 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.

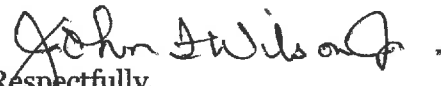
There is already a plethora of assisted living and senior independent living facilities in the Clermont area. There are six within a 5 mile radius and 16 within a 12 mile area. There are more units being built currently in the Hooks Road area to greatly increase the 150+ residential units that Cranes 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
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.

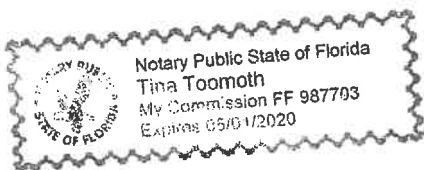
WILLIAM E. LAWSON
Affiant - Applicant Name (print)

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:

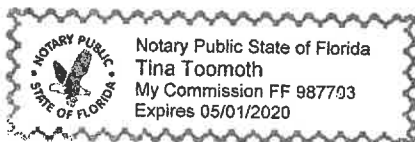
1. That he (she) affirms and certifies that he (she) understands and will comply with all ordinances, regulations and policies of Lake County, Florida, and that all statements and diagrams submitted herewith are true and accurate to the best of his (her) knowledge and belief, and further, that this application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

AGENDA ITEM

Meeting Date	
Tuesday, August 25, 2020	
Agenda Item Name	
Ordinance No. 2020-17 <i>Final</i> <i>Hartwood Marsh Assisted Living Facility</i> Table to November 10, 2020	
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 another one (1) story Commons/Amenity building/wing for the residents. The conceptual plan has been redesigned to reconfigure the site to provide a layout which allows the three (3) story building be located interior	

to the site, adjacent to the church and away from the residential developments, which will be less intrusive and provide the least impact to the surrounding residential 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).

The Planning and Zoning Commission voted 4-2 to recommend denial of Ordinance No. 2020-17.

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

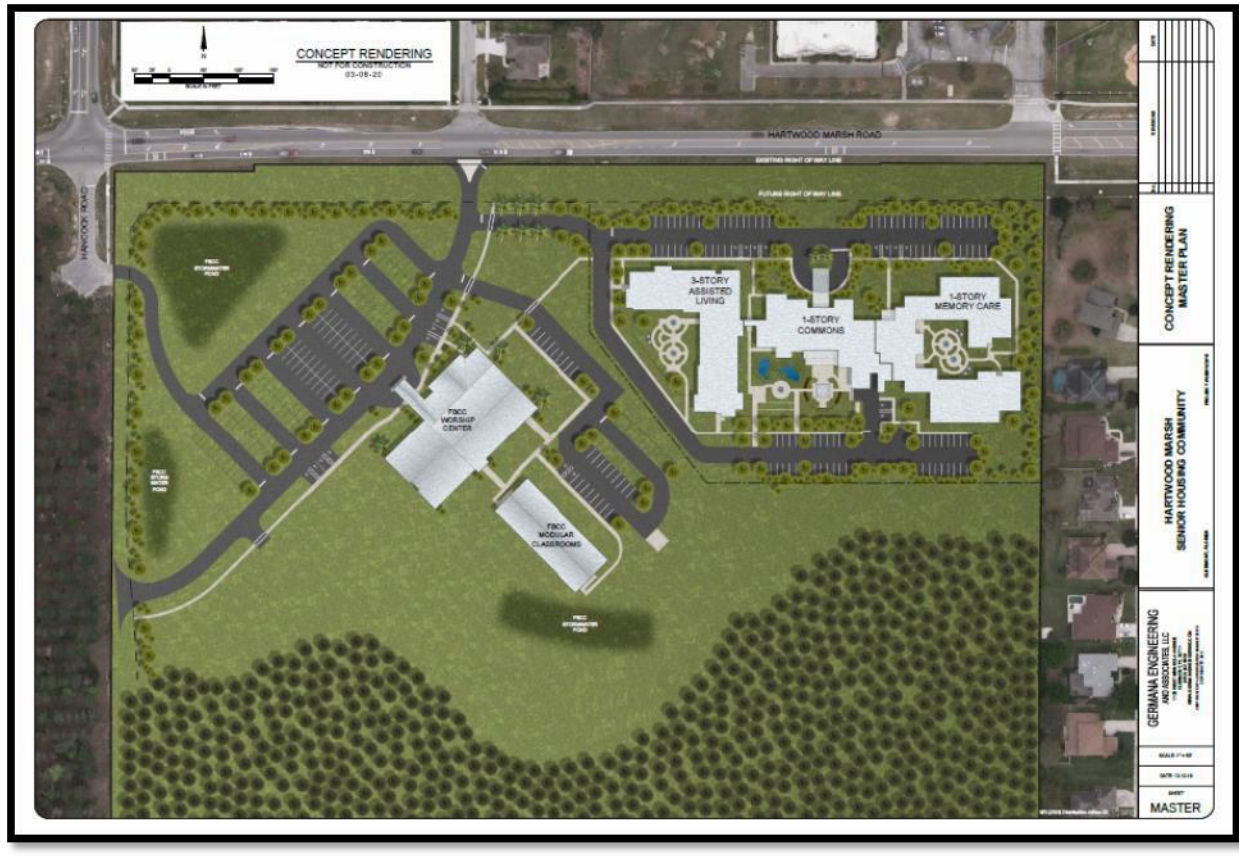


Exhibit B:





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

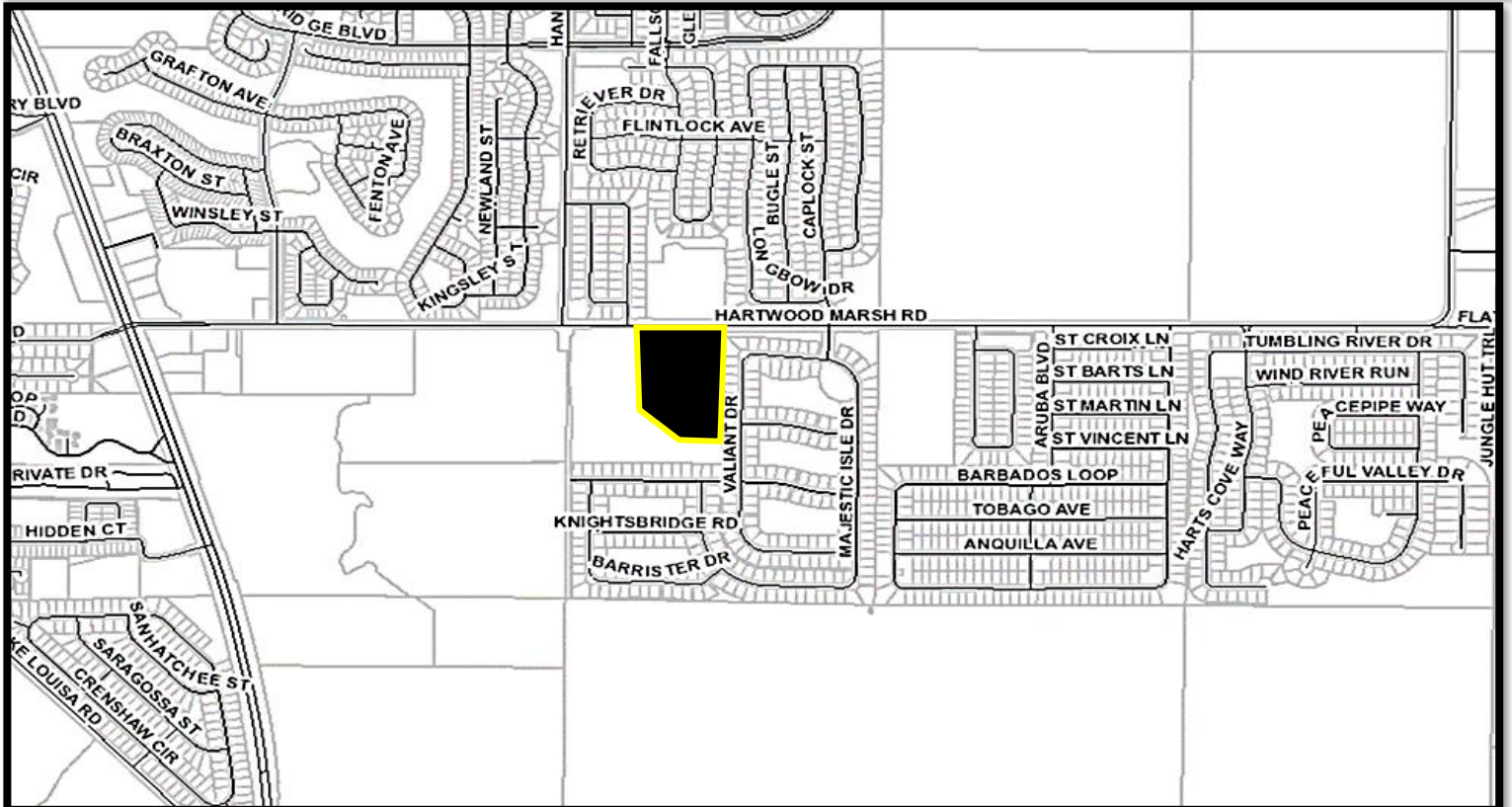
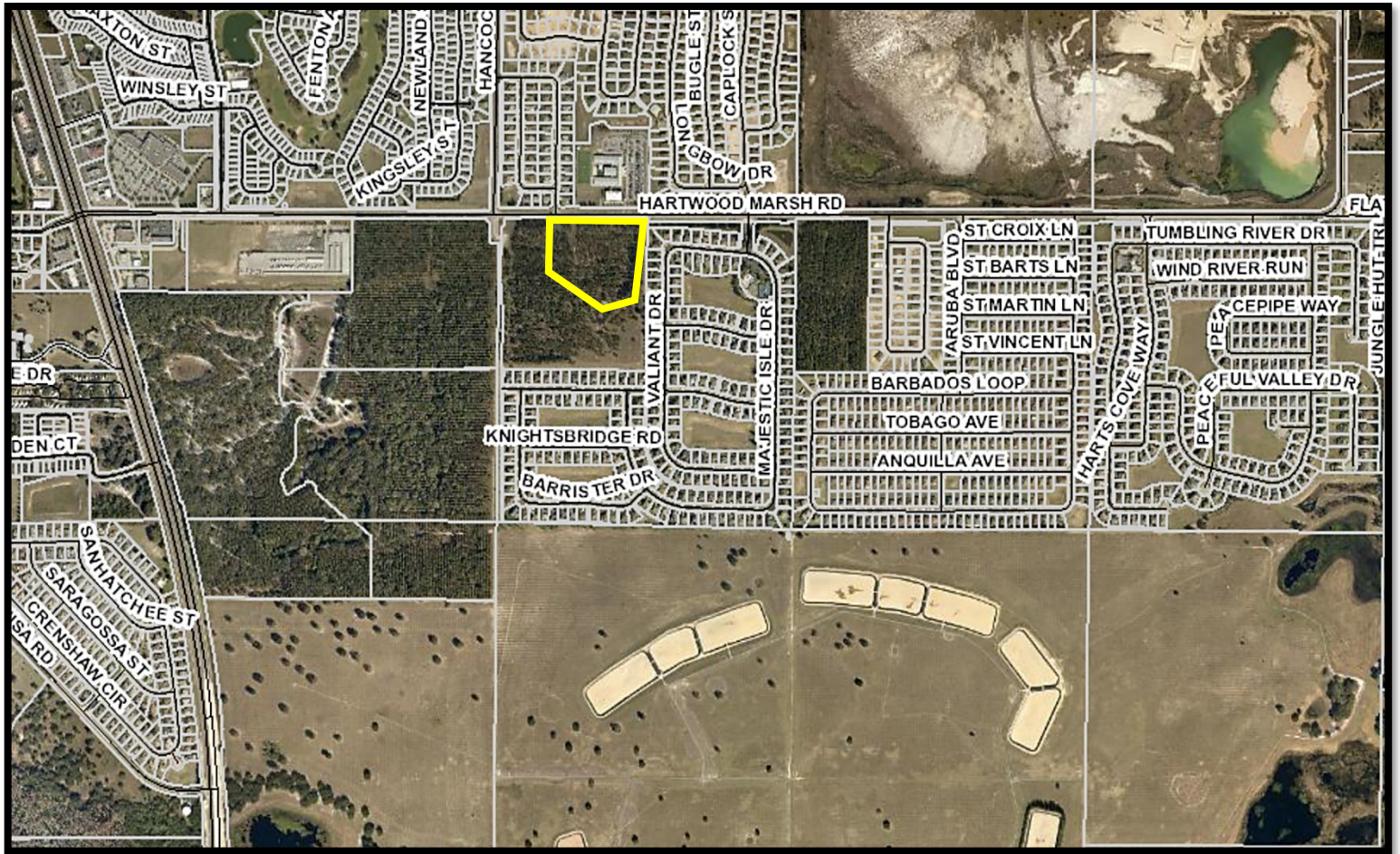
ATTEST:

Tracy Ackroyd Howe, MMC, City Clerk

Approved as to form and legality:

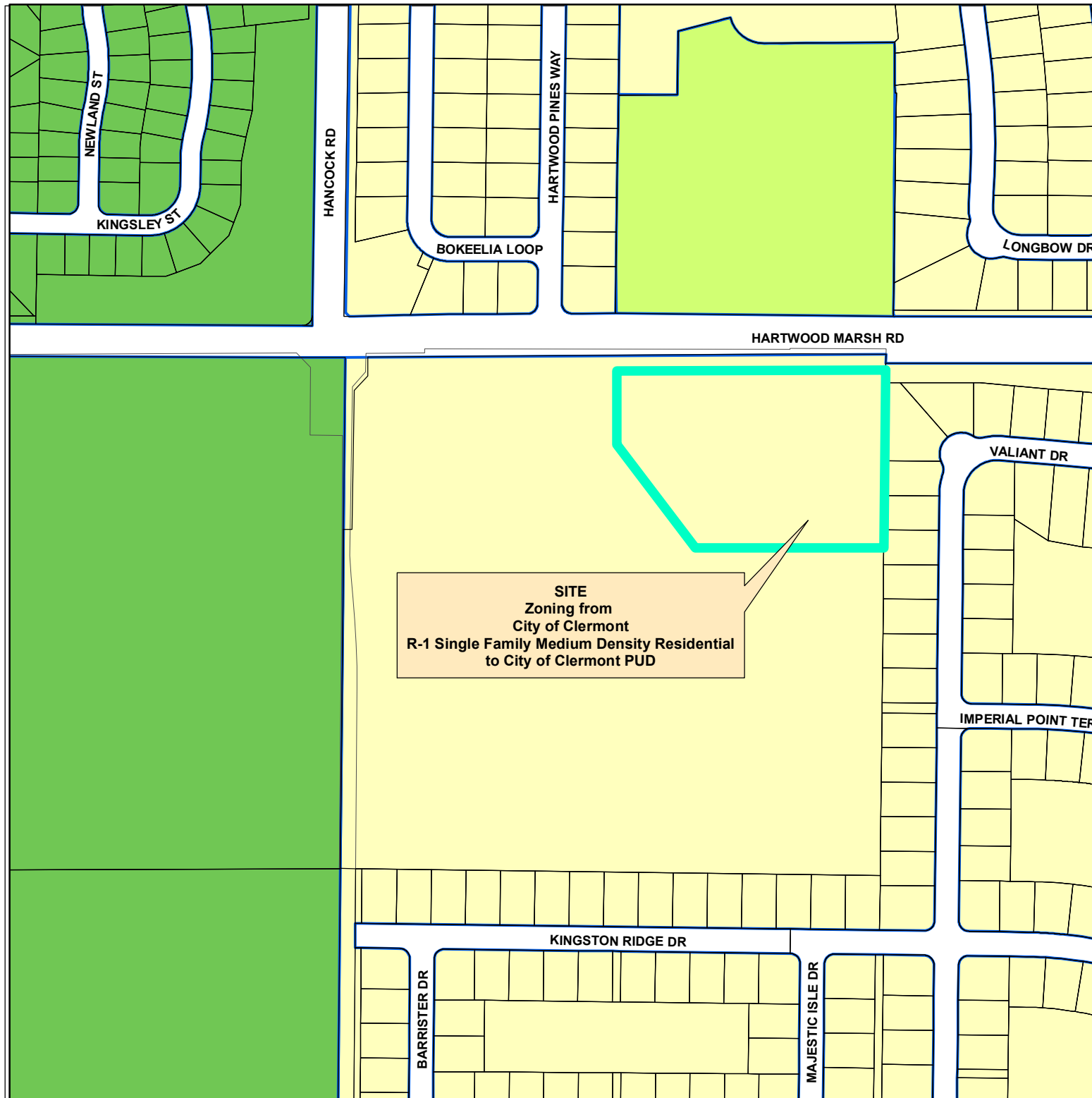
Daniel F. Mantzaris, City Attorney

LOCATION MAP





Zoning
Before



Legend

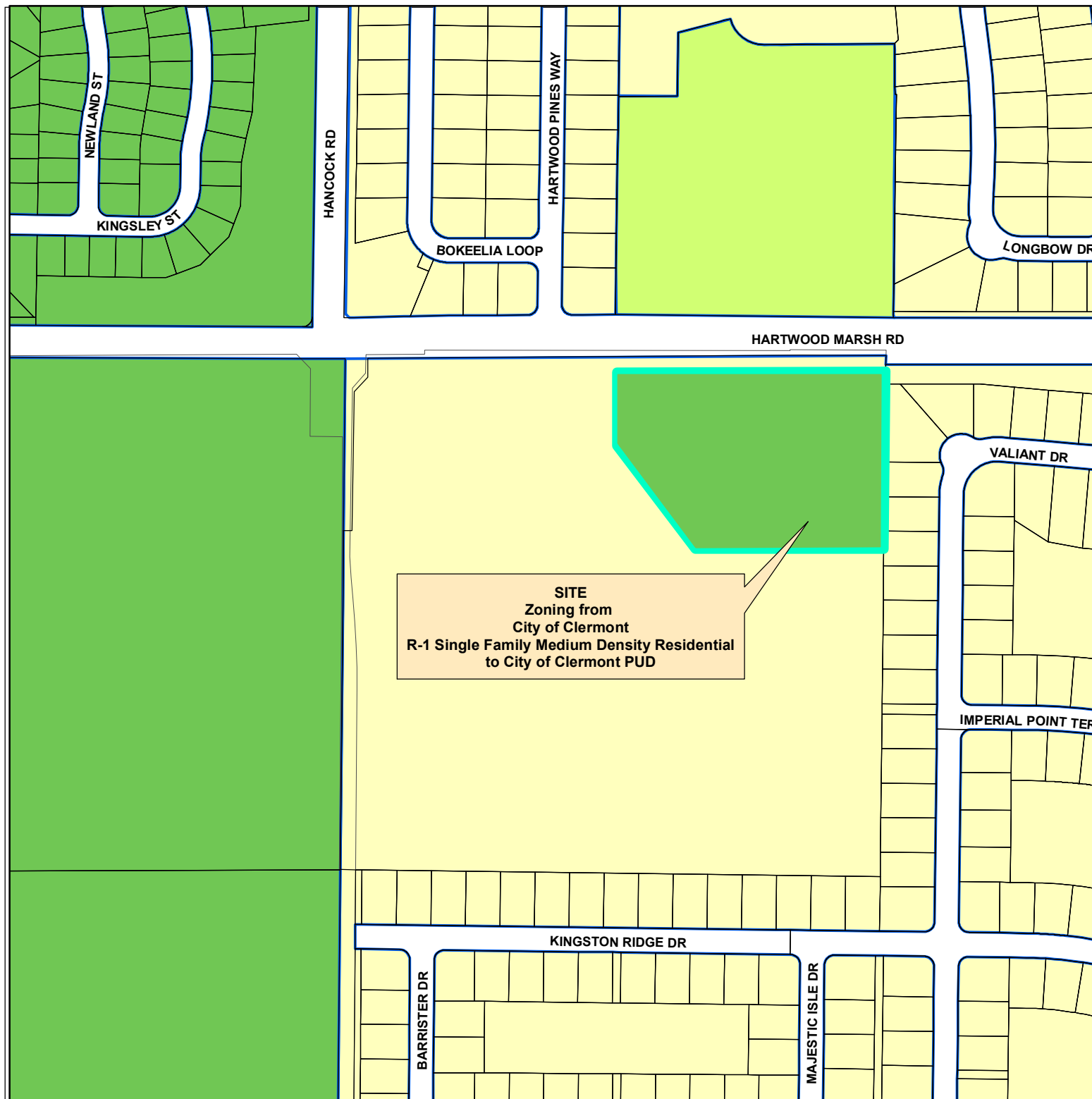
- City Limits
- CBD CENTRAL BUSINESS DISTRICT
- CD COMMERCE DISTRICT
- CDD COMMUNITY DEVELOPMENT DISTRICT
- C-1 LIGHT COMMERCIAL DISTRICT
- C-2 GENERAL COMMERCIAL DISTRICT
- M-1 INDUSTRIAL DISTRICT
- O-1 OFFICE DISTRICT
- PR PARKS AND RECREATION DISTRICT
- PUD PLANNED UNIT DEVELOPMENT
- R-1-A SINGLE 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

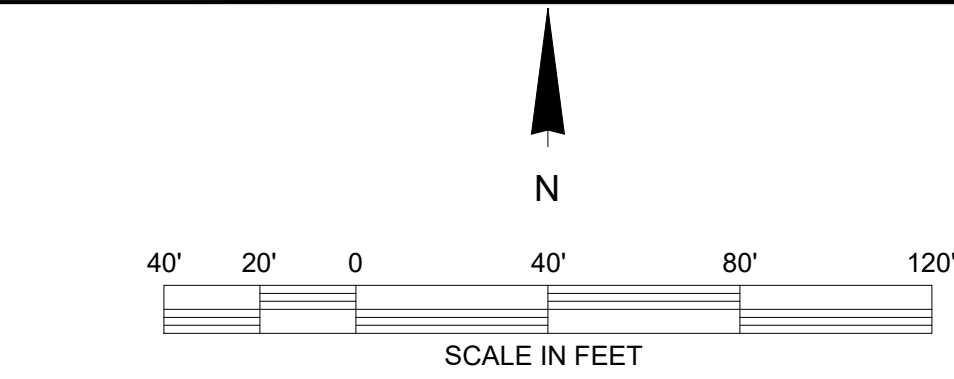
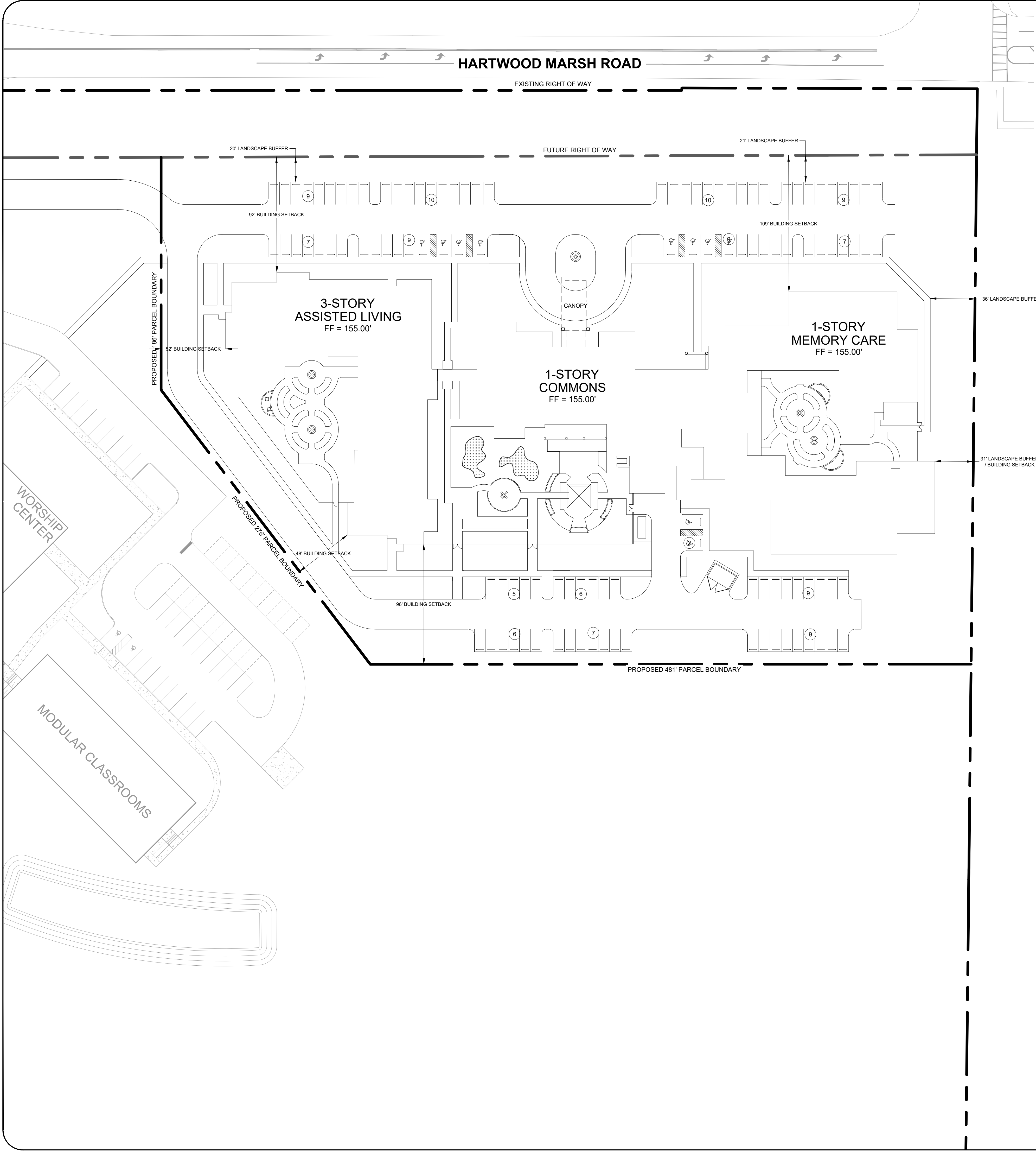
After



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
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- R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT
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- 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
- 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 MINNIE AVE
CLERMONT, FL 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

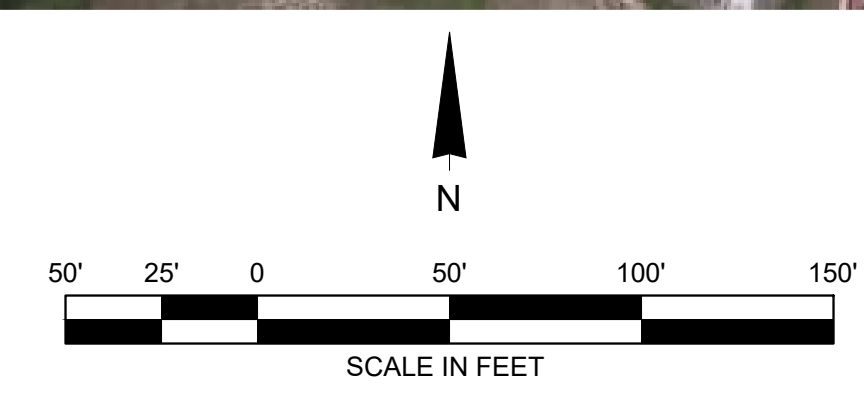
CHRISTOPHER M. GERMANA, P.E.
FLORIDA PROFESSIONAL ENGINEER # 61682
FIRM CERTIFICATE OF AUTHORIZATION # 29279

SCALE: 1" = 40'

DATE: -

SHEET

CONCEPT



CONCEPT RENDERING
NOT FOR CONSTRUCTION
03-06-20

HARTWOOD MARSH ROAD

EXISTING RIGHT OF WAY LINE

FUTURE RIGHT OF WAY LINE

HANCOCK ROAD

FBCC
STORMWATER
POND

FBCC
STORM
WATER
POND

FBCC
WORSHIP
CENTER

FBCC
MODULAR
CLASSROOMS

FBCC
STORMWATER
POND

3-STORY
ASSISTED
LIVING

1-STORY
COMMONS

1-STORY
MEMORY CARE

GERMANA ENGINEERING
AND ASSOCIATES, LLC
1120 WEST ANNIE AVENUE
CLERMONT, FL 34711
(352) 242-9329
WWW.GERMANAENGINEERING.COM
CERTIFICATE OF AUTHORIZATION NUMBER: 29279
COPYRIGHT © 2019

SCALE: 1" = 50'

DATE: 12-12-19

SHEET

MASTER

HARTWOOD MARSH
SENIOR HOUSING COMMUNITY

CLERMONT, FLORIDA

PROJECT # GEO162019

CONCEPT RENDERING
MASTER PLAN

DATE

REVISIONS

No.











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



LARSEN[®]
& A S S O C I A T E S, 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.

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Suite 310
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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.

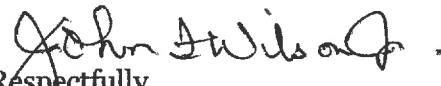
There is already a plethora of assisted living and senior independent living facilities in the Clermont area. There are six within a 5 mile radius and 16 within a 12 mile area. There are more units being built currently in the Hooks Road area to greatly increase the 150+ residential units that Cranes 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 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

Applicant Name (print)

x Will E. Lalson, Pres.

Applicant Name (signature)

WILLIAM E. LALSON

Owner Name (print)

x Will E. Lalson, Pres.

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, August 25, 2020

Agenda Item Name

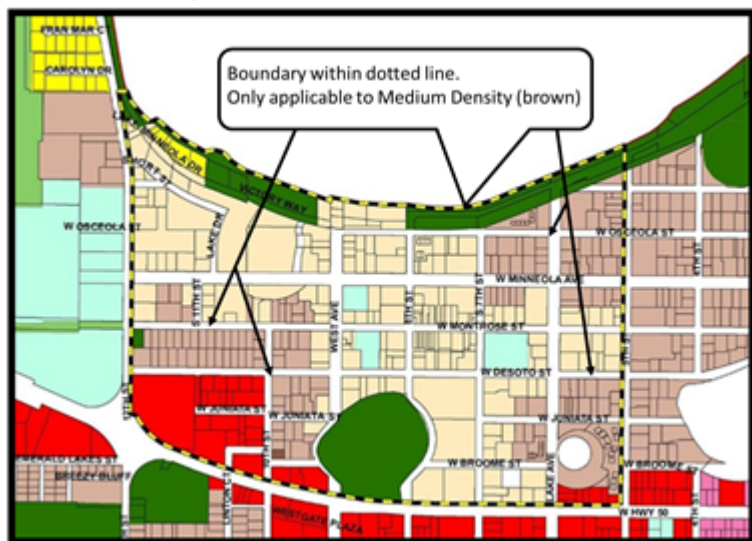
Ordinance No. 2020-21 *Final*
Medium-Density Residential FLU Amendment

Requested Action

Recommend approval of Ordinance 2020-21.

Staff Report

In an effort to provide walkability housing opportunities adjacent to Downtown, City staff is proposing a Future Land Use Amendment to the Medium Density Residential Category to encourage higher residential density in an area around Downtown. City staff has identified the walkability to downtown in an area that is comprised within the boundary shown below, which is South of Lake Minneola, North of SR 50, West of 5th Street and East of 12th Street. The proposed land use amendment would only be applicable to properties within this area and with the Medium Density Residential Future Land Use.



The current Medium Density Residential FLU permits up to eight dwelling units per acre. The current Downtown Mixed Use Future Land Use permits up to 25 dwelling units per acre or with a bonus density, up to 40 dwelling units per acre. The proposed area within this boundary would increase this to 12 dwelling units per acre, which would provide a more gradual transition. Any development proposals over eight dwelling units per acre in the Medium Density Residential FLU would require a conditional use permit.

A GIS analysis indicates there are 192 parcels within this zone in the Medium Density Residential FLU. The collective acreage of these parcels is approximately 42.55 acres. With the proposed change, the overall potential increase in residential dwelling units would be 170 (4 dwelling unit increase x 42.55 acres). While this would be the maximum, it is very unlikely all the parcels would be able to seek the higher density due to varying physical and other constraints on all of the parcels, including meeting setback and minimum parking requirements.

The proposed amendment was transmitted to the Florida Department of Economic Opportunity (DEO) and the other State agencies for review. The City has received responses from three agencies that indicated either no comment or no adverse impact on state resources.

This proposed change would allow development of housing opportunities at a slightly higher density through redevelopment while providing improved pedestrian access for more residents to downtown. This proposed change would also provide a transition of densities from Downtown Mixed Use to Medium Density without having to change the future land use designation which would bring non-residential permitted uses associated with the Downtown Mixed Use Future Land Use category. There are also several existing properties that have similar residential densities, such as Lake Minneola Condominiums and Lake Dot Villas, which approach the 12 dwelling units per acre within the Medium Density Residential FLU boundary. Staff recommends approval of Ordinance 2020-21.

Additional Analysis

Fiscal Impact Summary

Fiscal Impact

Fund Number and Description

Available Budget Amount

Exhibits Attached (copies of original agreements)

- | | | |
|----|--|---|
| 1. | 2020-21 Medium Density FLU Amendment 8 to 12 FORMATTED | 2020-21 Medium Density FLU Amendment 8 to 12 FORMATTED.doc |
| 2. | MD FLU Area Map | MD FLU Area Map.pdf |
| 3. | Exhibit A - Future Land Use Element 2020 Medium Density Housing Addition Final | Exhibit A - Future Land Use Element 2020 Medium Density Housing Addition Final.docx |
| 4. | Clermont_Proposed_20-03ESR_FDOT_062920 2020-21 | Clermont_Proposed_20-03ESR_FDOT_062920 2020-21.pdf |
| 5. | CTY. CLERMONT 20-03ESR DEO No Comment 2020-21 | CTY. CLERMONT 20-03ESR DEO No Comment 2020-21.pdf |
| 6. | SJRWMD 20-03ESR 2020-21 | SJRWMD 20-03ESR 2020-21.pdf |
| 7. | ORDINANCE 2020-21 Legal Ad Proof | ORDINANCE 2020-21 Legal Ad Proof.pdf |



CITY OF CLERMONT
ORDINANCE NO. 2020-21

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF CLERMONT, FLORIDA, PURSUANT TO THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING ACT, CHAPTER 163, PART II, FLORIDA STATUTES BY ADOPTING TEXT CHANGES TO THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN TO AMEND THE MEDIUM-DENSITY RESIDENTIAL FUTURE LAND USE CATEGORY; SETTING FORTH THE AUTHORITY FOR ADOPTION OF THE COMPREHENSIVE PLAN AMENDMENTS; SETTING FORTH THE PURPOSE AND INTENT OF THE COMPREHENSIVE PLAN AMENDMENTS; ESTABLISHING THE LEGAL STATUS OF THE COMPREHENSIVE PLAN AMENDMENTS; PROVIDING FOR SEVERABILITY, CONFLICT AND AN EFFECTIVE DATE.

WHEREAS, the Comprehensive Plan of the City of Clermont was adopted by the City of Clermont on August 13, 1991, 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 Statutes 163.3187; and

WHEREAS, the Planning and Zoning Commission, acting as the Local Planning Agency, held a public hearing and made recommendations to the City Council for amendments to the plan; and

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

NOW, THEREFORE, BE IT ORDAINED and enacted by the City Council of the City of Clermont, 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 Element is hereby amended as shown in Exhibit A.



CITY OF CLERMONT
ORDINANCE NO. 2020-21

SECTION 2.

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

SECTION 3.

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

SECTION 4.

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



CITY OF CLERMONT
ORDINANCE NO. 2020-21

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida, this 25th day of August, 2020.

Gail L. Ash, Mayor

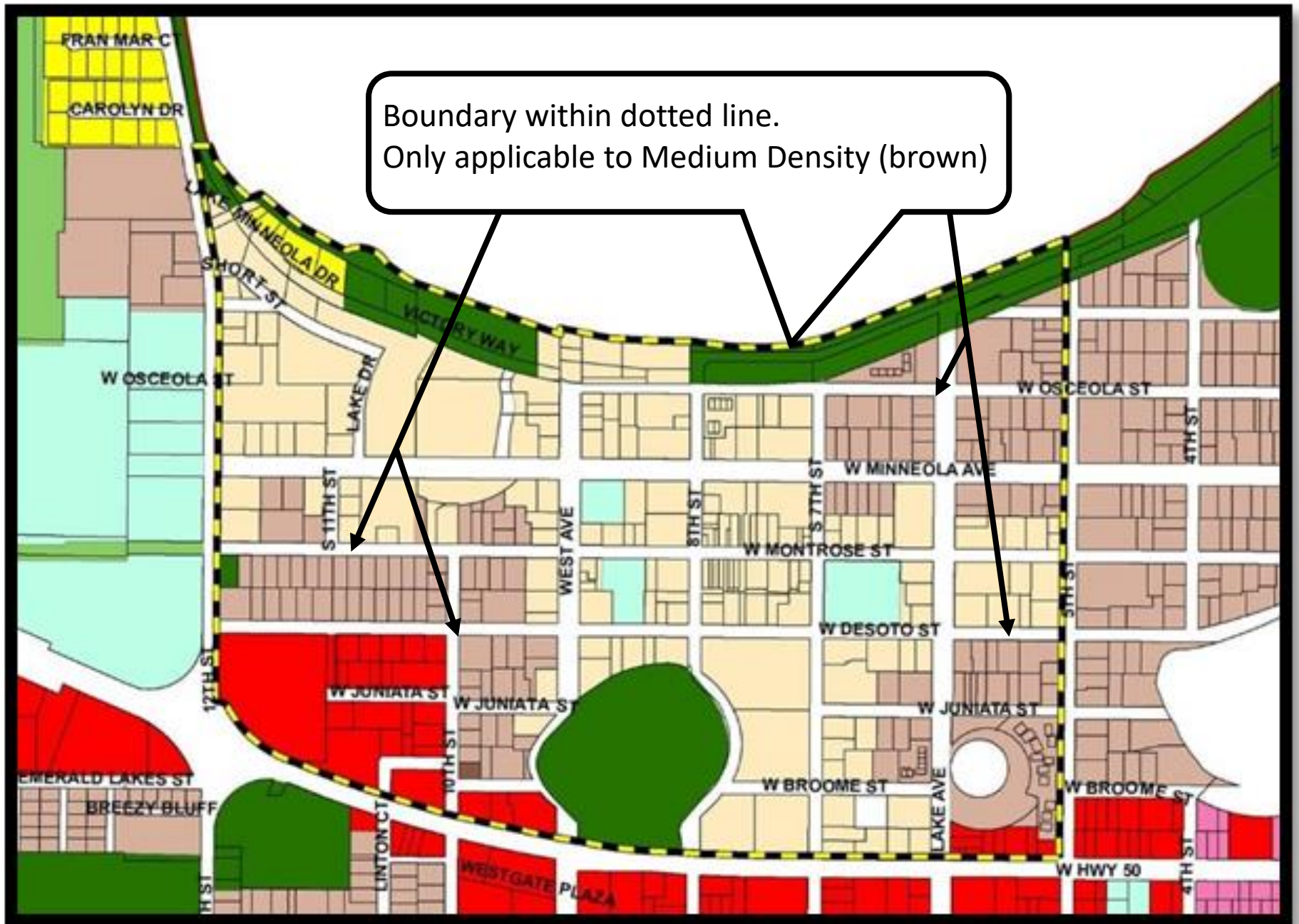
ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Boundary within dotted line.
Only applicable to Medium Density (brown)





CITY OF CLERMONT
COMPREHENSIVE PLAN

CHAPTER I
FUTURE LAND USE ELEMENT

Adopted June 23, 2009
Amended February 28, 2017
Amended August 28, 2018
Amended August 25, 2020

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CHAPTER I
FUTURE LAND USE

GOAL 1: Ensure that the character, magnitude and location of all land uses provide a system for orderly growth and development that achieves a balanced natural, physical and economic environment and enhances the quality of life of all residents.

Objective 1.1: Discourage Urban Sprawl. The City shall discourage and/or reduce urban sprawl through a future land use pattern that promotes orderly, compact development and the provision of public facilities and services that minimize costs and environmental impacts and maximize efficiency.

Policy 1.1.1: Urban services such as water and sewer shall not be extended outside the Lake County/Clermont Joint Planning Area (JPA) without a companion land use plan amendment modifying the boundary and amending the land uses. An exception may be considered where public health, safety and welfare require a community water system or the extension of water service to ensure safe potable water.

Policy 1.1.2: The City shall prioritize its capital improvements funding by assigning first priority to the renewal, reuse and/or rehabilitation of existing facilities or to the replacement of existing obsolete or worn out facilities.

Policy 1.1.3: The City shall encourage infill through the use of higher density and intensity land use designations and mixed-use designations in appropriate locations.

Objective 1.2: Future Land Use Map Series. The City shall ensure that future development and redevelopment activities are located in appropriate areas of the City by adopting a Future Land Use Map Series included as **Appendix A** of this element that contains the Future Land Use Map (FLUM), Future Transportation Map and Natural Resources Map, which together form the basis for consideration of future land use plan amendments. The Future Land Use Map Series, along with the City's land development regulations, shall reduce or eliminate existing land uses that are inconsistent with the community's character.

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

Policy 1.2.2: The land development regulations shall include provisions to reduce or eliminate land uses that are inconsistent with the City's character and future land use, including those uses that are inconsistent with hazard mitigation recommendations in the Lake County emergency management plan.

Policy 1.2.3: The City shall discourage the continuation of nonconforming uses to the extent established in the land development regulations. Redevelopment of the property will be allowed only if it is consistent with the FLUM and the zoning district.

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

Future Land Use Categories	Maximum Density/Intensity (per gross acre)
Conservation	Not Developable
Parks	N/A
Public Facilities/Institutional	0.25 FAR
Residential	
Low-Density	3 units per acre
Medium-Density	8 <u>to 12</u> units per acre
High-Density	12 units per acre
Office	1.0 FAR
Mixed-Use	
Residential/Office	12 units per acre/0.25 FAR
Master Planned Development	12 – 25 units per acre/0.25 FAR
Downtown Mixed-Use	12-40 units per acre/3.0 FAR
Commercial	12 -25 units per acre/0.25 FAR
Industrial	1.0 FAR

Objective 1.3: Conservation Land Use Category. The conservation category is established for the long-term protection and preservation of publicly or privately owned lands that contain valuable and threatened natural resources, such as wetlands, floodplains and unique ecological communities.

Policy 1.3.1: Only passive open space and passive recreational activities shall be allowed in the conservation category, limited to resource-enhancing facilities such as multi-purpose trails, bike paths and natural land restoration projects. Interactive areas/facilities may be allowed as long as they are provided and managed consistent with goals, objectives and policies of this element as well as the goals, objectives, policies, standards and criteria set forth in the Conservation Element.

Policy 1.3.2: Lands designated as conservation on the FLUM may be counted toward meeting the adopted level of service standards for recreation and open space for the City.

Policy 1.3.3: If it is impractical to designate the area containing conservation resources as conservation land use due to size, location or other factors, the City shall have the option of obtaining a conservation easement from the property owners to protect the area. Areas covered by a conservation easement shall be treated the same as areas designated as conservation land use on the FLUM.

Policy 1.3.4: No development is permitted within the conservation category, except where state and/or federal agencies having jurisdiction already allow development rights. The applicant shall bear the burden of proof in determining that development shall not adversely impact conservation resources. Site alteration, where allowed, shall be limited to 10 percent of the entire site.

Objective 1.4: Parks Land Use Category. The parks category is established to provide sufficient space for public and private parks that are open to the public for active and passive recreation use.

Policy 1.4.1: The parks land use category is intended to accommodate existing public parks and recreation areas as well as committed public and semi-public open spaces. The maximum intensity of buildings on site shall be 0.25 Floor-Area-Ratio (FAR).

Policy 1.4.2: Not all parks and recreational facilities are required to be shown as parks on the FLUM. Park and recreation uses shall be allowed in other categories as support uses.

Objective 1.5: Public Facilities/Institutional Land Use Category. The public facilities/institutional category is established for publicly-owned institutional parcels and privately-owned, non-profit institutional parcels meeting threshold sizes established herein.

Policy 1.5.1: The public/institutional land use designation is intended to accommodate public and semi-public services including government administration buildings; public schools and not-for-profit educational institutions; hospital facilities and supportive health care units; arts, cultural or civic facilities; essential public services and facilities; cemeteries; fire and emergency operation facilities; utilities; public and semi-public open spaces and other similar activities. The maximum intensity of institutional activity shall be 0.25 FAR.

Policy 1.5.2: Churches and religious institutions on parcels greater than two acres shall be designated as public facilities/institutional future land use category on the FLUM, except those within the master planned development and the downtown mixed-use land use categories.

Policy 1.5.3: Public and private schools on parcels greater than five acres shall be designated as public facilities/institutional future land use category on the FLUM, except those within the master planned development and the downtown mixed-use land use categories.

Policy 1.5.4: The City shall monitor the need for increased land area for public/institutional uses and shall ensure that this land use designation on the FLUM is expanded to accommodate the development of public and semi-public facilities such as government administration buildings; fire, police and rescue services; educational institutions and similar public uses.

Objective 1.6: Residential Land Use Categories. The residential categories are established to provide for the preservation of existing, predominantly residential neighborhoods. These categories allow a range of housing types of low, medium and high residential densities at a maximum density of up to 12 units per acre; however, densities higher than eight units per acre shall require a conditional use permit or a Planned Unit Development (PUD) zoning. Other uses allowed include supportive accessory uses, churches and schools as conditional uses, minor public

utilities (i.e., telephone switching stations, lift stations, drainage infrastructure and similar facilities), parks and open space, municipal facilities and other civic and cultural uses subject to standards and performance criteria set forth in this plan and in the land development regulations. Based on current land use trends, the City estimates that the mix of uses in the residential categories will be about 85 percent residential and 15 percent public facilities/institutional and recreation uses.

Policy 1.6.1: Low-Density Residential. Areas delineated on the FLUM for low-density residential development shall accommodate a maximum density of up to three dwelling units per acre and shall be comprised primarily of single-family detached homes on individual lots.

Policy 1.6.2: Medium-Density Residential. Areas delineated on the FLUM for medium-density residential development shall accommodate a maximum density of up to eight units per acre. To encourage higher density adjacent to Downtown and provide enhanced walkability between housing and the Central Business District, land designated as Medium-Density Residential Future Land Use adjacent to the Downtown Mixed Use Future Land Use may have a density of up to 12 units per acre. However, densities higher than eight units per acres shall require a Conditional Use Permit. The Medium-Density Residential Future Land Use area eligible for density up to 12 units per acre is north of SR 50, South of Lake Minneola, West of 5th Street and East of 12th Street. Permitted housing types include single-family detached homes, including zero-lot-line and cluster developments, duplexes, townhomes, condominiums, accessory dwelling units, and apartments.

Policy 1.6.3: High-Density Residential. Areas delineated on the FLUM for high-density residential development shall accommodate a maximum density of 12 units per acre; however, densities higher than eight units per acre shall require a conditional use permit or a Planned Unit Development (PUD) zoning. Permitted housing types include single-family detached homes, including zero-lot-line and cluster developments, duplexes, townhomes, condominiums and apartments. Nursing homes, assisted living facilities and independent living facilities shall be permitted in the 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.

Policy 1.6.4: Performance standards for residential uses shall include, but are not limited to, the following:

- The land development regulations shall include performance standards for high-density and multi-family residential uses that control the location of proposed buildings in relation to the overall dimension of the site, provide sufficient on-site/structured parking where applicable, and provide open space and recreation amenities.
- The land development regulations shall contain requirements for significant open space, landscaping and buffers to effectively screen multi-family developments from low-density residential zoning districts.
- Multi-family residential developments of more than 50 units shall provide recreational facilities to meet the needs of the population of the development.

- Grid street networks are highly encouraged to serve residential developments and provide connectivity throughout the City. Cul-de-sacs and gated developments are discouraged.
- Themes are encouraged for residential developments to include cohesive streetscape design, signage, landscape architecture and streetscape furniture to create an identity for the neighborhoods in the City.

Objective 1.7: Mixed-Use Land Use Categories. The mixed-use categories are established to accommodate a mixture of residential, office and commercial uses as single uses on separate parcels or as a mix of uses within a single development. The maximum density for residential uses shall be 12 units per acre, except in the Downtown Mixed Use Category, which may allow a bonus density of up to 40 units per acre through a Community Benefit Agreement as provided for in the Land Development Code, Section 122, Division 12 CBD/Central Business District. The maximum density for residential uses shall be 12 units per acre in the Master Planned Development Use Category except in the SR 50 and US 27 Overlay District, which may allow a bonus density of up to 25 units per acre through an affordable housing component, as provided for in the Land Development Code, Section 122, Division 12 CBD/Central Business District. Densities higher than eight units per acre in the Residential/Office Category shall require a conditional use permit. Other uses allowed include supportive accessory uses, churches and schools as conditional uses, minor public utilities (i.e., telephone switching stations, lift stations, drainage infrastructure, and similar facilities), parks and open space, municipal facilities and other civic and cultural uses subject to standards and performance criteria set forth in this plan and in the land development regulations.

Policy 1.7.1: Residential/Office. The residential/office category is intended to provide for a mixture of predominantly residential uses, while allowing for professional offices that are consistent with the general character of the adjacent residential uses. Based on current land use trends, the City estimates that the mix of uses in the residential/office category will be 65 percent residential and 35 percent non-residential. The maximum intensity for office development shall be 0.25 FAR. The FAR shall not be applied to the residential portion of a mixed-use development.

Policy 1.7.2: Planned Development. The master planned development category is intended to provide for two existing approved developments of regional impact (DRI), King's Ridge DRI and Lost Lake Reserve DRI, the Black West proposed mixed-use development subject to a utility and annexation agreement approved by the City and new master planned, mixed-use projects that shall be applied only upon City Council approval of a development agreement that specifies the allowable types and distribution of land uses and the maximum number/density of residential units, and which demonstrates that public facilities and services meet the requirements of the City's Concurrency Management System. The maximum intensity for office and commercial uses shall be 0.25 FAR; 1.0 FAR for industrial uses; and 0.25 FAR for institutional uses. The FAR shall not be applied to the residential portion of a mixed-use development.

Policy 1.7.3: Downtown Mixed-Use. The downtown mixed-use category is intended to provide for a mixture of residential and business uses, as well as cultural and tourist facilities, recognized as characteristic of the City's established downtown central business district. Based on current land use trends, the City estimates that the mix of uses will be 70 percent

office and commercial uses and 30 percent residential, public facilities/institutional and recreation uses. The maximum intensity for office, commercial and institutional uses shall be 3.0 FAR. The FAR shall not be applied to the residential portion of a mixed-use development.

Policy 1.7.4: Nursing homes, assisted living facilities and independent living facilities shall be permitted in all mixed-use land use categories as a PUD consistent with land development regulations and may have a maximum intensity of 3.0 FAR.

Policy 1.7.5: Performance standards for mixed-use developments shall include, but are not limited to, the following:

- Mixed-use developments are encouraged to incorporate town or village centers that are sized to serve the needs of residents in the development within a quarter-mile of the center.
- Unified architectural and streetscape themes are encouraged for all mixed-use developments.
- A mixed-use development may include a mixture of land uses on the same site and/or in the same building.
- For a mixed-use building, only retail sales and services and restaurants are permitted on the ground floor.

Objective 1.8: Office Land Use Category. The office category is established to provide for office uses in areas that transition to residential neighborhoods. Uses allowed in addition to offices are supportive accessory uses, churches and schools as conditional uses, minor public utilities (i.e., telephone switching stations, lift stations, drainage infrastructure, and similar facilities), parks and open space, municipal facilities and other civic and cultural uses subject to standards and performance criteria set forth in this plan and in the land development regulations.

Policy 1.8.1: Residential uses are not allowed in the office category.

Policy 1.8.2: Nursing homes, assisted living facilities and independent living facilities shall be permitted in all mixed-use land use categories as a PUD consistent with land development regulations and may have a maximum intensity of 3.0 FAR.

Objective 1.9: Commercial Land Use Category. The commercial category is established to assure availability of sufficient office and commercial sites to serve the needs of the existing and projected population. In addition to office and commercial uses, residential uses are allowed, preferably as mixed-use, high-density developments, as well as supportive accessory uses, churches and schools as conditional uses, minor public utilities (i.e., telephone switching stations, lift stations, drainage infrastructure, and similar facilities), parks and open space, municipal facilities and other civic and cultural uses subject to standards and performance criteria set forth in this plan and in the land development regulations.

Policy 1.9.1: The commercial land use category shall accommodate activities such as general retail sales and services, professional and business offices, personal services and limited residential use. Based on current land use trends, the City estimates that the mix of uses will be 90 percent office and commercial uses and 10 percent residential, public facilities/institutional and recreation uses.

Policy 1.9.2: The maximum intensity of commercial development shall be limited to 0.25 FAR. The maximum density for residential uses shall be 12 units per acre, except in the SR 50 and US 27 Overlay District, which may allow a bonus density of up to 25 units per acre through an affordable housing component as provided for in the Land Development Code, Section 122, Division 12 CBD/Central Business District. Densities higher than eight units per acre shall require a conditional use permit or a Planned Unit Development (PUD) zoning.

Policy 1.9.3: Hotels and hospitals shall be allowed as a conditional use within the commercial land use category and shall be limited to a maximum intensity of 3.0 FAR.

Policy 1.9.4: Nursing homes, assisted living facilities and independent living facilities shall be permitted in the commercial land use category as a PUD consistent with land development regulations and may have a maximum intensity of 3.0 FAR.

Objective 1.10: Industrial Land Use Category. The industrial category is established to provide sufficient land for existing and anticipated future industrial needs and requisite support services.

Policy 1.10.1: Residential uses are not allowed in the industrial category.

Policy 1.10.2: Uses allowed in the industrial category include manufacturing, assembling and distribution activities; warehousing and storage activities; general commercial activities; and other similar land uses which shall be regulated through appropriate land development regulations. Heavy metal fabrication, batch plants, salvage yards, chemical or petroleum manufacturing or refining, rubber or plastics manufacturing or other uses generating potentially harmful environmental or nuisance impacts shall be prohibited.

Policy 1.10.3: The maximum intensity of industrial development shall be limited to 1.0 FAR.

Objective 1.11: Smart Growth Principles. New development in the City shall comply with “Smart Growth” principles that minimize the emission of greenhouse gases and reduce vehicle miles of travel as opposed to conventional development standards that encourage urban sprawl. The following policies shall be incorporated into the City’s land development regulations prior to the next required Evaluation and Appraisal Report.

Policy 1.11.1: Development in the Downtown Mixed-Use land use category, and where appropriate in the Residential/Office and Master Planned Development categories, shall provide pedestrian-friendly street design (buildings close to street; porches, windows and doors; tree-lined streets; hidden parking lots; garages in rear; narrow, slow-speed streets).

Policy 1.11.2: New development, as well as infill development where feasible, shall provide interconnected street grid networks to disperse traffic and encourage walkability. Developments may include a hierarchy of narrow streets, boulevards and alleys; high-quality pedestrian networks; designs that encourage a greater use of bicycles, rollerblades, scooters and walking as daily transportation; connectivity to public transit; and a land use mix that demonstrates reduced external trips by encouraging internal trips.

Policy 1.11.3: New Development in the Downtown Mixed-Use, and where appropriate in the Residential/Office and Master Planned Development categories, shall provide a mix of shops, offices, apartments and homes on site and provide mixed-use within neighborhoods, within blocks and within buildings.

Policy 1.11.4: Developments that require site plan review and approval shall be evaluated on the use of site and building design that emphasizes beauty, aesthetics, human comfort, creating a sense of place, special placement of civic uses and sites and human-scale architecture and amenities, especially at street level.

Objective 1.12: Public Facilities and Services. Development, redevelopment, land use plan amendments and changes to the zoning of a site shall be coordinated with the availability of adequate services and facilities, including assurance that land is available for the needed utility facilities and services.

Policy 1.12.1: The Lake-Sumter Metropolitan Planning Organization’s transportation concurrency management system (TCMS) and Traffic Impact Study Methodology Guidelines, Volume I: Lake County Checkbook TCMS dated May 28, 2008, and as amended, shall serve as the City’s transportation concurrency management system.

Policy 1.12.2: All development orders or permits, including any redevelopment activities, shall be issued only if there are public facilities and services available with sufficient

capacities to maintain the level of service standards concurrent with the impacts of the proposed development. Prior to the issuance of a building permit, the City shall verify with its utility department that adequate water supplies will be available to serve new development no later than the anticipated date of issuance of the certificate of occupancy.

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

Policy 1.12.4: The City shall encourage the development of undeveloped pockets and enclaves within developed areas to utilize existing facilities efficiently.

Policy 1.12.5: The City shall ensure the availability of suitable land for public services and facilities necessary to support proposed development and shall approve sites for such facilities and services concurrent with the approvals for the development requiring the services and facilities.

Policy 1.12.6: The City shall require new development to provide necessary services and facilities or to pay a fair share of the cost of those services and facilities through impact fees, special assessments, exactions, conveyance of land or easements or pro-rata agreements.

Policy 1.12.7: The City shall continue to require dedication of adequate rights-of-way for use as roadways, stormwater management and by utility companies for new construction, service extensions or facility improvements.

Policy 1.12.8: Private or public electric utilities needed to support the future land use categories may be permitted as conditional uses in all land use designations except for residential, conservation or parks categories.

Policy 1.12.9: Small-scale, site-specific, or off-grid electrical generation systems serving single users or small clusters of users and which use alternative energy sources shall be allowed in all land use categories without exception. Such alternative systems shall be allowed to connect to an available electrical energy distribution system to sell excess power to an electric utility provider. All substations adjacent to residential neighborhoods or visible from a public roadway shall be required to provide landscaping and buffering to minimize visual and noise impacts.

Objective 1.13: Natural Resources. Natural resources shall be protected through identification, classification, coordination with resource planning and management plans prepared pursuant to Chapter 380, F.S., and limitations on use consistent with the degree of protection required.

Policy 1.13.1: The protection of natural resources shall be accomplished by one or more of the following techniques, based on the degree of protection required:

- Limitations on development density and intensity;
- Limitations on building placement, such as required clustering of allowable development on non-sensitive portions of a site;
- Limitations on building coverage or impervious surface coverage;

- Requirements for setbacks and landscaped buffers sufficient to mitigate or eliminate impacts; and
- Evaluation of proposed plan amendments to ensure that they do not contribute to urban sprawl and fail to protect natural resources.

Policy 1.13.2: The City's determination of the degree of natural resource protection required shall be part of the development application and review process and may result in conditions on development approvals.

Policy 1.13.3: The land development regulations shall provide for the protection of potable water wellfields by designating appropriate activities and land uses allowed within wellhead protection areas and environmentally sensitive land to protect these areas from adverse impacts of development.

Policy 1.13.4: The City shall include standards and procedures in its land development regulations that consider topography and soil types in the review of proposed development projects.

Policy 1.13.5: The development approval process shall ensure that new development and redevelopment is consistent with natural drainage patterns. The approval process shall require appropriate stormwater management systems consistent with the adopted drainage level of service, natural drainage patterns and soil conditions.

Policy 1.13.6: Flood plains and floodways in the City shall be identified and development shall be limited, consistent with FEMA requirements.

Policy 1.13.7: The City of Clermont is not located within the Green Swamp Area of Critical State Concern; however, a portion of this resource is located within the Lake County/Clermont JPA. The City shall utilize both formal and informal modes of coordination with the Florida Department of Community Affairs, St. Johns River Water Management District, Florida Department of Environmental Protection, Lake County and other appropriate state and local agencies that have jurisdictional authority or responsibility for regulation and management of the Green Swamp Area of Critical State Concern.

Policy 1.13.8: The City shall ensure the preservation of natural communities and listed animal species habitat through land acquisition of natural areas and open space.

Objective 1.14: Historic Resources. Important historic and archaeological resources of the City of Clermont shall be protected through identification, classification and regulation of development consistent with the degree of protection required for the resource.

Policy 1.14.1: The City, through its adopted historic preservation ordinance, will protect significant historic, cultural and archaeological resources.

Policy 1.14.2: The City shall identify and inventory sites of historical significance.

Policy 1.14.3: The City's land development regulations shall provide for the protection of significant historic resources from the impacts of development and redevelopment.

Policy 1.14.4: Historic resources and their environments shall be considered for inclusion in public acquisition programs for appropriate passive recreation and for open space and conservation.

Policy 1.14.5: If City construction activities reveal a suspected historical or pre-historic archaeological site, the City shall determine the extent and nature of the site and report such findings to the state by a master site file application. The City shall mitigate any impacts to the site if the site is determined to be relatively intensive in cultural remains, or significant to the archaeological or historical record. Such determination of site extent, nature and significance shall be made by a professional archaeologist as recognized by the Florida Department of State, Division of Historical Resources, Bureau of Historic Preservation.

Policy 1.14.6: The City shall negotiate with landowners prior to the development review process, to avoid disturbance of known historical and pre-historic sites.

Policy 1.14.7: The City shall support private, nonprofit groups that endeavor to preserve historic resources and request the assistance of the Florida Department of State, Division of Historical Resources, Bureau of Historic Preservation, in identifying sources of funding and programs as a means to identify, designate, protect and preserve pre-historic sites and historic resources in Clermont.

Objective 1.15: Redevelopment and Renewal of Blighted Areas. The City shall encourage redevelopment of areas that are exhibiting evidence of decline (i.e., disproportionate number of vacant, dilapidated and/or substandard structures) through redevelopment programs and through maintaining land development regulations that contain standards and procedures to encourage redevelopment where desirable.

Policy 1.15.1: The City shall continue to implement the recommendations for the Clermont community redevelopment area.

Policy 1.15.2: The City shall implement Housing Element directives for renewal and revitalization of substandard housing target areas within time-frames identified in the element.

Policy 1.15.3: The City shall utilize available government programs such as, but not limited to, the community development block grant program, for renewal and revitalization of substandard housing sites as identified in the Housing Element.

Objective 1.16: Plan Implementation. The City shall maintain land use and development regulations to address issues identified in this and other plan element goals, objectives and policies.

Policy 1.16.1: Proposed residential developments shall be required to meet state subdivision requirements and the City's land development regulations with regard to platting and providing improvements such as roads, drainage and other facilities and services. All divisions of land, whether requiring a subdivision plat or not, shall be required to meet concurrency management and access requirements as stated in this comprehensive plan.

Policy 1.16.2: Zoning districts in the City's land development regulations shall implement the future land use categories adopted in the comprehensive plan, including the types of uses and the densities and intensities of uses.

Policy 1.16.3: It is the intent of the City of Clermont to ensure that adequate open space is provided through the following:

- active or passive recreation sites;
- landscaped buffers;
- protected natural resource lands;
- protected environmentally sensitive lands;
- areas devoted to drainage and stormwater retention;
- landscaping requirements; and
- minimum open space requirements for master-planned developments.

Policy 1.16.4: The City shall maintain and enhance the safety and efficiency of the arterial and collector road system and minimize transportation conflicts associated with development by coordinating the FDOT driveway permitting process, limiting development access to the transportation system and increasing interconnection between adjacent developments.

Policy 1.16.5: All development shall provide for safe, convenient, and appropriately designed traffic circulation on the site, including provisions for needed parking.

Policy 1.16.6: The City shall maintain in the land development regulations procedures and standards for planned developments to encourage mixed-use projects, to encourage traditional neighborhood development, and to encourage and allow innovative site design and development approaches.

Policy 1.16.7: The land development regulations shall determine where buffers shall be required between adjacent land uses. Buffers may be either prescriptive standards or variable and shall be defined in the land development regulations. Buffers may serve one or more of the following purposes: provide functional separations between dissimilar uses; provide landscaping adjacent to parking lots and other vehicle use areas; and provide protection from uses that may have some degree of incompatibility that can be mitigated wholly or partially to protect against light, glare, noise or appearance.

Policy 1.16.8: Public schools are an allowable use in all land use categories except conservation, parks and industrial. Public technical/training schools may be located in the industrial category. The location of schools shall be proximate to existing and planned urban residential areas to the extent possible and shall be located based on siting criteria that includes but is not limited to school size, land area, land use compatibility, environmental impacts, availability of public utilities, transportation impacts and public safety. The following criteria shall apply:

- Public elementary schools shall be sited primarily in residential areas that include housing types and densities to meet the school's enrollment capacity with students who are predominately within walking distance of the school.
- Public middle and high schools may be sited in areas with a mix of land uses, including commercial.

- Access to public school sites should be from a collector road for middle and high schools or a collector or local road for elementary schools. Ingress and egress should not create detrimental impacts on roads adjacent to the site. Approaches to the site should be safe for pedestrians, bicycles, cars and buses.
- Public utilities shall be available to the site.

Policy 1.16.9: The City shall encourage the co-location of public facilities, such as parks, libraries and community centers, with schools to the maximum extent feasible.

Policy 1.16.10: Development regulations shall require street, pedestrian and transit layouts that discourage non-residential through-traffic in residential neighborhoods, but that encourage energy and time-efficient access points and interconnections between residential areas.



Florida Department of Transportation

RON DESANTIS
GOVERNOR

719 S. Woodland Boulevard
DeLand, Florida 32720

KEVIN J. THIBAUT, P.E.
SECRETARY

June 29, 2020

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

SUBJECT: PROPOSED COMPREHENSIVE PLAN AMENDMENT REVIEW
LOCAL GOVERNMENT: CITY OF CLERMONT
DEO #: 20-03ESR

Dear Mr. Kruse,

The Department of Transportation has completed its review of the above Proposed Comprehensive Plan Amendment, as requested in your transmittal letter dated June 11, 2020.

We appreciate the opportunity to participate in this review process. The proposed amendment is not anticipated to result in significant adverse impacts to the State Highway System and/or Strategic Intermodal System; therefore, the Department does not have any technical assistance comments.

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

Sincerely,

Tina Williamson, AICP
Growth Management Coordinator

C: Tim McClendon, Lake County
Fred Milch, ECFRPC
Kellie Smith, FDOT

Jennifer Carver, FDOT
D. Ray Eubanks, FDEO
Sherry Spiers, FDEO

PROPOSED COMPREHENSIVE PLAN AMENDMENT REVIEW

Local Government: City of Clermont
DEO Amendment #: 20-03ESR
Date Amendment Received FDOT: 06/15/2020
Review Comments Deadline: 07/15/2020
Today's Date: 06/29/2020

GENERAL BACKGROUND INFORMATION

The City of Clermont has submitted the proposed 20-03ESR large-scale Comprehensive Plan text amendment pertaining to approximately 42.55± acres in the downtown area of the City of Clermont, generally located north of S.R. 50, south of Lake Minneola, east of 12th Avenue, and west of 5th Avenue. The proposed text amendment increases the allowable density within the Medium-Density Residential Future Land Use (FLU) designation from eight (8) to twelve (12) dwelling units per acre. This increase is only allowable within the downtown area.

The pertinent adopted and proposed FLUM designations and descriptions for the future land use amendment are:

- **CITY OF CLERMONT – MEDIUM-DENSITY RESIDENTIAL**

Permitted housing types include single family detached homes, including zero-lot line and cluster developments, duplexes, townhomes, condominiums, accessory dwelling units, and apartments.

Maximum allowed intensity: **Residential** – Not to exceed eight (8) dwelling units per acre. This is proposed to be increase to twelve (12) dwelling units per acre in the downtown.

FDOT Contact:	Tina Williamson, AICP Growth Management Coordinator FDOT District Five, PLEMO	Reviewed by:	Tyler K. Johnson, AICP
Telephone:	386-943-5150		VHB
Fax:	386-943-5713		407-839-4006
E-mail:	Tina.Williamson@dot.state.fl.us		tjohnson@vhb.com
File:	H:\Deland\Development\PLEMO\Planning\Growth Management\CPA\CPA Project Files\Clermont_Lake\Review\2020\20-3ESR\Proposed\Clermont_Proposed_20-03ESR_FDOT_062620-CPA Review.docx		

PROPOSED COMPREHENSIVE PLAN AMENDMENT REVIEW

Local Government: City of Clermont
DEO Amendment #: 20-03ESR
Date Amendment Received FDOT: 06/15/2020
Review Comments Deadline: 07/15/2020
Today's Date: 06/29/2020

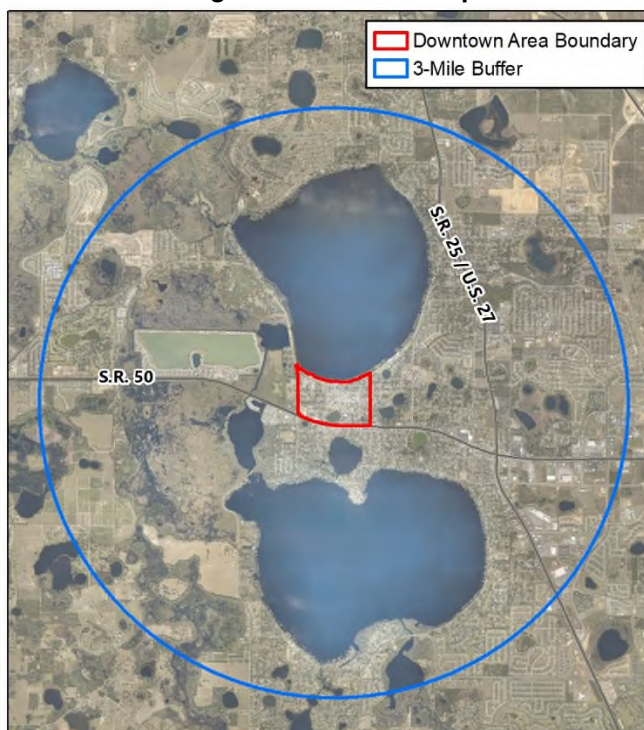
MAP AMENDMENT

Elements: Future Land Use Element
Rule Reference: Chapter 163, Florida Statutes

Background:

The City of Clermont has submitted the proposed City of Clermont 20-03ESR large-scale Comprehensive Plan text amendment pertaining to approximately 42.55± acres in the downtown area of the City of Clermont, generally located north of S.R. 50, south of Lake Minneola, east of 12th Avenue, and west of 5th Avenue. The proposed text amendment increases the allowable density within the Medium Density Residential Future Land Use (FLU) designation from eight (8) to twelve (12) dwelling units per acre. This increase is only allowable within the downtown area. The downtown area is depicted in Figure 1.

Figure 1: Location Map



FDOT Contact: Tina Williamson, AICP
Growth Management Coordinator
FDOT District Five, PLEMO
Telephone: 386-943-5150
Fax: 386-943-5713
E-mail: Tina.Williamson@dot.state.fl.us
File: H:\Deland\Development\PLEMO\Planning\Growth Management\CPA\CPA Project Files\Clermont_Lake\Review\2020\20-03ESR\Proposed\Clermont_Proposed_20-03ESR_FDOT_062620-CPA Review.docx

Reviewed by: Tyler K. Johnson, AICP
VHB
407-839-4006
407-839-4008
tjohnson@vhb.com

PROPOSED COMPREHENSIVE PLAN AMENDMENT REVIEW

Local Government: City of Clermont
DEO Amendment #: 20-03ESR
Date Amendment Received FDOT: 06/15/2020
Review Comments Deadline: 07/15/2020
Today's Date: 06/29/2020

The City is proposing this amendment to provide walkability and encourage density and housing options adjacent to downtown. The proposed amendment would only be allowed in the Downtown area, shown in Figure 1, and only applies to the Medium-Density Future Land Use (FLU) designation, which makes up approximately 42.55 acres of the Downtown area. These parcels are adjacent to the existing Downtown Mixed Use FLU, which allows for 25 units per acre, and up to 40 units per acre with density bonuses. The Staff Report also notes the proposed amendment will allow for a “more gradual transition.” The proposed policy amendment is shown in strikethrough/underline format below:

Policy 1.6.2: Medium-Density Residential. Areas delineated on the FLUM for medium-density residential development shall accommodate a maximum density of up to eight units per acre. To encourage higher density adjacent to Downtown and provide enhanced walkability between housing and the Central Business District, land designated as Medium-Density Residential Future Land Use adjacent to the Downtown Mixed Use Future Land Use may have a density of up to 12 units per acre. However, densities higher than eight units per acres shall require a Conditional Use Permit. The Medium-Density Residential Future Land Use area eligible for density up to 12 units per acre north of SR 50, South of Lake Minneola, West of 5th Street and East and 12th Street. Permitted housing types include single-family detached homes, including zero-lot line and cluster developments, duplexes, townhomes, condominiums, accessory dwelling units, and apartments.

The transmittal notes there are 192 parcels currently designated Medium Density Residential within the identified boundaries. The Staff Report indicates that “due to varying existing physical and other constraints, including meeting setback and minimum parking requirements” it is unlikely all of the parcels, and the entire 42.55 acres of Medium-Density Residential will develop at the increased density. The proposed amendment also indicates that any density above the existing eight units per acre will be required to apply for a Conditional Use Permit.

The following analysis assumes the entire 42.55 acres can develop at the increased density. Table 1 below shows the trip generation potential for the currently adopted and proposed land use densities, and the change in trips as a result of the proposed FLU amendment.

Table 1: Trip Generation Potential of the Subject Property

Scenario	Land Use Designation	ITE Land Use Code	Allowed Development		Daily Trips	P.M. Peak Hour Trips
Adopted	Medium Density Residential	220	340	d.u.	2,530	176
Proposed	Medium Density Residential	220	510	d.u.	3,815	252
Change in Trips					+1,285	+76

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

FDOT Contact:	Tina Williamson, AICP Growth Management Coordinator FDOT District Five, PLEMO	Reviewed by:	Tyler K. Johnson, AICP
Telephone:	386-943-5150		VHB
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E-mail:	Tina.Williamson@dot.state.fl.us		tjohnson@vhb.com
File:	H:\Deland\Development\PLEMO\Planning\Growth Management\CPA\CPA Project Files\Clermont_Lake\Review\2020\20-03ESR\Proposed\Clermont_Proposed_20-03ESR_FDOT_062620-CPA Review.docx		

PROPOSED COMPREHENSIVE PLAN AMENDMENT REVIEW

Local Government: City of Clermont
DEO Amendment #: 20-03ESR
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The analysis shows that the proposed amendment increases the trip generation potential of the subject land use by 1,285 daily trips and 76 P.M. peak hour trips.

The State roadway segments within three miles of the site that could be impacted by the amendment are shown in the Table 2 with year 2020, 2030, and 2040 projected volumes.

Table 2: State Roadway Segments Affected by FLUM Amendment

Roadway(s)	Segment(s)	SIS ?	LOS Standard	2020			2030			2040		
				Service Volume at LOS Standard	AADT	Acceptable?	Service Volume at LOS Standard	AADT	Acceptable?	Service Volume at LOS Standard	AADT	Acceptable?
S.R. 25/ U.S. 27	Hartwood Marsh Rd to Johns Lake Rd/Roper Blvd	Y	D	62,900	38,400	Y	62,900	44,600	Y	62,900	48,000	Y
	Johns Lake Rd/Roper Blvd to Brogeon Rd	Y	D	62,900	36,600	Y	62,900	41,000	Y	62,900	43,700	Y
	Brogeon Rd to S.R. 50	Y	D	41,790	42,000	N	41,790	49,100	N	41,790	49,300	N
	S.R. 50 to Citrus Tower Blvd/Grand Hwy	Y	D	41,790	34,800	Y	41,790	39,900	Y	41,790	43,900	N
	Citrus Tower Blvd/Grand Hwy to Washington St/Galena Ave	Y	D	41,790	43,000	N	41,790	52,800	N	41,790	62,600	N
	Washington St/Galena Ave to C.R. 561	Y	D	41,790	42,500	N	41,790	50,000	N	41,790	53,300	N
	C.R. 561 to Causey Rd/Urban Boundary	Y	D	65,600	36,600	Y	98,300	42,900	Y	98,300	47,900	Y
S.R. 50	Beverly Dr to C.R. 561/12th St	Y	D	41,790	30,400	Y	41,790	34,300	Y	41,790	37,300	Y
	C.R. 561/12th St to 8th St	Y	D	39,800	42,900	N	39,800	49,200	N	39,800	50,600	N
	8th St to East Ave	Y	D	39,800	42,400	N	39,800	50,800	N	39,800	49,500	N
	East Ave to Bloxam Ave	Y	D	39,800	44,800	N	39,800	53,500	N	39,800	53,500	N
	Bloxam Ave to S.R. 25/ U.S. 27	Y	D	62,900	50,200	Y	62,900	58,700	Y	62,900	61,300	Y
	S.R. 25/U.S. 27 to Miss Florida Ave	N	D	62,900	49,500	Y	62,900	58,400	Y	62,900	68,100	N

Source: FDOT District Five 2018 LOS_ALL Report Update

FDOT Contact: Tina Williamson, AICP
Growth Management Coordinator
FDOT District Five, PLEMO
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Reviewed by: Tyler K. Johnson, AICP
VHB
407-839-4006
407-839-4008
tjohnson@vhb.com

PROPOSED COMPREHENSIVE PLAN AMENDMENT REVIEW

Local Government: City of Clermont
DEO Amendment #: 20-03ESR
Date Amendment Received FDOT: 06/15/2020
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Today's Date: 06/29/2020

Technical Assistance:

There are segments of S.R. 25/U.S. 27 and S.R. 50 located within three (3) miles of the subject area that are currently exceeding LOS standards. There are additional segments of these roadways within three (3) miles of the downtown area projected to exceed LOS standards through the year 2040 scenario. The proposed amendment increases the trip generation potential of the medium density residential areas within the downtown area; however, the Department acknowledges this proposed text amendment is intended to encourage housing in the walkable downtown area, and is consistent with the City's investment in the Downtown Waterfront Plan, including streetscaping, infrastructure and incentivizing activities in the Downtown. In addition, the increase in trip generation potential for the entire downtown area is nominal and it assumes that the entire land use acreage would be developed/redeveloped, which is unlikely. Based on this, the Department does not have any technical assistance comments.

The Department respectfully requests a copy of the adopted plan amendment. Please provide the adopted plan amendment within two weeks of adoption, in order to assist in facilitating review within the required 30-day time frame from adoption, as required by Statutes (Expedited State Review Amendment Process Section 163.3184(3) and (5), Florida Statutes).

FDOT Contact:	Tina Williamson, AICP Growth Management Coordinator FDOT District Five, PLEMO	Reviewed by:	Tyler K. Johnson, AICP
Telephone:	386-943-5150		VHB
Fax:	386-943-5713		407-839-4006
E-mail:	Tina.Williamson@dot.state.fl.us		tjohnson@vhb.com
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Ron DeSantis
GOVERNOR



Ken Lawson
EXECUTIVE DIRECTOR

June 25, 2020

The Honorable Gail Ash
Mayor, City of Clermont
685 West Montrose Street
Clermont, Florida 34711

Dear Mayor Ash:

The Department of Economic Opportunity ("Department") has reviewed the City of Clermont proposed comprehensive plan amendment (Amendment No. 20-03ESR; Ordinance No. 2020-21), received on June 18, 2020, pursuant to the expedited state review process in Section 163.3184(2)(3), Florida Statutes (F.S.). We have identified no comment related to adverse impacts to important state resources and facilities within the Department's authorized scope of review.

We are, however, providing a technical assistance comment consistent with Section 163.3168(3), F.S. The technical assistance comment will not form the basis of a challenge. It is offered either as a suggestion which can strengthen the City's comprehensive plan in order to foster a vibrant, healthy community or is technical in nature and designed to ensure consistency with the Community Planning Act in Chapter 163, Part II, F.S. The technical assistance comment is:

Public Facilities Data and Analysis. Prior to adoption, the City should ensure that the amendment is supported by data and analysis identifying whether there are adequate public facilities (potable water, wastewater and transportation facilities) to serve the additional residential development authorized by the amendment.

The City should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment. In addition, the City is reminded that:

- Section 163.3184(3)(b), F.S., authorizes other reviewing agencies to provide comments directly to the City. **If the City receives reviewing agency comments and they are not resolved, these comments could form the basis for a challenge to the amendment after adoption.**
- **The second public hearing**, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, **must be held within 180 days** of your receipt of agency comments or the amendment shall be **deemed withdrawn** unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment pursuant to Section 163.3184(3)(c)1., F.S.

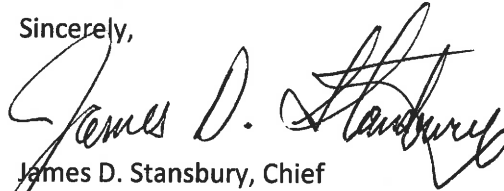
Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
850.245.7105 | www.FloridaJobs.org
www.twitter.com/FLDEO | www.facebook.com/FLDEO

An equal opportunity employer/program. Auxiliary aids and service are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TTD equipment via the Florida Relay Service at 711.

- **The adopted amendment must be rendered to the Department.** Under Section 163.3184(3)(c)2. and 4., F.S., the **amendment effective date** is 31 days after the Department notifies the City that the amendment package is complete or, if challenged, until it is found to be in compliance by the Department or the Administration Commission.

If you have any questions concerning this review, please contact Dan Evans, Planning Analyst, by telephone at (850) 717-8484 or by email at dan.evans@deo.myflorida.com.

Sincerely,

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

James D. Stansbury, Chief
Bureau of Community Planning and Growth

JDS/ ss

Enclosure(s): Procedures for Adoption

cc: John Kruse, AICP, Senior Planner, City of Clermont Development Services
Hugh W. Harling, Jr., Executive Director, East Central Florida Regional Planning Council

SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS
FOR EXPEDITED STATE REVIEW

Section 163.3184(3), Florida Statutes

NUMBER OF COPIES TO BE SUBMITTED: Please submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the State Land Planning Agency and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

SUBMITTAL LETTER: Please include the following information in the cover letter transmitting the adopted amendment:

_____ State Land Planning Agency identification number for adopted amendment package;

_____ Summary description of the adoption package, including any amendments proposed but not adopted;

_____ Identify if concurrency has been rescinded and indicate for which public facilities.
(Transportation, schools, recreation and open space).

_____ Ordinance number and adoption date;

_____ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

_____ Name, title, address, telephone, FAX number and e-mail address of local government contact;

_____ Letter signed by the chief elected official or the person designated by the local government.

ADOPTION AMENDMENT PACKAGE: Please include the following information in the amendment package:

_____ In the case of text amendments, changes should be shown in strike-through/underline format.

_____ In the case of future land use map amendments, an adopted future land use map, in **color format**, clearly depicting the parcel, its future land use designation, and its adopted designation.

_____ A copy of any data and analyses the local government deems appropriate.

Note: If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

_____ Copy of the executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for expedited review:

"The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If the amendment is timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance."

_____ List of additional changes made in the adopted amendment that the State Land Planning Agency did not previously review;

_____ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

_____ Statement indicating the relationship of the additional changes not previously reviewed by the State Land Planning Agency in response to the comment letter from the State Land Planning Agency.

John E. Kruse

From: Steve Fitzgibbons <SFitzgibbons@sjrwmd.com>
Sent: Tuesday, July 07, 2020 1:52 PM
To: John E. Kruse
Cc: 'DCPexternalagencycomments@deo.myflorida.com'
Subject: City of Clermont proposed comprehensive plan amendment 20-3ESR

Dear Mr. Kruse,

St. Johns River Water Management District (District) staff have reviewed City of Clermont proposed comprehensive plan amendment 20-3ESR in accordance with the provisions of Chapter 163, Florida Statutes. Based on review of the submitted materials, District staff have no comments on the proposed amendment.

If you have any questions or need additional information, please contact me.

Please note that all proposed and adopted comprehensive plan amendments can be submitted to the District by email at sfitzgibbons@sjrwmd.com.

Sincerely,
Steve Fitzgibbons

Steven Fitzgibbons, AICP
Intergovernmental Planner
Division of Strategic Planning and Initiatives
St. Johns River Water Management District
7775 Baymeadows Way, Suite 102
Jacksonville, FL 32256
Office (386) 312-2369
E-mail: sfitzgibbons@sjrwmd.com
Website: www.sjrwmd.com
Connect with us: [Newsletter](#), [Facebook](#), [Twitter](#), [Instagram](#), [YouTube](#), [Pinterest](#)



www.sjrwmd.com/epermitting

We value your opinion. Please take a few minutes to share your comments on the service you received from the District by clicking this [link](#)

Notices

- Emails to and from the St. Johns River Water Management District are archived and, unless exempt or confidential by law, are subject to being made available to the public upon request. Users should not have an expectation of confidentiality or privacy.
- Individuals lobbying the District must be registered as lobbyists (§112.3261, Florida Statutes). Details, applicability and the registration form are available at <http://www.sjrwmd.com/lobbyist/>

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: 10096441
Phone: (352) 241-7331
Date: 05/08/20
Ad Taker: liana.rickman

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
CITY OF CLERMONT NOTICE OF PROPOSED AMENDMENT TO COMPREHEI	05/18/2020	08/10/2020	\$233.16

**CITY OF CLERMONT
NOTICE OF PROPOSED AMENDMENT
TO COMPREHENSIVE PLAN
ORDINANCE NO. 2020-21**

The City of Clermont will hold a public hearing Tuesday, June 2, 2020 at 6:30 pm before the Planning and Zoning Commission, Tuesday, June 9, 2020 (transmittal) and August 25, 2020 (final hearing) at 6:30 pm before the City Council to consider proposed changes to the Future Land Use Element of the City's adopted comprehensive plan.

Ordinance No. 2020-21:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF CLERMONT, FLORIDA, PURSUANT TO THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING ACT, CHAPTER 163, PART II, FLORIDA STATUTES BY ADOPTING TEXT CHANGES TO THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN TO AMEND THE MEDIUM-DENSITY RESIDENTIAL FUTURE LAND USE CATEGORY; SETTING FORTH THE AUTHORITY FOR ADOPTION OF THE COMPREHENSIVE PLAN AMENDMENTS; SETTING FORTH THE PURPOSE AND INTENT OF THE COMPREHENSIVE PLAN AMENDMENTS; ESTABLISHING THE LEGAL STATUS OF THE COMPREHENSIVE PLAN AMENDMENTS; PROVIDING FOR SEVERABILITY, CONFLICT AND AN EFFECTIVE DATE.

The public hearings will be in the Council Chambers of City Hall, 685 W. Montrose St., and are open to public comment. Please call (352) 241-7309 if you have any questions.

The proposed amendment may be inspected at the City's Development

Services Office (first floor, City Hall) between 8 am and 5 pm, Monday-Friday.

Please be advised that under state law, any person deciding to appeal a decision made at the public hearing 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 hearing.

Tracy Ackroyd Howe, MMC
City Clerk

Ad No: 10096441
May 18, 2020 &
August 10, 2020

Payment Info	
Ad Price	\$233.16
Tax	\$0.00
Sub Total	\$233.16
Prepaid Amount	\$0.00
Balance Due	\$233.16



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date	
Tuesday, August 25, 2020	
Agenda Item Name	
Ordinance No. 2020-29 <i>Final</i> <i>Advent Health ROW</i>	
Requested Action	
Recommend approval of Ordinance 2020-29.	
Staff Report	
During the City's site review process for the development of the new Advent Health Campus, it was revealed an old thirty-foot right of way existed from a plat recorded in 1914 under the Lake Highlands Subdivision. This right of way has no purpose and the applicant has petitioned the City to close this right of way so they can move forward on the construction of the project. City and County staff have been working together on this issue and the most efficient way to process it is to transfer the right of way to the City through an interlocal agreement and then process the vacation petition. The County approved the transfer of right of way and the applicant is ready to proceed with the vacation request. City staff has reviewed the right of way vacation request and recommends vacating the right of way.	
Additional Analysis	
Fiscal Impact Summary	

Fiscal Impact		Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)			
1.	2020-29 - Advent Health ROW Vacation - R&F BL	2020-29 - Advent Health ROW Vacation - R&F BL.pdf	
2.	Advent Health CC signed agreement	Advent Health CC signed agreement.pdf	
3.	State Road 50 ROW Transfer Request.Advent Health5.21.2020	State Road 50 ROW Transfer Request.Advent Health5.21.2020.pdf	
4.	Advent Health ROW Vacation Application	Advent Health ROW Vacation Application.pdf	
5.	Ord2020-29Advent SR 50 ROW legal Ad	Ord2020-29Advent SR 50 ROW legal Ad.docx	



CITY OF CLERMONT
ORDINANCE NO. 2020-29

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, CLOSING AND PERMANENTLY ABANDONING THAT UNNAMED RIGHT OF WAY LYING SOUTHERLY OF TRACTS 9 AND 10, AND NORTHERLY OF TRACTS 23 AND 24, AS SHOWN ON THE PLAT OF LAKE HIGHLANDS COMPANY RECORDED IN PLAT BOOK 2, PAGE 28 AND PLAT BOOK 3, PAGE 24, PUBLIC RECORDS OF LAKE COUNTY FLORIDA, LYING IN SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST AND DESCRIBED HEREIN AS SHOWN BELOW; PROVIDING FOR SEVERABILITY, PUBLICATION, RECORDING, AND FOR AN EFFECTIVE DATE

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

SECTION 1: LEGAL DESCRIPTION

Bounded on the North by the South line of said Tracts 9 and 10; and Bounded on the South by the North line of said Tracts 23 and 24; and Bounded on the East by the West line of Tract 11 of said plats and the Southerly extension thereof; and Bounded on the West by the Easterly right of way line of Citrus Tower Blvd. as recorded in Official Records Book 2544 Page 2352, Public Records of Lake County, Florida, and the Northerly extension thereof to the North line of said unnamed right of way.

SECTION 2: AUTHORITY

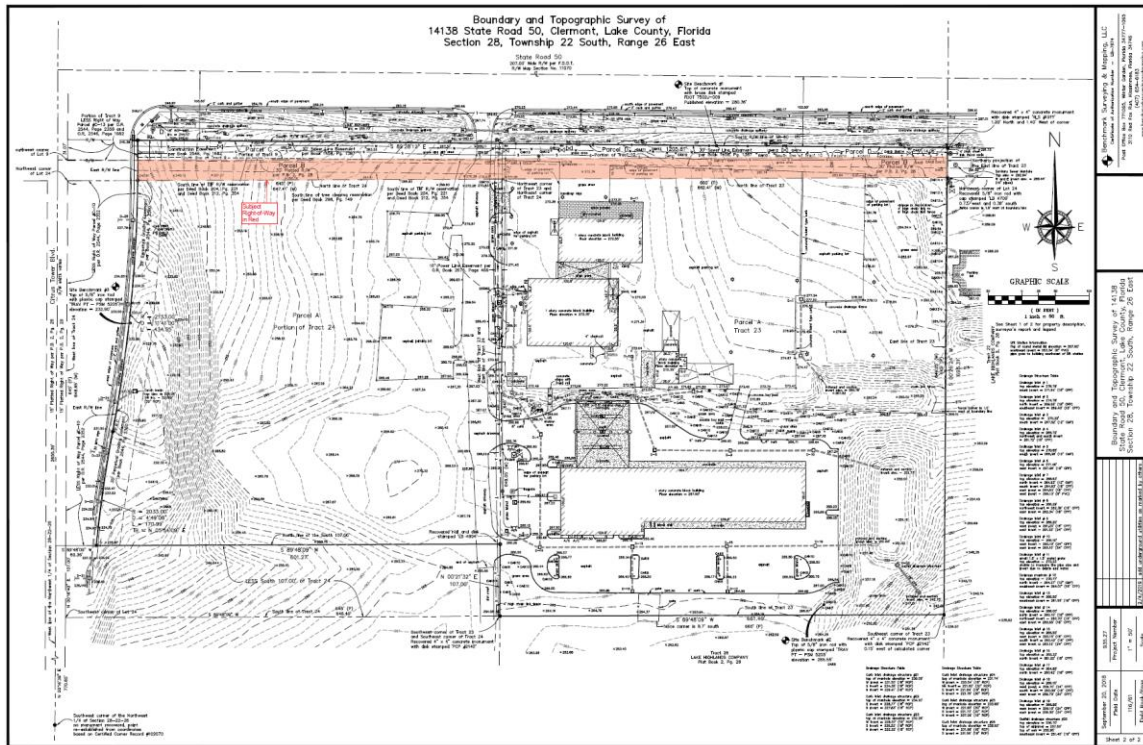
The closing is done pursuant to the authority of the Charter of the City of Clermont, Lake County, Florida and the general laws of the State of Florida.

SECTION 3: 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.

SECTION 4: RECORDING

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





CITY OF CLERMONT
ORDINANCE NO. 2020-29

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida
on this 25th day of August, 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



CITY OF CLERMONT
RESOLUTION NO. 2020-32R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT APPROVING AN AGREEMENT WITH LAKE COUNTY, FLORIDA FOR THE TRANSFER OF RIGHT-OF-WAY ADJACENT TO STATE ROUTE 50; AND, AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; AND, PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Clermont, Florida, as follows:

SECTION 1.

The City Council of the City of Clermont does hereby approve that certain agreement with Lake County, Florida for the transfer jurisdiction of a portion of public right of way as detailed in the interlocal agreement hereto as Exhibit A.

SECTION 2.

The Mayor and/or City Manager are specifically authorized to withhold the formal written agreement upon his or her determination of any matter or factor, hereafter coming to their attention which may indicate such action is not in the City's best interest, provided that upon such withholding, the City Manager, with reasonable dispatch, shall present the issue to the City Council, in session, for review and direction.

SECTION 3.

This Resolution shall take effect immediately upon its adoption.

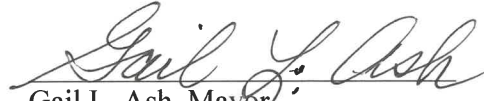


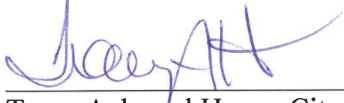
CITY OF CLERMONT
RESOLUTION NO. 2020-32R

PASSED AND ADOPTED by the City Council of the City of Clermont, Florida on the 23rd day of June, 2020.

CITY OF CLERMONT

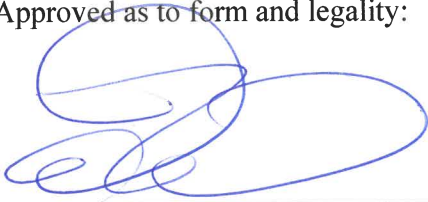



Gail L. Ash, Mayor



Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:



Daniel F. Mantzaris, City Attorney

**INTERLOCAL AGREEMENT BETWEEN
LAKE COUNTY, FLORIDA
AND
THE CITY OF CLERMONT, FLORIDA
TO TRANSFER JURISDICTION OF
A PORTION OF PLATTED RIGHT OF WAY AS SHOWN ON THE
PLAT OF LAKE HIGHLANDS COMPANY, RECORDED IN PLAT BOOK 2, PAGE 28
AND PLAT BOOK 3, PAGE 24
(RIGHT-OF-WAY LYING ADJACENT TO LOTS 9, 10, 23 AND 24)**

THIS INTERLOCAL AGREEMENT by and between LAKE COUNTY, a political subdivision of the State of Florida, hereinafter referred to as "COUNTY", and the CITY OF CLERMONT, a municipal corporation pursuant to the laws of the State of Florida, hereinafter referred to as "CITY", to transfer jurisdiction of a portion of public right of way.

WHEREAS, there exists a public right of way, lying south of Tracts 9 and 10, north of Tracts 23 and 24, in Section 28, Township 22 South, Range 26 East, in the plat of Lake Highlands Company, recorded in Plat Book 2, Page 28 and Plat Book 3, Page 24, Lake County Public Records, more particularly described in Exhibit "A" and shown on Exhibit "B", attached hereto and incorporated herein (hereinafter referred to as the "Right-of-Way"); and

WHEREAS, the adjoining property to the north, south and west lie within the CITY limits; and

WHEREAS, the property owner who adjoins the Right-of-Way on the south has requested this platted Right-of-Way be transferred to CITY since the property is being developed in the CITY and CITY desires to accept the transfer; and

WHEREAS, COUNTY agrees to transfer jurisdiction of said Right-of-Way to the CITY in accordance with Section 335.0415, Florida Statutes; and

WHEREAS, COUNTY and CITY find this transfer and the entering of this Agreement is in the best interests of both parties and their citizens.

NOW THEREFORE, IN CONSIDERATION of the mutual promises, conditions and covenants provided for herein, the parties agree as follows:

Section 1. Recitals. The above recitals are true and correct and incorporated herein.

Section 2. County obligations. COUNTY agrees to transfer to CITY, all jurisdiction, rights, interests and maintenance of the portion of platted Right-of-Way, as described in Exhibit "A", attached hereto, dedicated by said Lake Highlands Company in Plat Book 2, Page 28 and Plat Book 3, Page 24 (hereinafter "Right-of-Way"), effective on the date the last party hereto executes this Agreement ("effective date").

Section 3. City obligations. Upon the effective date of this Agreement, CITY agrees to accept jurisdiction of said Right-of-Way as described in Exhibit "A", attached hereto, including any ownership, interests and maintenance responsibilities.

Section 4. Modification. No modification or amendment to this Agreement shall be effective unless contained in a written document executed by the parties hereto, with the same formality and of equal dignity herewith.

Section 5. Entire Agreement. This document incorporates and includes all prior negotiations, correspondence, conversations, agreements, or understandings applicable to the matters contained herein and the parties agree that there are no commitments, agreements, or understandings concerning the subject matter of this

Interlocal Agreement between Lake County and City of Clermont (relating to the transfer of jurisdiction for a portion of Lake Highlands Company platted right of way lying adjacent to Tracts 9, 10, 23 and 24).

Agreement that are not contained in this document. Accordingly, it is agreed that no deviation from the terms hereof shall be predicated upon any prior representations or agreements whether oral or written. If any provision of this Agreement is found by a court of competent jurisdiction to be invalid, it shall be considered deleted here from, and shall not invalidate the remaining provisions.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement on the respective dates under each signature: Lake County through its Board of County Commissioners, signing by and through its Chairman, and City of Clermont, through its City Council, signing by and through its Mayor.

COUNTY

**BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA**

ATTEST:

Gary J. Cooney, Clerk of the
Board of County Commissioners
Of Lake County, Florida

Leslie Campione, Chairman

This _____ day of _____, 2020

Approved as to Form and Legality

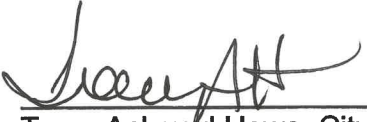
Melanie Marsh
County Attorney

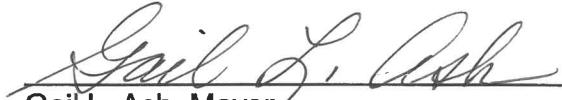
Interlocal Agreement between Lake County and City of Clermont (relating to the transfer of jurisdiction for a portion of Lake Highlands Company platted right of way lying adjacent to Tracts 9, 10, 23 and 24).

ATTEST:

CITY

CITY OF CLERMONT, FLORIDA


Tracy Ackroyd Howe, City Clerk


Gail L. Ash, Mayor

This 23 day of June, 2020

Approved as to form and legality

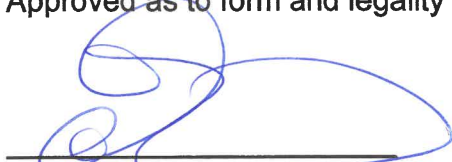

Daniel F. Mantzaris
City Attorney

EXHIBIT "A"
PAGE 1 OF 2
(Right-of-Way Description)

THAT UNNAMED RIGHT OF WAY LYING SOUTHERLY OF TRACTS 9 AND 10, AND NORTHERLY OF TRACTS 23 AND 24, AS SHOWN ON THE PLAT OF LAKE HIGHLANDS COMPANY, RECORDED IN PLAT BOOK 2, PAGE 28, AND PLAT BOOK 3, PAGE 24, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, LYING IN SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, BOUNDED AS FOLLOWS:

Bounded on the North by the South line of said Tracts 9 and 10; and

Bounded on the South by the North line of said Tracts 23 and 24; and

Bounded on the East by the West line of Tract 11 of said plats and the Southerly extension thereof; and

Bounded on the West by the Easterly right of way line of Citrus Tower Blvd. as recorded in Official Records Book 2544 Page 2352, Public Records of Lake County, Florida, and the Northerly extension thereof to the North line of said unnamed right of way.

EXHIBIT "B"



SECTION 28	TOWNSHIP 22S	RANGE 26E	DATE: 6/9/2020	SCALE: NTS	LAKE COUNTY DEPARTMENT OF PUBLIC WORKS ENGINEERING DIVISION / RIGHT OF WAY SECTION	TRANSFER OF LAKE HIGHLANDS PLATTED RIGHT OF WAY TO THE CITY OF CLERMONT
PREPARED BY: BG	THIS DRAWING IS A GENERAL REPRESENTATION AND IN NO WAY DOES LAKE COUNTY CERTIFY ITS ACCURACY			PAPER SIZE (10 SCALES)	2017 AERIAL	ADVENTIST HEALTH

G:\Workgroups\ROW\Interlocal Agreement transfers of ROW\Advent Health Lake Highlands transfer to Clermont.mxd
S:\PW\Arcview\Arcview Projects\Becky\Transfers of ROW\Advent Health Lake Highlands transfer to Clermont.pdf



Darren S. Gray
City Manager

352-241-7358
DGray@clermontfl.org

May 21, 2020

Lake County Public Works
Mr. Fred Schneider, PE
323 N. Sinclair Ave.
Tavares, FL 32778

Re: State Road 50 Right-of-Way Transfer Request for Development Purposes – Advent Health

Dear Mr. Schneider:

The property owner, Adventist Health System, of AK# 1648254 is requesting to develop their property within the City of Clermont. The development plan involves the vacation of the thirty-foot (30') platted right of way in the Lake Highlands Company Subdivision recorded in Plat Book 2, Page 28. The City is requesting transfer of the right of way to the City from the County. Legal description, map, and conceptual site plan is attached. The City will accept the transfer of this portion of the right of way with the intent to vacate to the property owner.

The signers of the acceptance will be Gail L. Ash, as Mayor, Tracy Ackroyd Howe, as City Clerk and Daniel F. Mantzaris as City Attorney.

If you have any questions for coordination, please feel free to contact John Kruse, Planning Manager at 352-241-7309.

Sincerely,

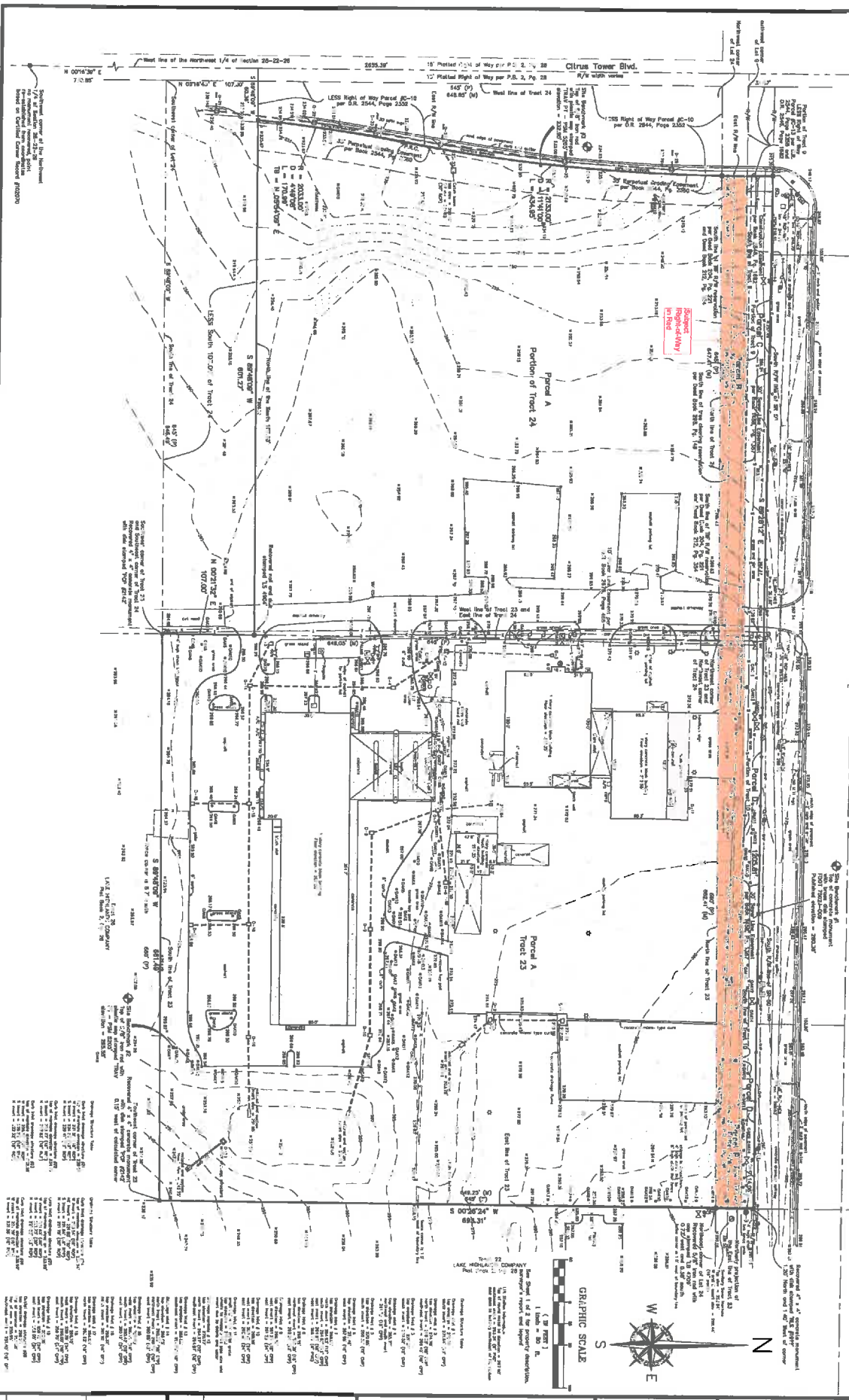
A handwritten signature in blue ink, appearing to be 'D. Gray', written over a blue circular stamp.

Darren S. Gray
City Manager

Sent via email: fschneider@lakecountyfl.gov
rgrimm@lakecountyfl.gov

**Boundary and Topographic Survey of
14138 State Road 50, Clermont, Lake County, Florida
Section 28, Township 22 South, Range 26 East**

State Road 50
302' W. Side of SR 50
302' W. Side of SR 50





CITY OF CLERMONT
STREET RIGHT-OF-WAY / EASEMENT CLOSING
PETITION

DATE: 06/03/2020

FEE: \$1000.00
+ cost of advertisement

PETITIONER'S NAME: Adventist Health System/Sunbelt, Inc. - Tim Burrill, Senior Vice President

Address: 1919 N. Orange Avenue

City: Orlando State: FL Zip: 32804

Phone: 407-303-1197 Fax: _____

Legal Description of Petitioner's property abutting Street ROW/easement to be closed
(Attach survey if available): See attached survey for legal description less Parcel B

If named - name of street to be closed: Street not named

Plot plan & legal description of Street ROW/Easement portion to be closed (From-To):

That portion of the 30.00 wide platted Right of Way lying North of Tracts 23 and 23 of Section, 28, Township 22 South, Range 26 East, and lying North of vacated Paloma Road, to be bound on the West by the East right of way of Citrus

Tower Boulevard and bound on the East by the northerly projection of the East line of Tract 23, all according to the Plat of LAKE HIGHLANDS COMPANY, filed March 2, 1914, and recorded in Plat Book 2, Page 28, Public Records of

Lake County, Florida.

Purpose or reason for closing: Subject ROW was transferred from Lake County to the City of Clermont upon request of the city, with the intent of vacating the right-of-way to the
petitioner. The ROW divides the petitioner's property in a way that makes the northmost strip of the property unusable on its own and separates the balance of the property from the SR 50 frontage. This ROW vacation unites the
petitioner's property in a way that makes the proposed Health Park development viable and useful to the public. The ROW is not adjacent to other city RW, is not used by any adjacent property owners, and contains no public utilities.

Attach a map and list of: Names and addresses of all property owners abutting the portion of the street requested to be closed and abandoned. X yes no

This petition is in accordance with the Clermont Land Development Code, Chapter 54, Division 2. Closing. Any person requesting a Street right-of-way or Easement Closing shall file a complete application submitted to the Development Services Director in the Development Services Department, at least 30 days prior to the final hearing date of the City Council. A Street right-of-way or Easement Closing requires two readings of an ordinance by the City Council. The City Council meetings are held on the second and fourth Tuesdays of every month.

All applications must be complete, including applicable site plans and or pertinent descriptive materials in order to be processed. A plot plan (schematic drawing of the property involved) showing the location of that portion of the street requested to be closed and permanently abandoned, and including a survey of the property and street involved if deemed necessary by the city council or the city attorney.

Tim Burrill, Senior Vice President

Petitioner Name (print)

X

Petitioner Name (signature)



DIVISION 2. CLOSING

Sec. 54-46. Purpose of division.

The purpose of this division is to establish an orderly procedure for closing and permanently abandoning municipal streets within the city.

(Code 1962, § 19-1; Ord. No. 96-C, § 1, 8-28-73)

Sec. 54-47. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Street means any public street, avenue, road, alley, highway, lane, path or other public way located in the city as shown on any of the various maps and plats of the city, recorded in the county public records.

(Code 1962, § 19-1; Ord. No. 96-C, § 1, 8-28-73)

Cross references: Definitions generally, § 1-2.

Sec. 54-48. Procedure.

(a) *Filing of petition; information required.* Whenever anyone who is the owner of or has any legal interest in property abutting a street within the city shall desire that the street be closed and permanently abandoned, he shall file a petition at the office of the city clerk setting forth the following information:

- (1) The petitioner's full name and mailing address.
- (2) The legal description of his property involved.
- (3) A plot plan (schematic drawing of the property involved) showing the location of that portion of the street requested to be closed and permanently abandoned, and including a survey of the property and street involved if deemed necessary by the city council or the city attorney.
- (4) The purpose for which the street is requested to be closed.
- (5) The names and mailing addresses of all property owners abutting the portion of the street requested to be closed and abandoned.

(b) *Filing fee; notice; hearing; notification of property owners.* When a petition containing the information described in subsection (a) of this section is filed with the city clerk, along with the filing fee established by resolution of the council and on file in the city clerk's office, the clerk shall forthwith cause notice of the petition to be published as a legal notice in a local newspaper, no less than ten days prior to the date set for a hearing on the petition, and shall enter the matter on the agenda of the next regular meeting of the city council if the meeting is ten or more days forthcoming. Otherwise, the matter shall be advertised and set for hearing at the following regular meeting wherein ten days' notice could be given; furthermore, all property owners abutting that portion of the affected street shall be individually notified by an official letter from the city, stating the conditions of the request.



(c) *Council action.* At the regularly scheduled city council meeting wherein the requested street closing appears on the agenda, the city council will act upon the requested street closing. Upon motion and second of the city council, an ordinance may be introduced and passed, as provided by law, closing and permanently abandoning all or any portion of the street requested to be closed by the petition. Such ordinance shall be introduced and passed according to law.

(Code 1962, § 19-2; Ord. No. 96-C, § 2, 8-28-73)

Charter references: Construction of streets, sidewalks and other local improvements, § 5.

Sec. 54-49. Retention of utility easement.

Whenever it shall appear to the city council that the city does not have a utility easement along the street requested to be closed, the city shall retain a utility easement on any street closed and permanently abandoned pursuant to the provisions of this division.

(Code 1962, § 19-3; Ord. No. 96-C, § 3, 8-28-73)

Sec. 54-50. Recording of ordinances closing and abandoning streets.

Any municipal ordinance duly passed as provided by law, which closes and permanently abandons any street within the city, shall be recorded by the city clerk in the public records of the county.

(Code 1962, § 19-4; Ord. No. 96-C, § 4, 8-28-73)

PROPERTY OWNERS abutting portion of street requested to be closed/abandoned

LCPA Alternate Key: 1648254

ADVENTIST HEALTH SYSTEM/SUNBELT INC

ATTN ADVENT HEALTH ACCOUNTING DEPT

601 E ROLLINS ST

BOX 50

ORLANDO, FL 32803

LCPA Alternate Key: 3326601

MICHAEL PHILLIP PENNACHIO TRUSTEE

1100 S GROVE ST

EUSTIS, FL 32726

Field Book/Page	116/61
Field Date	September 20, 2010

Project Number	939.27
Scale	1" = 50'

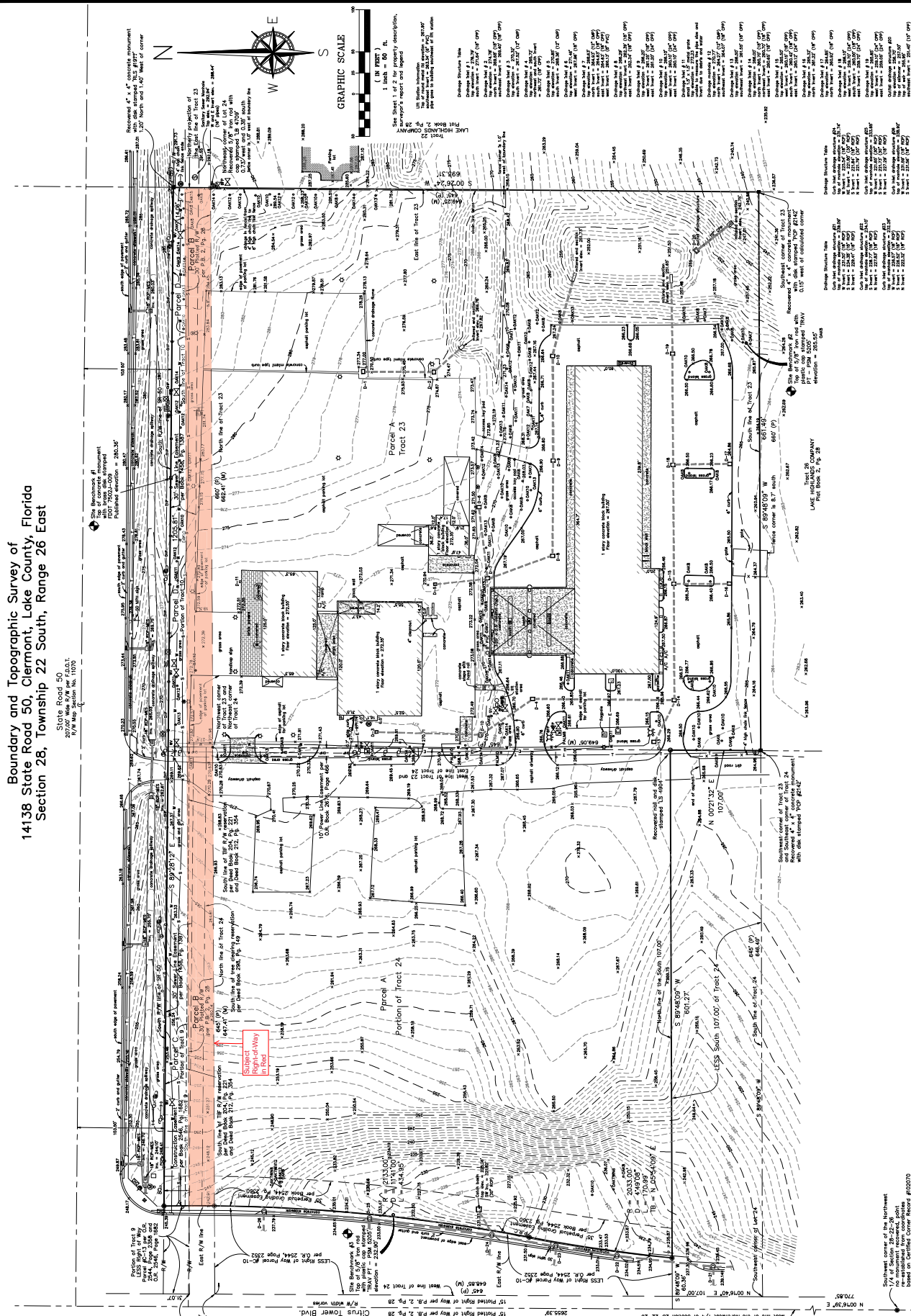
2/4/2019	odd underground utilities as marked by others

Boundary and Topographic Survey of 14138
State Road 50, Clermont, Lake County, Florida
Section 28, Township 22 South, Range 26 East

Post Office Box 771065, Winter Garden, Florida 34777-1065
3110 Red Fox Run, Kissimmee, Florida 34746
(407) 654-6183
www.benchmarksurveyingandmapping.com

Boundary and Topographic Survey of
14138 State Road 50, Clermont, Lake County, Florida
Section 28, Township 22 South, Range 26 East

State Road 50
207.00' Wide R/W per F.D.O.T.
R/W Map Section No. 11079



LEGAL NOTICE

The City Council of the City of Clermont will consider the enactment of the following proposed Ordinance at the regularly scheduled meeting to be held Tuesday, August 25, 2020 at 6:30 P.M. at City Hall located at 685 West Montrose Street. All interested parties will be given an opportunity to express their views on this matter.

ORDINANCE NO. 2020-29

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, CLOSING AND PERMANENTLY ABANDONING THAT UNNAMED RIGHT OF WAY LYING SOUTHERLY OF TRACTS 9 AND 10, AND NORTHERLY OF TRACTS 23 AND 24, AS SHOWN ON THE PLAT OF LAKE HIGHLANDS COMPANY RECORDED IN PLAT BOOK 2, PAGE 28, AND PLAT BOOK 3, PAGE 24, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, LYING IN SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST AND DESCRIBED HEREIN AS SHOWN BELOW; PROVIDING FOR SEVERABILITY, PUBLICATION, RECORDING, AND FOR AN EFFECTIVE DATE.

LEGAL DESCRIPTION

Bounded on the North by the South line of said Tracts 9 and 10; and Bounded on the South by the North line of said Tracts 23 and 24; and Bounded on the East by the West line of Tract 11 of said plats and the Southerly extension thereof; and Bounded on the West by the Easterly right of way line of Citrus Tower Blvd. as recorded in Official Records Book 2544 Page 2352, Public Records of Lake County, Florida, and the Northerly extension thereof to the North line of said unnamed right of way.

This ordinance is available for public inspection in the Development Services Department 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 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
Daily Commercial
August 10, 2020



AGENDA ITEM

Meeting Date		
Tuesday, August 25, 2020		
Agenda Item Name		
Lien Reduction Request 365 Citrus Tower		
Requested Action		
Staff Report		
In reference to Code Enforcement case 2019-000717, the applicant is seeking a complete lien waiver in the amount of \$3,100. The case was initiated when Code Enforcement received a complaint in reference to wind banners located at 365 Citrus Tower Blvd. On May 24th 2019 Code Enforcement officers spoke with the occupants of the business and informed them of the violation. City staff sent out a violation notice on June 4th, 2019 due to non-compliance regarding the wind banners. The property came into compliance for a brief period but, fell into non-compliance on September 23, 2019. The case was heard by Code Enforcement Special Magistrate on November 17th, 2019, with a compliance date of December 20th, 2019 being handed down (fines would begin at \$100 a day if not in compliance). An inspection was conducted on December 20th, 2019, the property was found to still be in violation, and fines began. The Notice of Hearing for lien was sent out on January 14th, 2020. The Hearing was held on January 21st, 2020 and a lien was placed upon the property that day. Following the hearing, the property came into compliance on January 21st, 2020. The fine ran for thirty one (31) days, from December 20th, 2019 through January 21st, 2020, and accrued an amount of \$3,100. The applicant is seeking to have the total amount waived.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Lien Reduction Request	Lien Reduction Request.pdf	
2. Agent Authorization	Agent Authorization.pdf	
3. Letter from Owner	Letter from Owner.pdf	
4. FOF	FOF.pdf	
5. VN	VN.pdf	
6. LIEN	LIEN.pdf	
7. HN	HN.pdf	
8. Lien HN	Lien HN.pdf	



CITY OF CLERMONT
CODE ENFORCEMENT
 LIEN REDUCTION REQUEST FORM

CONTACT INFORMATION			
Applicant's Name: Joseph Zagame Jr		Applicant's Telephone (352) 536-0925	
Applicant's Mailing Address 230 Mohawk Road		City Clermont	State FL Zip 34715
Authorized Representative's Name (who will be present at the Hearing): Joseph Zagame Jr			
Current Property Owner's Name: Adams Family Limited Partnership			
Current Property Owner's Mailing Address: 1855 Dundee Road		City Winter Haven	State FL Zip 33884
Current Property Owner's Telephone: (863) 324-4576			
Name of Property Owner when lien was assessed: Adams Family Limited Partnership			
Name of Person who lived at the property when the lien was placed: n/a commercial property			
Reason(s) violation(s) were not corrected before lien(s) were placed: My entity, Towerco LLC, owns a generational leasehold to the property. Per the terms of the leasehold, I have control over the use of the property. The fee-simple owner has no involvement with the property directly, and lives out of town. When Code Enforcement sent notice of violation, they sent the notice to the fee-simple owner. I never received a copy of the notice. I learned about the violation by chance when I attended the Meeting of the Special Magistrate on January 21, 2020 on an unrelated matter.			
Is money held in escrow pending the lien reduction/release Hearing? ☐ Yes ☒ No			
Proposed Reduced Fine Amount to be Paid: \$0			
Does this lien reduction relate to the sale of the property? (If yes, a Closing Disclosure Statement or HUD Settlement Statement must be attached): ☐ Yes ☒ No			



CITY OF CLERMONT
CODE ENFORCEMENT
LIEN REDUCTION REQUEST FORM

Please ensure this form and any attachments completely set forth your position stating why you contend the fine/lien should be reduced, to what amount and when payment is proposed to be made. **You must present to answer any questions the City Council may have.**

I, Joseph Zagame Jr., do hereby submit this request for
Reduction/Elimination of the fines and/or liens, and in support offer the following statement:

My entity, Towerco LLC, secured a generational leasehold to the property at 355 Citrus Tower Boulevard in 1998. Subsequently, I developed the property into Heritage Square Business Park, which is home to twelve businesses. The property is well maintained, and never has received a violation in the 22 years that it has been under my control.

Adams Family Limited Partnership is the fee-simple owner of the property. Since 1998, the fee-simple owner has had no involvement in the property directly, and lives out of town in Winter Haven, FL.

When Code Enforcement sent notice of violation, they sent the notice to the fee-simple owner. I never received a copy of the notice. I learned about the violation by chance when I attended the Meeting of the Special Magistrate on January 21, 2020 on an unrelated matter.

The violation was for displaying a banner flag, which a tenant, a yoga studio, placed beside her storefront. As soon as I learned about the violation, I removed the banner flag myself and informed the tenant that she could no longer display it.

Clermont's aggressive pursuit of banner flags is new. I've lived here for nearly 30 years and haven't seen anything like it before. I believe that the City should provide a grace period during which residents and business owners become familiar with Clermont's new enforcement efforts.

The methodology for noticing code violations is based on the faulty assumption that the entity that owns the property fee-simple is the entity that controls the property. This simply isn't so. My case is a good example.

I never received notice, and did not know about the violation timely. When I finally learned about it, I rectified the problem the same day. Furthermore, I registered my leasehold ownership with Code Enforcement so that I will receive notices in the future.

In the name of reasonableness and equity, I kindly request that the City waives the fine of \$3,100.

Thank you.

Signature: Joseph Zagame Jr.

Date: Mar 3, 2020

Printed Name: Joseph Zagame Jr.



CITY OF CLERMONT
CODE ENFORCEMENT
LIEN REDUCTION REQUEST FORM

THIS SECTION TO BE COMPLETED BY A CITY OF CLERMONT OFFICIAL	
Code Enforcement Case Number:	Property Address:
C2019-000717	365 Citrus Tower Blvd Unit 100
Name of the Property Owner when lien was placed:	
John P Adams & Ann D Adams Family LP	
Violation(s):	
Prohibited signs Sec. 102-8 C7) Win signs & Sec 102-8 C1) Banners	
Case was presented to the Special Magistrate on:	
November 17 th , 2019	
Daily Fine Imposed:	Number of Days Fine Ran:
\$ 100	31
Date Fine Began:	Date Fine Ended:
12/20/2019	01/21/2020
Total Amount Due:	Number of Days the Property was in Violation:
\$ 3100	
Is the violation a heightened health or safety concern?	
☐ Yes ☒ No	
Has the Property Owner been cooperative with Code Compliance?	
owner, NO Tenant, YES	
Costs Expended on this Case by Code Enforcement post Special Magistrate Hearing:	
9 inspections by code enforcement officer and two special magistrate hearings	
Costs Expended on this Case by _____	Department post Special Magistrate Hearing:
Costs Expended on this Case by _____	Department post Special Magistrate Hearing:
Costs Expended on this Case by _____	Department post Special Magistrate Hearing:

-initial
hearing
-lien
hearing

Adams Family Limited Partnership
1855 Dundee Rd.
Winter Haven, FL 33884
863-324-4576

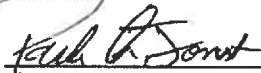
February 24, 2020

RE: Agent Authorization

To Who It May Concern:

I, Paula A. Forrest as a limited partner of John P. Adams & Ann D. Adams Family Limited Partnership, as owner of the real property located at 355 Citrus Tower Blvd, Clermont, Florida 34711 hereby authorize Joe Zagame, Jr., Managing Member of Towerco LLC, owner of the leasehold to the property, to appear on owner's behalf before the City of Clermont Code Enforcement Special Magistrate and any other administrative or legislative body in the City and to execute any petitions or other documents in conjunction therewith in.

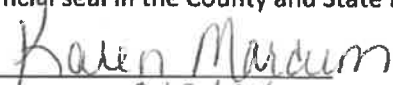
Sincerely,

, as limited partner of John P. Adams & Ann D. Adams Family LP

State of Florida
County of Polk

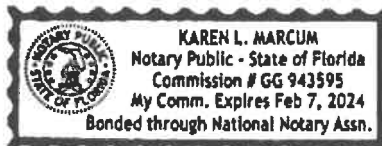
The foregoing instrument was acknowledged before me this 24 day of February, 2020 by Paula Forrest as a limited partner of John P. Adams & Ann D. Adams Family LP, on behalf of the limited partnership. She is personally known to me or has produced _____ as Identification.

WITNESS my hand and official seal in the County and State last aforesaid this 24 day of February, 2020.

Notary Public Signature: 

My Commission Expires: 2/7/24

Notary Seal:





• PRESCO DEVELOPMENT, LLC • PRESCO CAPITAL, LLC
• PRESCO CONSTRUCTION, LLC • PRESCO PROPERTY MANAGEMENT, LLC • PRESCO REALTY, LLC

February 6, 2020

Mr. Curt Henschel, Development Services Director
CITY OF CLERMONT
685 W. Montrose Street
Clermont, FL 34711

RE: CODE VIOLATION AT 355-365 CITRUS TOWER BLVD, HERITAGE SQUARE BUSINESS PARK

Dear Curt,

On Wednesday, January 21, 2020, I attended a Code Enforcement Hearing before the Special Magistrate. I attended the meeting to discuss a code violation at Citrus Tower Village. Domino's Pizza had displayed banner flags at the entrance to the shopping center.

Much to my surprise, I discovered that 365 Citrus Tower Boulevard (Heritage Square Business Park) was also on the Magistrate's agenda, but for a *final* hearing. I discovered then and there that one of my tenants, the owner of a yoga studio, had displayed banner flags near her storefront. I had no idea.

I own the *leasehold estate* on the property at 355-365 Citrus Tower Boulevard. The Adams Family LP owns the property *fee simple*. It is my understanding that the City sent Notice to the fee-simple owners. Unfortunately, they never forwarded the Notice to me. Furthermore, I never received Notice from Code Enforcement because it is not the City's protocol to notify generational leaseholders. Therefore, I had no knowledge of the violation until (by chance) the day of the hearing.

The Special Magistrate assessed a fine and ordered the City to file a lien on the property. (The Magistrate's order was verbal. I received nothing in writing.)

I am writing to ask the City to waive the fine and remove the lien.

Immediately after the hearing, I visited both properties and removed the flags. I notified the tenants of the ordinance prohibiting banner flags and asked them not to display the flags in the future. I reached the Adams family by phone, notified them of the incident, and asked them to forward any notices to me in the future. Also, I gave my name and address to Code Enforcement and asked them to copy me on any future notices.

I've never had an issue with the City over banner flags. I've never been cited for banner flags before.

Thank you for considering my case. Please let me know if there is anything more that I need to do to settle this matter. I, personally, have nothing in writing from the City about the procedure for appeal.

Sincerely,

Joseph Zagame, Jr.

cc: Darren Gray, Ray Villegas, Matthew Reusch, Katherine Neill

**CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF CLERMONT, FLORIDA**

CITY OF CLERMONT

**Case No: C2019-000717
365 Citrus Tower Blvd.
Clermont, Florida**

Petitioner,

vs.

**JOHN P. ADAMS & ANN D. ADAMS
FAMILY LP,**

Respondents.

_____ /

FINDINGS OF FACT, CONCLUSION OF LAW and ORDER

THIS MATTER came before the Code Enforcement Special Magistrate of the City of Clermont for hearing on **November 19, 2019** and the Special Magistrate having heard sworn testimony and received evidence from **Katherine Neill Code Enforcement Officer**, for the City and having noted that Respondent was not present or represented, thereupon issues the following Findings of Fact, Conclusion of Law, and Order:

I. FINDINGS OF FACT

- 1) Notice as required by Section 162.12, F.S. were provided to Respondents.
- 2) The Respondents are the owners of and in custody and control of the property described in the Violation Notice dated September 23, 2019.
- 3) There exists on the property unpermitted wind/banner signs.

II. CONCLUSION OF LAW

The Code Enforcement Special Magistrate finds the Respondents, **JOHN P. ADAMS & ANN D. ADAMS FAMILY LP**, are in violation of City of Clermont Section 102-8(7) "Wind signs".

III. ORDER

Based on the above-stated findings and conclusion of law, it is hereby Ordered that:

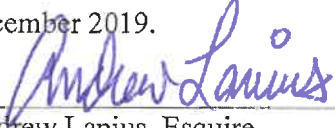
- 1) Respondents shall correct the above-stated violations on or before **December 20, 2019** by taking the remedial action as set forth in the Violation Notice dated September 23, 2019. If the Respondent fails to timely correct the violation a fine of **ONE HUNDRED DOLLARS (\$100)**

will accrue for each day the violation continues past the compliance date as stated above.

2) Respondents bear the burden of and shall contact the City of Clermont Code Enforcement Department to arrange for a re-inspection of the Property and to verify that the violations have been corrected, and the property has been brought into compliance with the City Code Sections as cited above. Respondents shall call (352) 241-7343 to request an inspection.

3) Any fine imposed shall accrue from the date it is imposed until the date that the violation is corrected as verified by the City of Clermont Code Enforcement Department.

Done and Ordered this 24th day of December 2019.



Andrew Lanius, Esquire
Special Magistrate
Fla Bar No.: 93427

An aggrieved party, including the City Council of the City of Clermont, may appeal a final administrative order of the Code Enforcement Special Magistrate to the Circuit Court. Any such appeal shall be filed within thirty (30) days of the rendition of this Order as set forth in Section 162.11, Florida Statutes.

I HEREBY CERTIFY that on this 2nd day of ~~December 2019~~ January 2020, a true and correct copy of this Order has been furnished by certified and regular mail to Respondents, John P. Adams and Ann D. Adams Family LP, P.O. Box 1667, Winter Haven, FL 33882.



Code Enforcement Officer

City of Clermont

P.O. BOX 120219, CLERMONT, FLORIDA 34712-0219

VIOLATION NOTICE

September 23, 2019

Violation # C2019-000717

To: JOHN P ADAMS & ANN D ADAMS FAMILY LP
PO BOX 1667
WINTER HAVEN, FL 33882

Violation/Property address: 365 CITRUS TOWER BLVD 100, CLERMONT, FL 34711

You are hereby notified that you are in violation of the referenced section of the City of Clermont Code of Ordinances for the parcel located at 365 CITRUS TOWER BLVD 100, CLERMONT, FL 34711. Notice was originally sent to the property location on 5/24/19 and the property owners were previously cited on 6/4/19.

Compliance with the Violation(s) listed will be when the following condition(s) are met: Wind banner must be removed as they are not permitted within the City of Clermont

Type of Violation: PROHIBITED SIGNS; EXCEPTIONS. SEC. 102-8.(7). WIND SIGNS

IT SHALL BE UNLAWFUL TO ERECT, CAUSE TO BE ERECTED, MAINTAIN OR CAUSE TO BE MAINTAINED ANY SIGN DESCRIBED AS FOLLOWS: SIGNS COMMONLY REFERRED TO AS WIND SIGNS, CONSISTING OF ONE OR MORE PENNANTS, RIBBONS, SPINNERS, STREAMERS OR CAPTIVE BALLOONS, OR OTHER OBJECTS OR MATERIAL FASTENED IN SUCH A MANNER AS TO MOVE UPON BEING SUBJECTED TO PRESSURE BY WIND.

Please contact me at 352-241-7343 or KNEILL@CLERMONTFL.ORG when you comply, so an inspection to determine compliance can be scheduled.

You are directed to take action by **October 7th, 2019**. Failure to remedy the violation within the allotted time will result in a Notice to Appear for a hearing before the Code Enforcement Special Magistrate.

By:



Katherine Neill
Code Enforcement Officer

**CODE ENFORCEMENT SPECIAL MAGISTRATE OF THE
CITY OF CLERMONT, FLORIDA**

**CITY OF CLERMONT,
Petitioner,**

**Case No: C2019-000717
365 Citrus Tower Blvd.
CLERMONT, FL**

VS.

**JOHN P. ADAMS & ANN D. ADAMS
FAMILY LP,
Respondents.**

ORDER IMPOSING ADMINISTRATIVE FINE/LIEN

THIS CAUSE came on for public hearing before the Code Enforcement Special Magistrate on January 21, 2020 after due notice to Respondent and upon Petitioner's Motion for Order Imposing Fine and Creating Lien dated January 10, 2020, at which time the Special Magistrate was advised by the Petitioner that the fine imposed by the Special Magistrate's Order of December 24, 2019 has not been paid and having noted that Joseph Zagame was present on behalf of the tenants located on the property and the Respondents.

It is hereby ORDERED THAT:

1. A fine is imposed in the amount of THREE THOUSAND ONE HUNDRED DOLLARS (\$3,100) for the violation that occurred from December 21, 2019 until January 21, 2020, which shall continue to accrue at the rate of \$100 per day until the property is brought into compliance.

2. This Order shall be recorded in the Public Records of Lake County and thereafter shall constitute a lien against the following described land on which the violation exists and upon any other real or personal property owned by Respondents.

**Tax Id No. 09-22-26-0805-007-00000
Alt Key: 3777847**

Legal Description:

CLERMONT, LAKE HIGHLANDS 20-22-26 TRACT 7 PB 3 PG 30 ORB 1780 PG 1226
--

AS LISTED IN LAKE COUNTY PUBLIC RECORDS
--

{Signature on next page}

Done and Ordered this 7th day of February 2020.

Andrew Lanius

Andrew Lanius, Esquire
Special Magistrate
Fla Bar No.: 93427

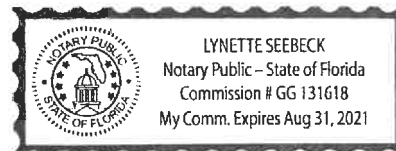
An aggrieved party, including the City Council of the City of Clermont, may appeal a final administrative order of the Code Enforcement Special Magistrate to the Circuit Court. Any such appeal shall be filed within thirty (30) days of the rendition of this Order as set forth in Section 162.11, Florida Statutes.

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 7 day of February 2020, by Andrew Lanius, as City of Clermont Code Enforcement Special Magistrate who is personally known to me or produced Florida DL/GS as identification.

Lynette Seebek
Signature of person taking acknowledgment

Lynette Seebek
Name of Officer taking acknowledgment typed,
printed or stamped



I HEREBY CERTIFY that on this 12th day of February 2020, a true and correct copy of this Order has been furnished by certified and regular first-class mail to the Respondents, John P. Adams and Ann D. Adams Family LP, P.O. Box 1667, Winter Haven, FL 33882 and regular mail to Joseph Zagame, 230 Mohawk Road, Clermont, FL 34715.

9171 9690 0935 0199 6409 23

[Signature]

Code Enforcement Officer

Code Enforcement Special Magistrate
City of Clermont
NOTICE OF HEARING

CITY OF CLERMONT,

Petitioner

Case No. C2019-000717

vs.

JOHN P ADAMS & ANN D ADAMS FAMILY LP

Respondent

Pursuant to Section 2-206 of the Code of the City of Clermont, Florida, you are hereby notified that a Public Hearing will be conducted in the above-styled cause, pending and undetermined by the Code Enforcement Special Magistrate on:

November 17th, 2019 at 1:30 pm

at

685 West Montrose Street, Clermont, Florida.

Council Chambers of City Hall

The Special Magistrate will receive testimony and evidence at said Public Hearing and shall make such findings of fact as are supported by the testimony and evidence pertaining to the matters alleged in the Violation Notice. If the violation is corrected and then recurs, or if the violation is not corrected by the time specified by the Code Enforcement Officer in his/her Statement of Violation, this case may be presented to the Special Magistrate even if the violation has been corrected prior to the hearing.

Any letters, lists, pictures of items displayed, presented or handed out at a public meeting for any City Commission, Board, Council or City public meeting, must be left with the recording clerk at the meeting at that time. No cell phone or electronic displays are permitted unless a printed copy is supplied at that time to the recording clerk.

I hereby certify that a true and correct copy of the above and foregoing Notice of Hearing has been furnished by Certified Mail/Personal Service to Respondent, JOHN P ADAMS & ANN D ADAMS FAMILY LP.

Certified Mail/Return Receipt Requested #

9171 9690 0935 0198 1825 54

BY: 

Katherine Neill, Code Enforcement Officer
this 9th day of October, 2019

IF A PERSON DESIRES TO APPEAL ANY DECISION WITH RESPECT TO ANY MATTER CONSIDERED AT THESE PROCEEDINGS, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND THAT, FOR THIS PURPOSE, SUCH PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE WHICH INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

**CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF CLERMONT, FLORIDA**

**CITY OF CLERMONT
Petitioner,**

**Case No: C2019-000717
365 Citrus Tower Blvd.
Clermont, Florida**

vs.

**JOHN P. ADAMS & ANN D. ADAMS
FAMILY LP,
Respondents.**

_____ /

**AMENDED NOTICE OF HEARING AND MOTION FOR
ORDER IMPOSING FINE AND CREATING LIEN ON PROPERTY**

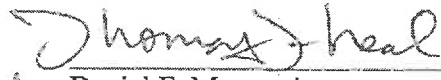
YOU ARE HEREBY ADVISED that the Code Enforcement Special Magistrate shall conduct a hearing on **January 21, 2020, at 1:30p.m. in the Council Chambers, City Hall, 685 West Montrose Street, Clermont, Florida**, to consider the petitioner's request as set forth below for authorization to impose a fine and create a code enforcement lien in this matter.

This motion is pursuant to Chapter 162, Florida Statutes. At the November 19, 2019, hearing the Code Enforcement Special Magistrate issued a Findings of Fact, Conclusion of Law and Order finding Respondent in violation of City of Clermont Section 102-8(7) "Wind signs".

The Special Magistrate's order provided that beginning December 20, 2019 a fine in the amount of ONE HUNDRED DOLLARS (\$100.00) per day would accrue. The Respondent has failed to correct the violation and the fine continues to accrue and remains unpaid as of the date hereof.

WHEREFORE, the City of Clermont requests the Code Enforcement Magistrate authorize recording of an Order Imposing Administrative Fine/Lien as provided in Chapter 162, Florida Statutes.

I HEREBY CERTIFY that on this 14th day of January 2020, a true and correct copy of this Order has been furnished by certified and regular mail to Respondents, John P. Adams and Ann D. Adams Family LP, P.O. Box 1667, Winter Haven, FL 33882.


for Daniel F. Mantzaris,
FBN: 562327
Clermont City Attorney
P.O. Box 87
Orlando, FL 32802
(407) 422-2454 / (407) 849-1845 (Fax)



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date

Tuesday, August 25, 2020

Agenda Item Name

Resolution No. 2020-21R
South Lake Hospital Bed Expansion CUP

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. Orlando Health 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. Other traffic improvements, such as installation of a turn lane and lengthening of deceleration lanes, will also be done to assist in the traffic movement at the site.

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. As part of future expansions, the applicant will conduct a signal warrant analysis for an emergency traffic signal at the existing Fire Station 103 fronting on Legend's Way Drive.

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. *The Planning and Zoning Commission recommended approval, 6-0.*

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 PZ.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.

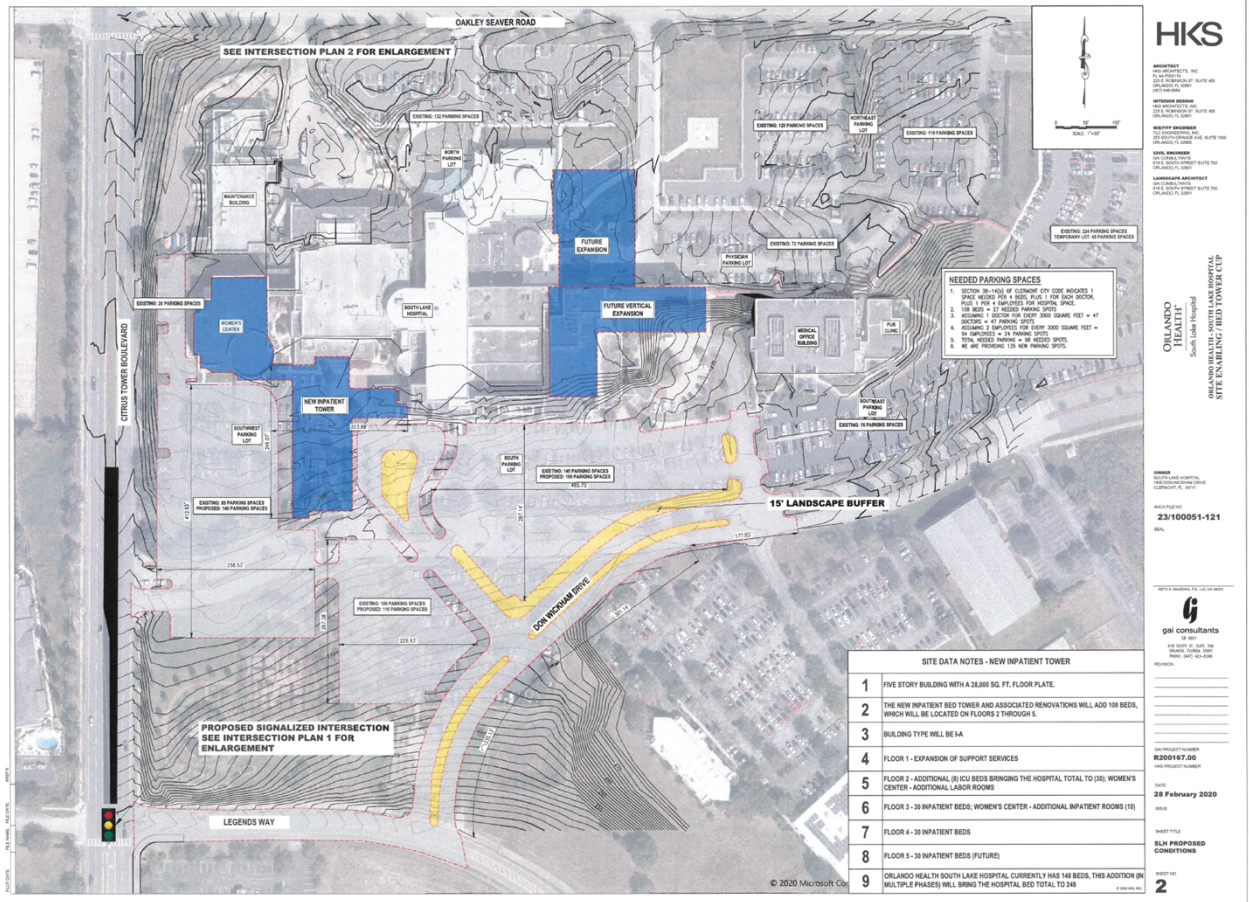
SECTION 2: SPECIFIC CONDITIONS

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. Upon 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 installation, at the Legend's Way Drive and Citrus Tower Boulevard intersection. 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 and when the signal is warranted. The costs of such improvements may be eligible to receive impact fee credits as determined by Lake County.
3. At the intersection of Citrus Tower Boulevard and Legends Way, the southbound left turn lane shall be extended from 175' to 195' and a northbound right turn lane shall be added prior to issuance of certificate of occupancy for the new inpatient tower.
4. At the new intersection of Legends Way/Don Wickham Drive, an eastbound left turn lane (from Legends Way onto Don Wickham Drive) shall be provided with appropriate deceleration length, taper, and queue storage prior to issuance of certificate of occupancy for the new inpatient tower.
5. 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 prior to the issuance of certificate of occupancy for the new inpatient tower.
6. Concurrent with any new application for development having the effect of increasing traffic at South Lake Hospital or the National Training Center, the Developer or Hospital shall conduct a warrant analysis for an emergency traffic signal located at the existing Fire Station 103 fronting on Legend's Way Drive.

CITY OF CLERMONT
RESOLUTION NO. 2020-21R

7. The Developer is responsible for extending the southbound left turn lane at the intersection of Citrus Tower Boulevard and Oakley Seaver Drive from 260' to 295' prior to certificate of occupancy for the new inpatient tower. The costs of such improvements may be eligible to receive impact fee credits as determined by Lake County.
8. Future additions to the facility shall require an amendment to this Conditional Use Permit, including an updated Master Plan Facility Map.
9. All requirements provided in the previous CUP Resolutions No. 980, No. 1059, No. 1493, and No. 1551 shall remain in effect, where applicable.

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 25th day of August, 2020.

CITY OF CLERMONT

Gail L. Ash, Mayor

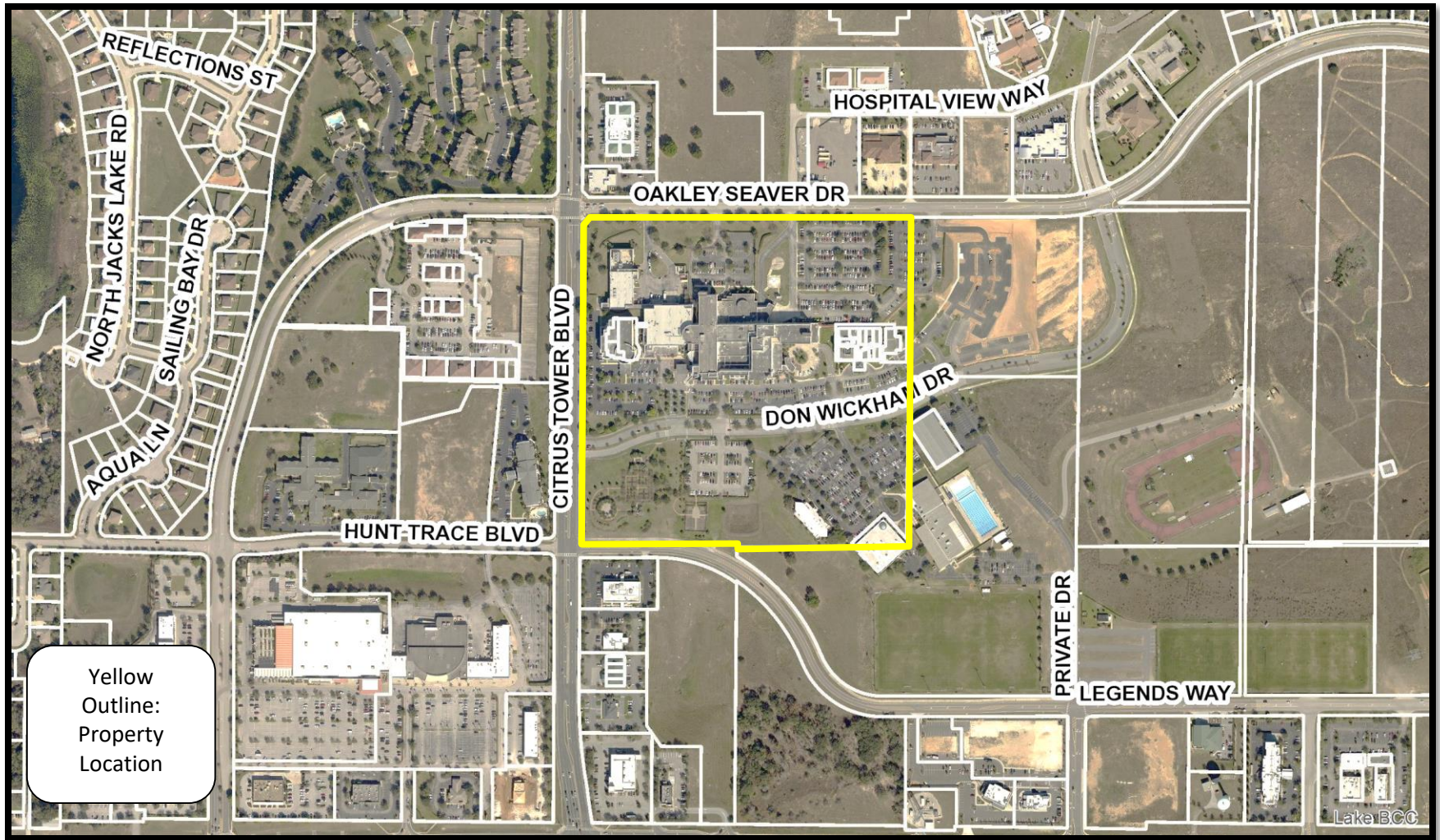
ATTEST:

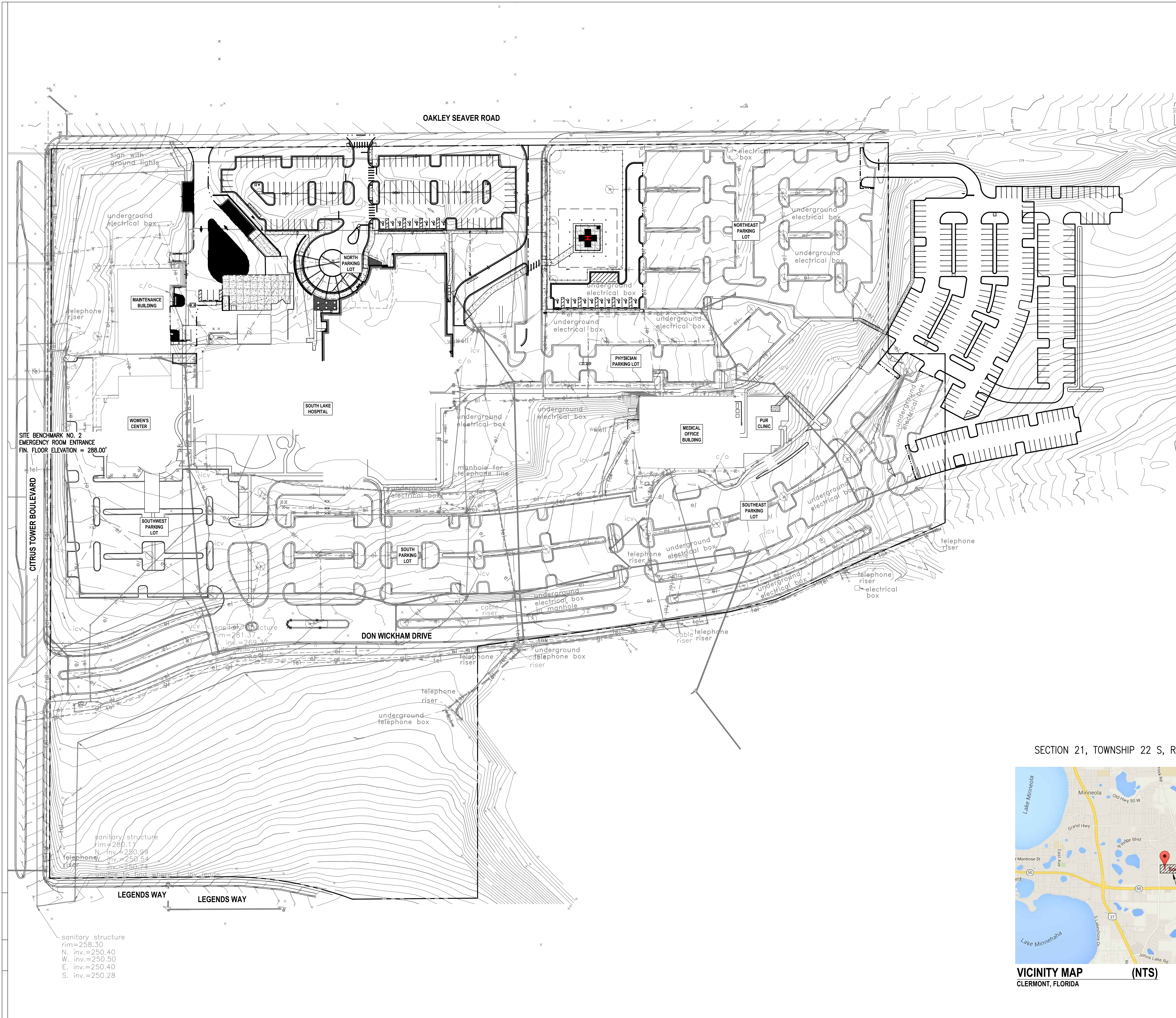
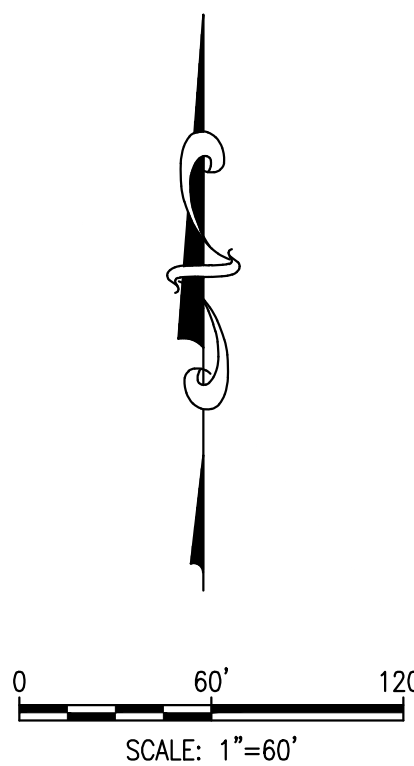
Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

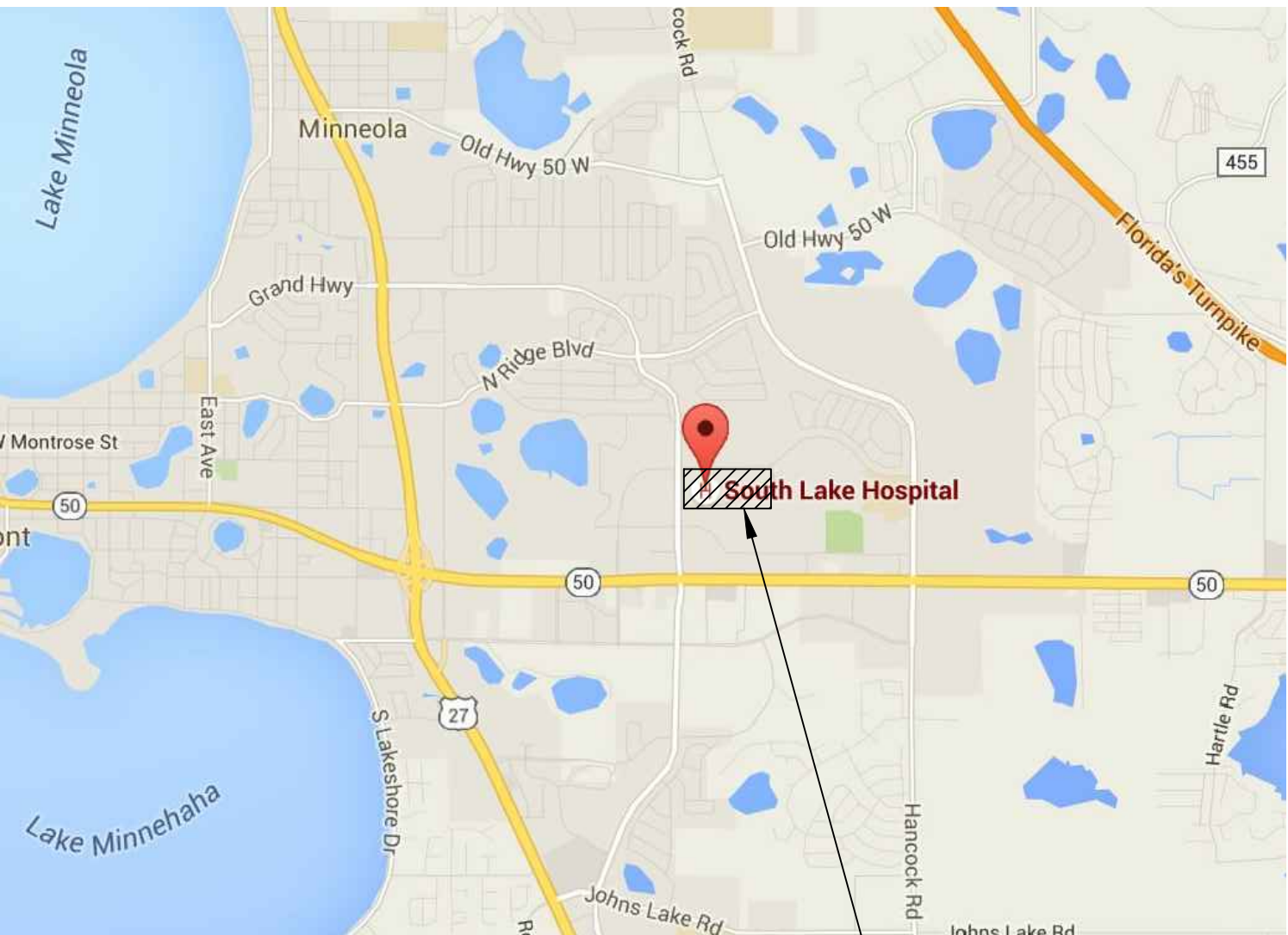
Daniel F. Mantzaris, City Attorney

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(b) 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

SOUTHEAST
PARKING
LOT

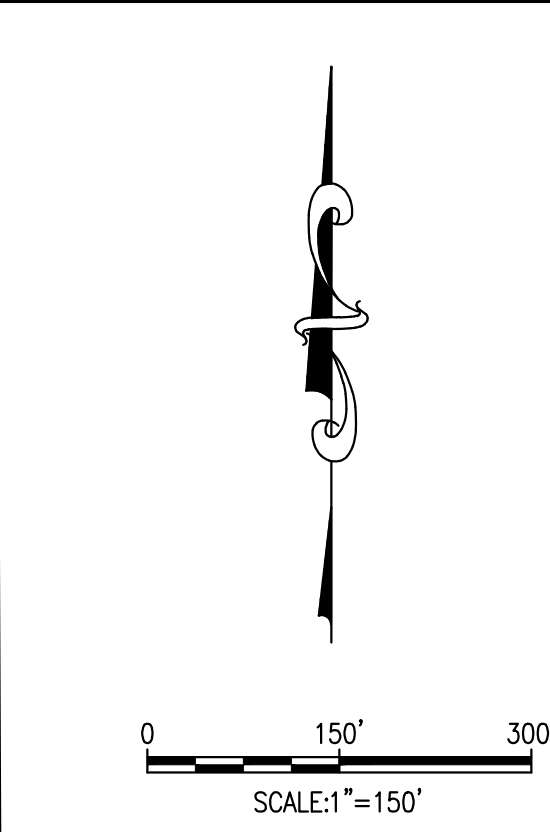
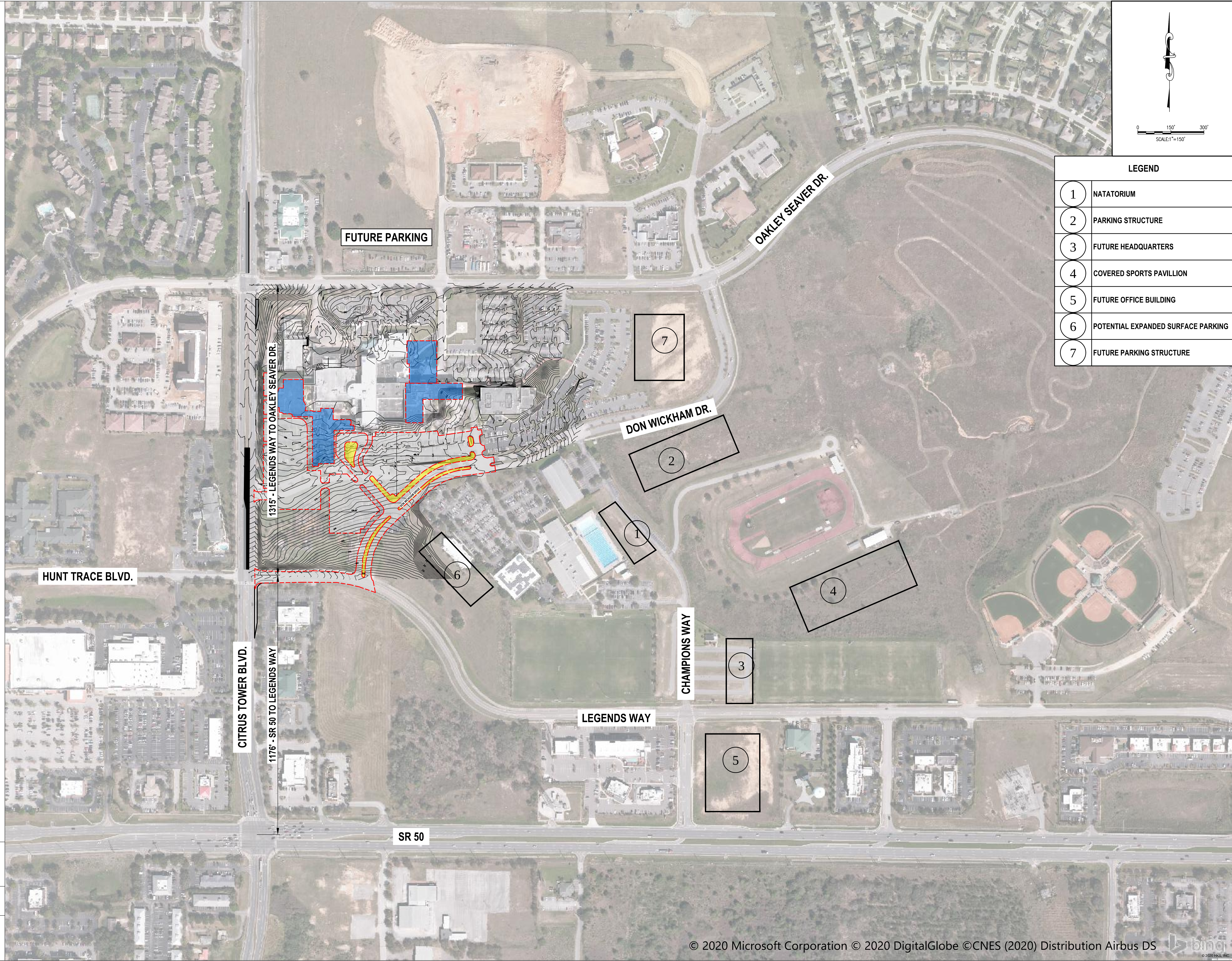
EXISTING: 76 PARKING SPACES

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

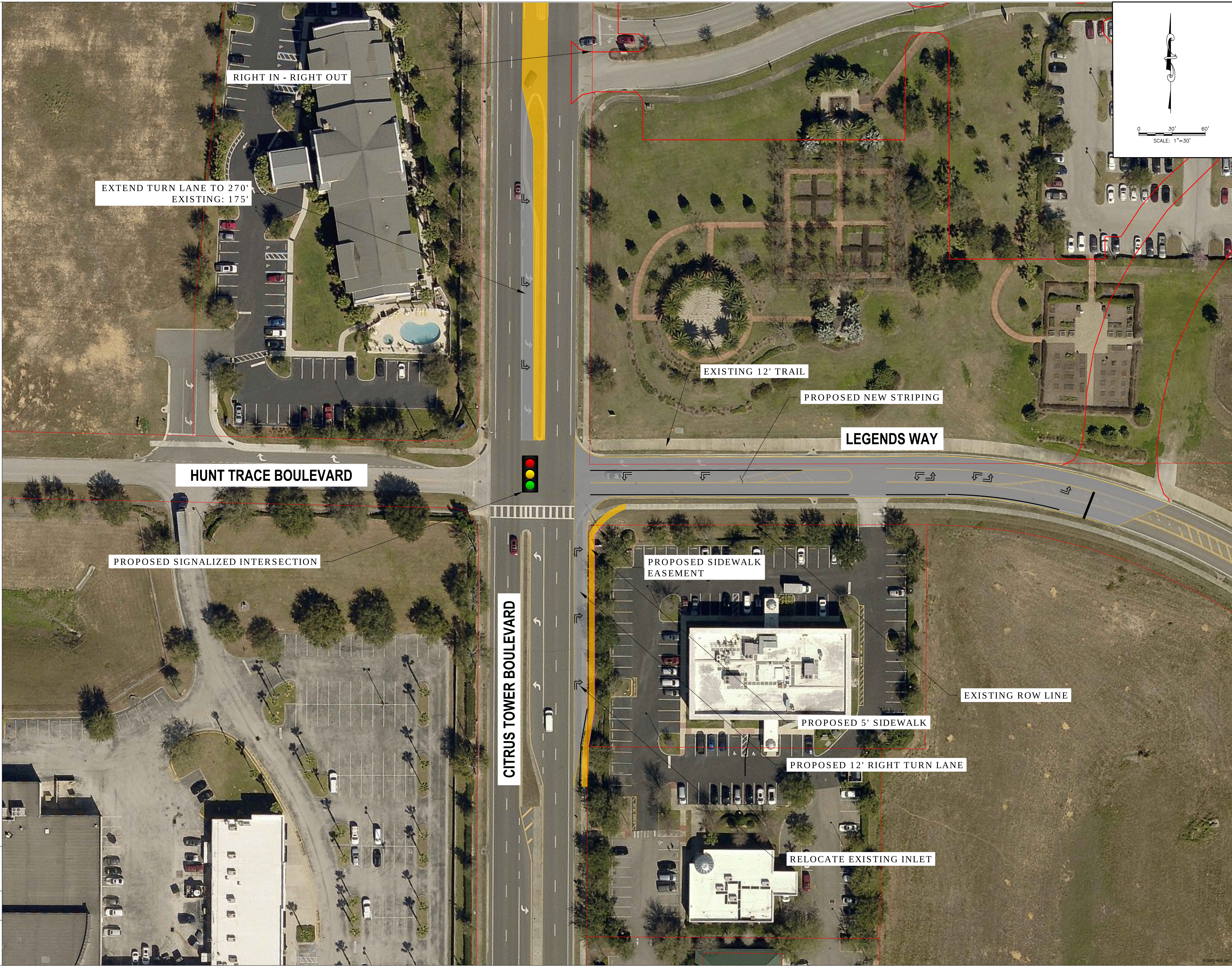
SHEET NO.

3



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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

ARCHITECT
KS ARCHITECTS, INC.
AA F000119
5 E. ROBINSON ST. SUITE 405
RLANDO, FL 32801
(07) 648-9956

INTERIOR DESIGN
KS ARCHITECTS, INC.
 15 E. ROBINSON ST. SUITE 405
 ORLANDO, FL 32801

ME/P/FP ENGINEER
C ENGINEERING, INC.
65 SOUTH ORANGE AVE, SUITE 1600
ORLANDO, FL 32806

CIVIL ENGINEER
PAI CONSULTANTS
 118 E. SOUTH STREET SUITE 700
 ORLANDO, FL 32801

LANDSCAPE ARCHITECT
AI CONSULTANTS
 18 E. SOUTH STREET SUITE 700
 ORLANDO, FL 32801

**ORLANDO
HEALTH***
South Lake Hospital

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

HCA FILE NO.
23/100051-121

REAL

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

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ORLANDO, FLORIDA 32801
PHONE: (407) 423-8398

REVISION

GAI PROJECT NUMBER
R200167.00
HKS PROJECT NUMBER

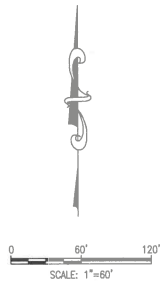
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27 February 2020

SSUE

SHEET TITLE
**SLH EXISTING
CONDITIONS**

SHEET NO.

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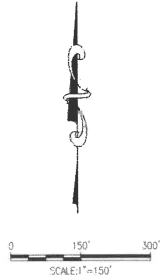
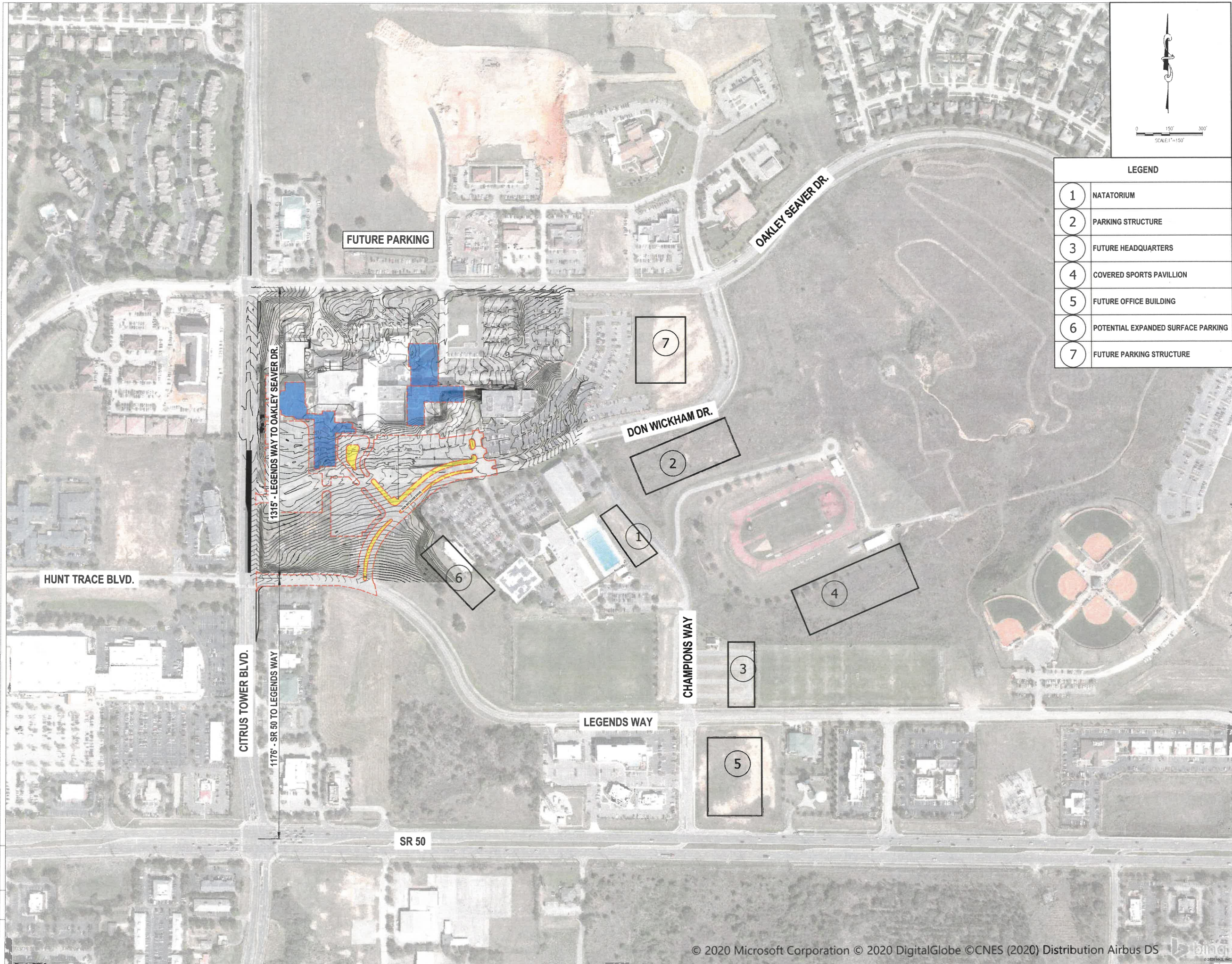


SECTION 21, TOWNSHIP 22 S, RANGE 26 E



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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) 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

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: THEBAM05PLA04-9167
DATE: 27 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'

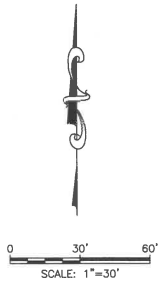
HUNT TRACE BOULEVARD

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
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225 E. ROBINSON ST. SUITE 405
ORLANDO, FL 32801

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255 SOUTH ORANGE AVE, SUITE 1600
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LANDSCAPE ARCHITECT
GAI CONSULTANTS
618 E. SOUTH STREET SUITE 700
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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

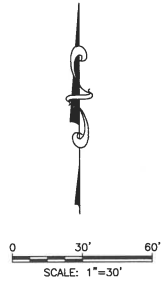
**INTERSECTION
PLAN 1**

SHEET NO.

4

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TIME: 21 FEB 2020 - 10:20AM

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



HKS

ARCHITECT
HKS ARCHITECTS, INC.
FL AN F000119
225 E. ROBINSON ST. SUITE 405
ORLANDO, FL 32801
(407) 648-9555

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
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618 E. SOUTH STREET SUITE 700
ORLANDO, FL 32801

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ORLANDO, FL 32801

ORLANDO
HEALTH
South Lake Hospital

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

KEITH S. HAUGDAHL, P.E. - L.C. NO. 98570



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

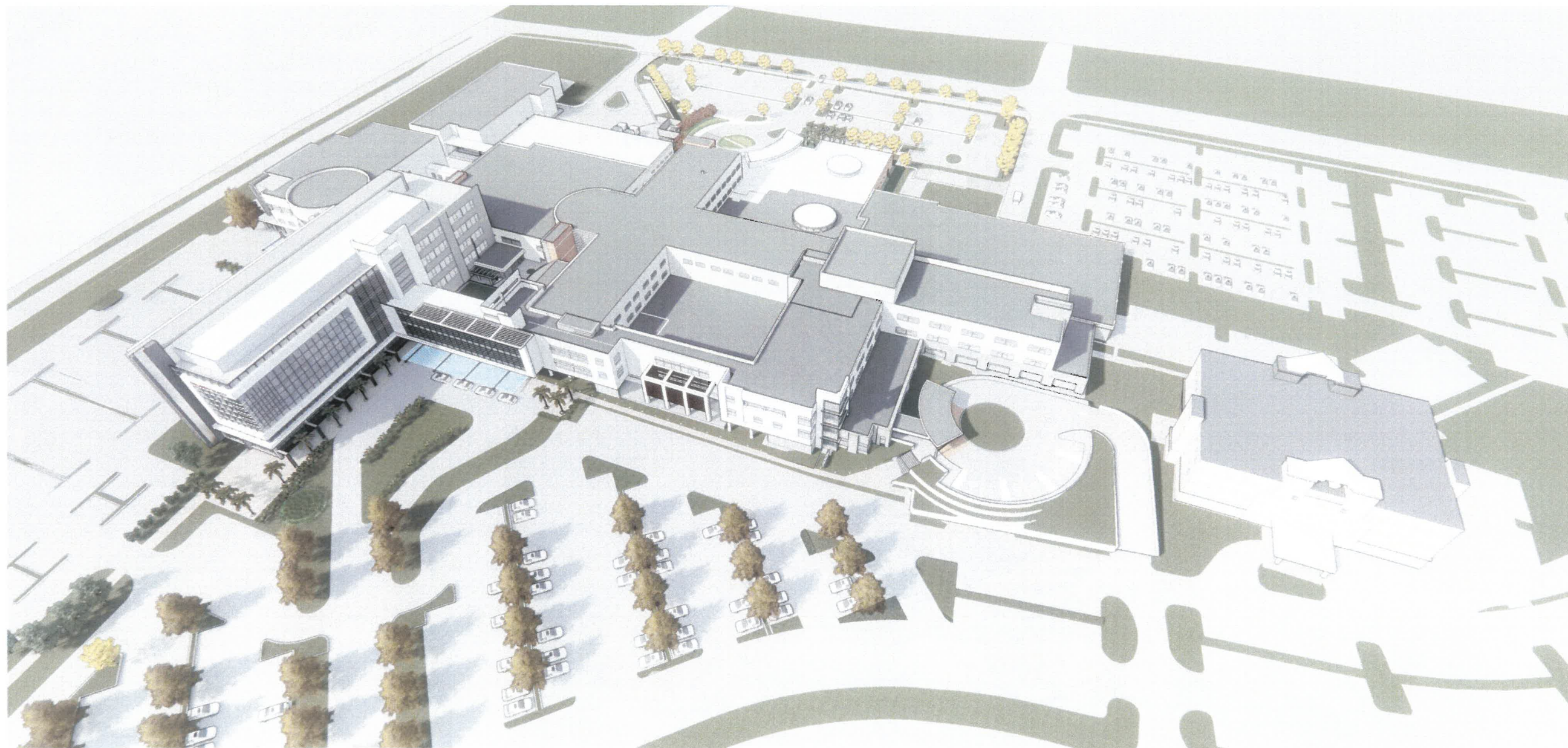
ISSUE

SHEET TITLE
**INTERSECTION
PLAN 2**

SHEET NO.
5







Tower SUMMARY

Tower Includes:

Admin/Conf
90 Med/Surg Beds
30 Shell Beds

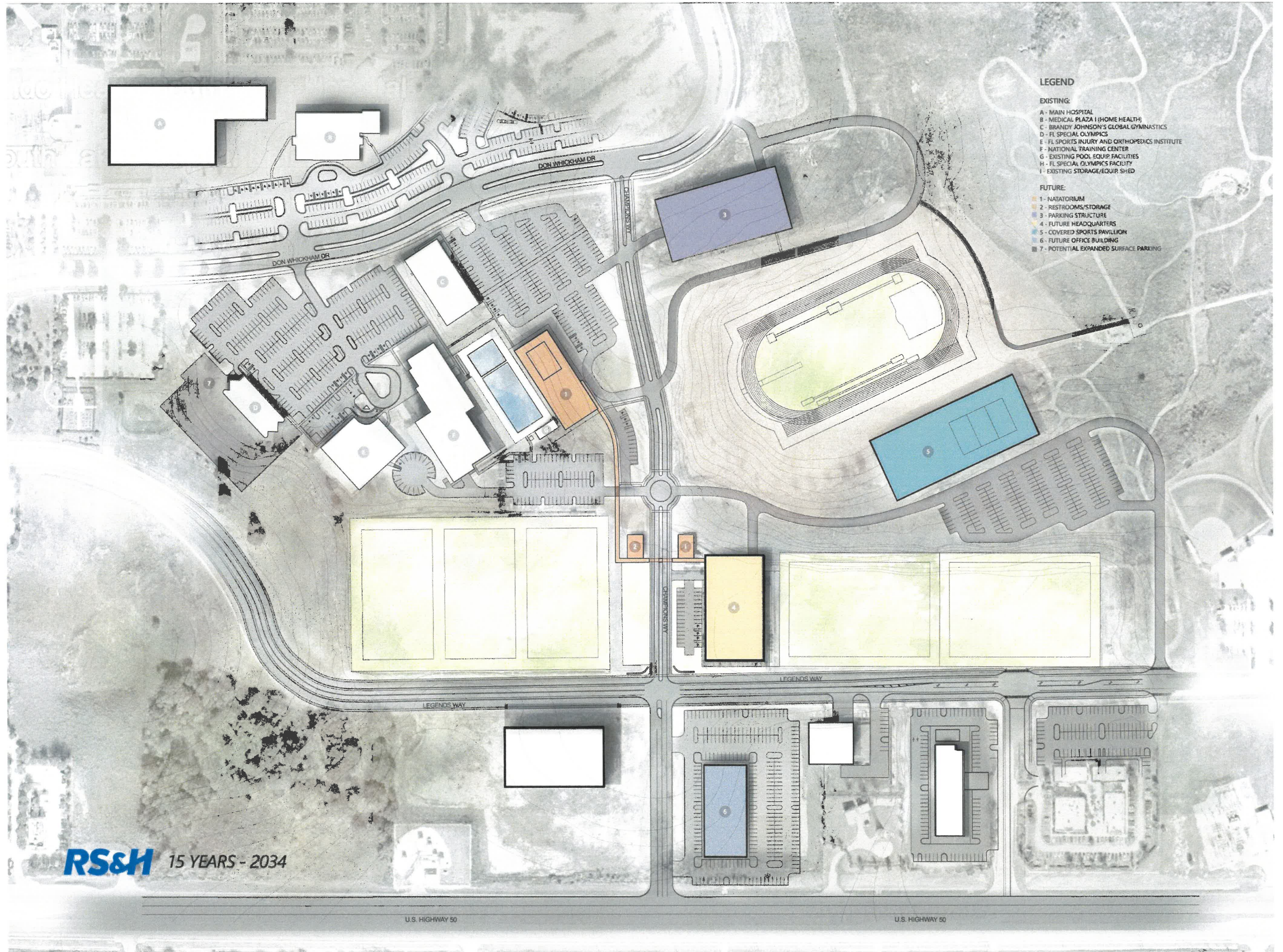
Parking Spaces : Provided / Demand

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 ORTHOPEDICS 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 PAVILION
- 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.mcmurphy@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: _____

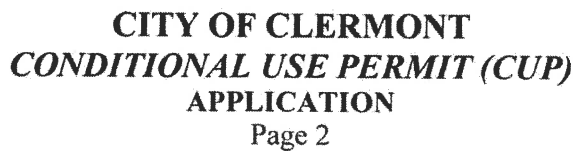
Address of Subject Property: same

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

Applicant Name (print) Kim McMurphy

John A. Moore
Owner Name (print)

Applicant Name (signature) Kim McNelly

Owner Name (signature) MOZ

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, August 25, 2020

Agenda Item Name

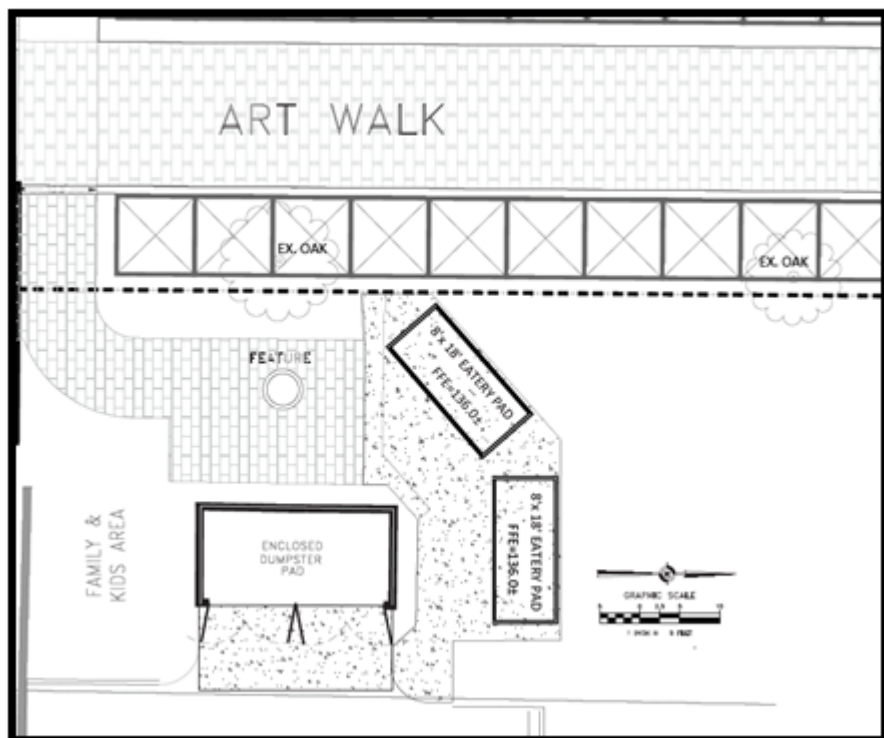
Resolution No. 2020-30R
Artwalk Eatery CUP

Requested Action

Recommend approval of Resolution 2020-30R.

Staff Report

The applicant, The Art District LLC, is requesting a small outdoor eatery adjacent to the Artwalk project, located in the Central Business District. The proposal includes two – 8 feet by 18 feet tenant pads and an open courtyard area for dining. The pads will be a permanent place for food/drink/artisan related sales. At least one of the pads will serve food and/or drinks. Other potential uses may include a small art gallery, flower shop, or similar artisan goods. The pads will have access to electric, water, sewer, natural gas and grease trap connection (if needed). The frequency and duration of the specific provider will be designated by the owner. Duration of tenants is anticipated to be at a minimum 6 months, but most likely a year or longer. Operating hours will be consistent with the current downtown restaurants/shops. All State, County and City regulations for food/beverage preparation, cooking, dispensing and consumption shall be met. The operation shall have a proper waste disposal plan as well. The project is intended to serve downtown visitors and guests.



Staff has reviewed the proposal and determined it closely resembled a takeout restaurant. In Section 122-243 of the Land Development Code, the Central Business District permits restaurants less than 3,000 square feet. However, the outdoor vendor vehicle concept is designed to attract people to downtown and is consistent with the intent of the Downtown-Waterfront Master Plan. The proposed use is not clearly defined in the Central Business District zoning regulations, therefore; would require a Conditional Use Permit as outlined in Section 122-244 (b) of the Central Business District.

Staff has reviewed the application as submitted and finds the proposed use will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity. 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 and retail/food use is a permitted use in the Central Business District. Staff recommends approval of the Conditional Use Permit with the conditions contained in Resolution No. 2020-30R. *The Planning and Zoning Commission recommended approval, 6-0.*

Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. CUP RES 2020-30R Artwalk Eatery	CUP RES 2020-30R Artwalk Eatery.doc	
2. Artwalk Eatery Map	Artwalk Eatery Map.pdf	
3. Artwalk Eatery CONCEPTUALS	Artwalk Eatery CONCEPTUALS.pdf	
4. EATERY FINAL Conceptual SP SS 7-20-2020	EATERY FINAL Conceptual SP SS 7-20-2020.pdf	
5. Artwalk Eatery CUP APPLICATION	Artwalk Eatery CUP APPLICATION.pdf	
6. ARTWALK EATERY CUP AD	ARTWALK EATERY CUP AD.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 AN OUTDOOR EATERY BUSINESS IN THE CENTRAL BUSINESS DISTRICT.

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held August 4, 2020 recommended approval of this Conditional Use Permit to allow an outdoor eatery in the Central Business District; at the following location:

LOCATION:

North of Montrose Street adjacent to the Art Walk
(A portion of Alternate Key # 1087210)

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 an outdoor eatery 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.
3. No business can occupy an eatery pad unless the proposed business has applied for and obtained a Local Business Tax Receipt from the Development Services Department.



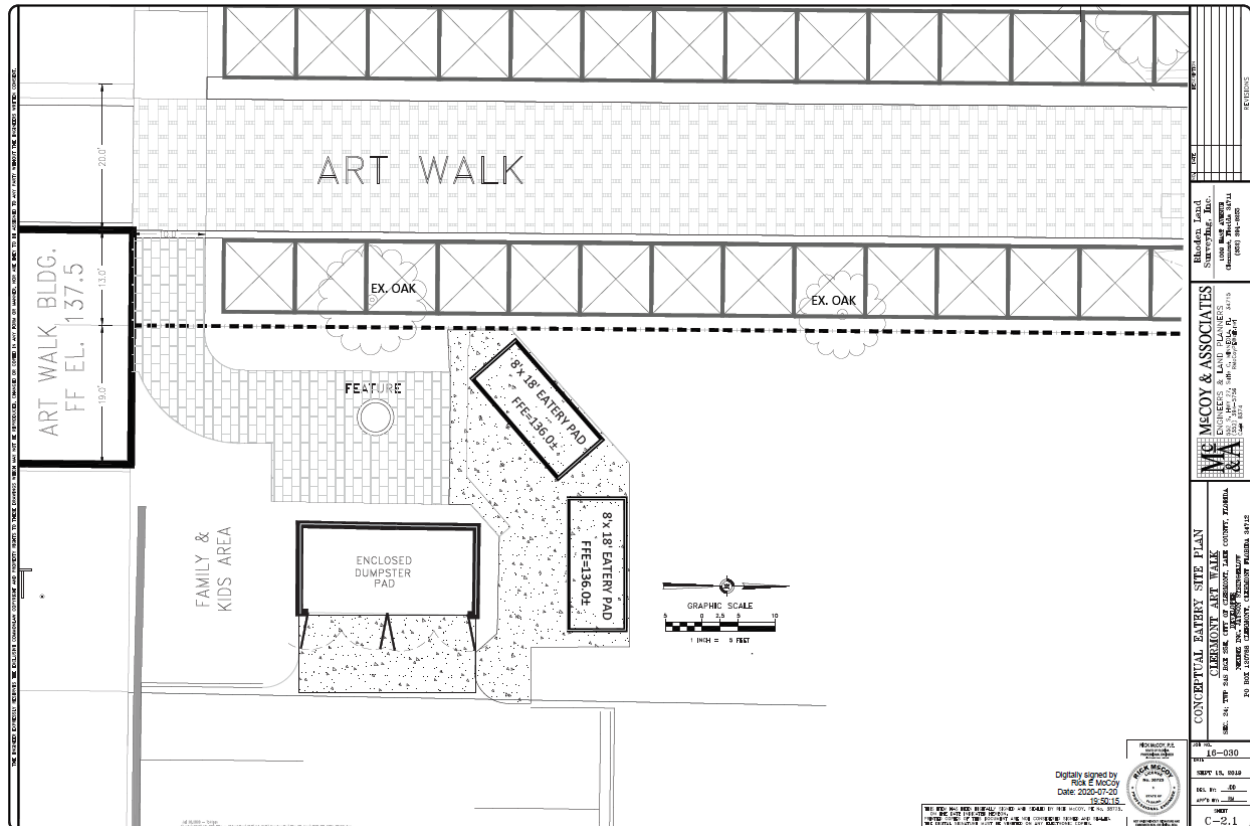
CITY OF CLERMONT
RESOLUTION NO. 2020-29R

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. Should this use cease operation for more than 180 days, a new Conditional Use Permit shall be required for a same or similar operation.
9. The improvements shall be inspected by the Fire Marshall for life safety requirements. All requirements must be met prior to any Certificate of Occupancy being issued.
10. The improvements 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 use shall include two (2) outdoor eatery vehicles/trailers on the 8 feet by 18 feet eatery pad as shown on the Conceptual Eatery Site Plan prepared by McCoy & Associates. Placement of the units shall be approved through the City's Site Review process.
2. The operation shall have a proper waste disposal plan and if needed, grease trap connections.
3. The operation shall meet all City, County, and State regulations for food preparation, cooking, dispensing and consumption of food.

EXHIBIT A – CONCEPTUAL EATERY SITE PLAN





CITY OF CLERMONT
RESOLUTION NO. 2020-29R

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 25th day of August, 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 – Artwalk Eatery CUP



Proposed
Outdoor
Vending





Preliminary Site Plan



Draft Renderings

ART DISTRICT

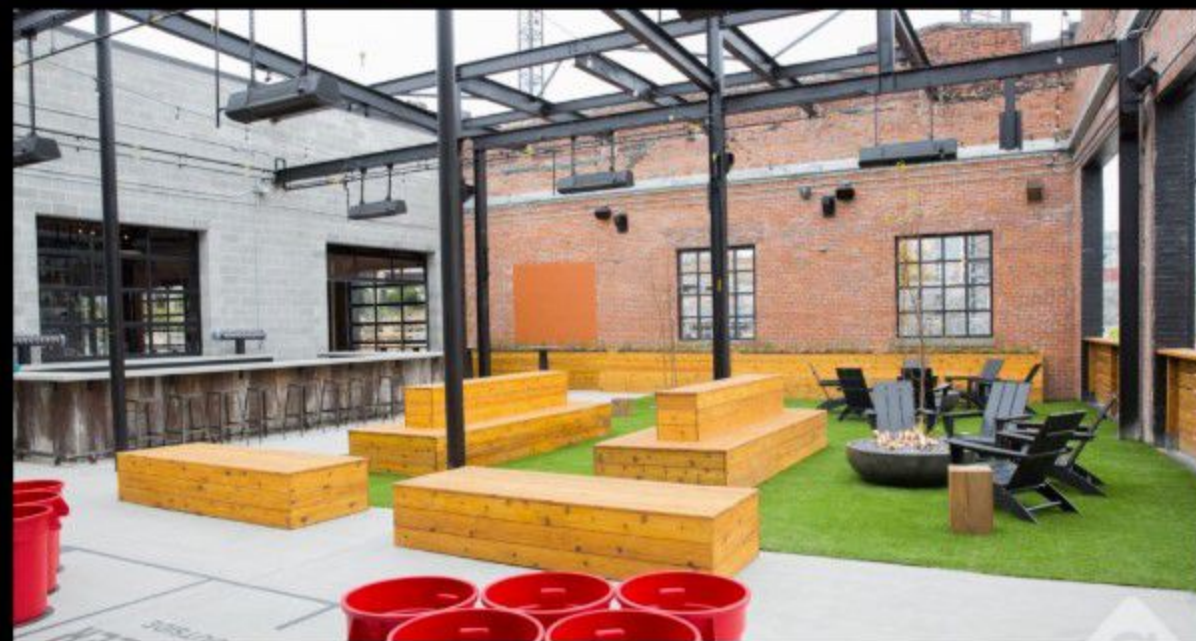
Conceptual &
Inspiration Images





An "Outdoor" Aesthetic

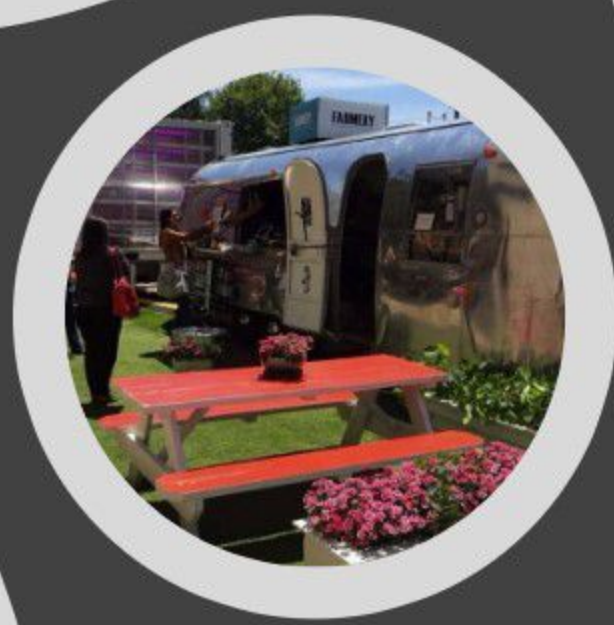




Seamless Indoor | Outdoor
Transition



Family Friendly Gathering Space



Upscale Vendor Vehicles

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

ART WALK BLDG.
FF EL. 137.5

20.0'

13.0'

19.0'

FAMILY &
KIDS AREA

ART WALK

EX. OAK

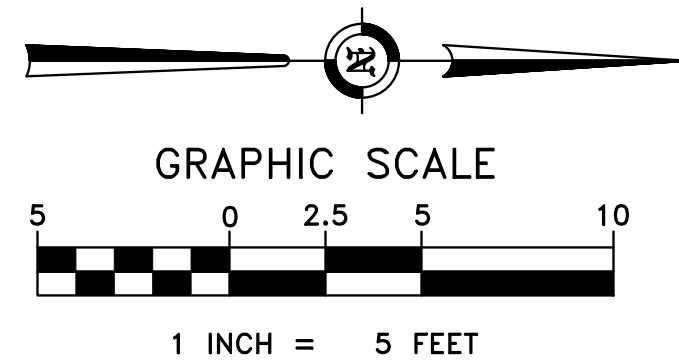
EX. OAK

FEATURE

8'x 18' EATERY PAD
FFE=136.0±

8'x 18' EATERY PAD
FFE=136.0±

ENCLOSED
DUMPSTER
PAD



Digitally signed by
Rick E McCoy
Date: 2020-07-20
19:50:15

THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY RICK MCCOY, PE No. 38725,
ON THE DATE INDICATED HEREON.
PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED.
THE DIGITAL SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.



CONCEPTUAL EATERY SITE PLAN

CLERMONT ART WALK

SEC. 24; TWP 24S RGE 25E, CITY OF CLERMONT, LAKE COUNTY, FLORIDA

DEVELOPER

NEXBIZ INC. JAYSON STRINGELLOW

PO BOX 120788 CLERMONT, CLERMONT FLORIDA 34712

Mc & A

Rhoden Land
Surveying, Inc.

1009 EAST AVENUE

Clermont, Florida 34711

(352) 394-6255

ENGINEERS & LAND PLANNERS

552 S. HWY 27, Suite C, MINNEOLA, FL 34715

(352) 394-5756

CA#: 6574

NO.

DATE

DESCRIPTION

JOB NO.

16-030

DATE

SEPT 13, 2019

DES. BY:

JDD

APP'D BY:

RM

SHEET

C-2.1

REVISIONS



CONDITIONAL USE PERMIT (CUP)
APPLICATION

DATE: June 1, 2020

FEE: \$845
+ cost of advertisement

PROJECT NAME (if applicable): Art Walk Eatery

APPLICANT: The Art District LLC

CONTACT PERSON: Alex Stringfellow

Address: 2735 Woodside Ave

City: Winter Park State: FL Zip: 32789

Phone: 352-217-7710 Fax: _____

E-Mail: alex@stringfellowplanning.com

OWNER: The Art District LLC

Address: 756 W. Montrose St.

City: Clermont State: FL Zip: 34711

Phone: _____ Fax: _____

Address of Subject Property: 756 W. Montrose St.

General Location: North of Montrose street adjacent to the Art Walk.

Legal Description (include copy of survey): Alt Key: 1087210
See Survey: Lot 11, Block 80, official map of the
City of Clermont, Plat book 8, page 17, Public Records of
Lake County, Florida.

Lot 11
ONLY

Land Use (City verification required): Downtown MU

Zoning (City verification required): CBD



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

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

We propose a small outdoor eatery adjacent to the Art Walk. A small vending structure will be permanently affixed in a courtyard-type setting. See attachment for further information.

The

Alex Stringfellow
Applicant Name (print)

The Art District LLC
Owner Name (print)

X Alex Stringfellow
Applicant Name (signature)

X Alex Stringfellow
Owner Name (signature)

***** NOTICE *****

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

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

Advertising Receipt

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

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

Account Number: 7101866
Order Number: 10097250
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	07/21/2020	\$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 an outdoor eatery business in the Central Business District.

Ad No: 10097250
June 30, 2020 &
July 21, 2020

LOCATION

North of Montrose Street adjacent to the Art Walk
(A portion of Alternate Key # 1087210)

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.

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, August 25, 2020		
Agenda Item Name		
Ordinance No. 2020-31 <i>Introduction</i>		
Requested Action		
Staff Report		
Consider ordinance in response to Lake County Water Authority's request to establish Idle Speed / No Wake Zones. This is to protect the health, safety and general welfare of all residents as well as the shorelines and environment of the lakes.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1.	2020-31 - CL Ord. for Idle Speed No Wake Zones Text Amendment DFM edits	2020-31 - CL Ord. for Idle Speed No Wake Zones Text Amendment DFM edits.pdf
2.	ORDINANCE 2020-31 ad proof	ORDINANCE 2020-31 ad proof.pdf



CITY OF CLERMONT
ORDINANCE NO. 2020-31

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA; AMENDING CHAPTER 70 “WATERWAYS” OF THE CODE OF ORDINANCES, CREATING ARTICLE ~~III~~ “SPEED LIMITS” ~~“IDLE SPEED NO WAKE ZONES”~~, SECTION 70-1 “AUTHORITY”, SECTION 70-2 “DEFINITIONS”, SECTION 70-3 “IDLE SPEED NO WAKE ZONES”, SECTION 70-4 “ADOPTION OF SPEED LIMITS” AND SECTION 70-5 “ENFORCEMENT AND PENALTY”; ~~AS AUTHORIZED UNDER CHAPTER 327.46 FLORIDA STATUTES; ESTABLISHING ALL CREEKS, STREAMS, CHANNELS, AND CANALS LESS THAN 75 FEET WIDE FROM SHORELINE TO SHORELINE AND LOCATED WITHIN ALL INCORPORATED WATERS WITHIN THE LIMITS OF THE CITY WITH NON-RESTRICTED PUBLIC ACCESS AS IDLE SPEED NO WAKE ZONES UNLESS POSTED OTHERWISE; ESTABLISHING AN EXEMPTION IN THE CASE OF AN EMERGENCY, OR FOR PATROL OR RESCUE CRAFT; ESTABLISHING PROCESS THE SETTING OF SPEED LIMITS; ESTABLISHING ENFORCEMENT OF VIOLATIONS AS PROVIDED BY FLORIDA STATUTES;~~ PROVIDING FOR THE ERECTION OF SIGNS; PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION, THE ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, boating safety concerns were brought to the attention of the City of Clermont around the boat ramps and within the City of Clermont waterways; and

WHEREAS, the Lake County Water Authority has requested that the City of Clermont establish Idle Speed/No Wake zones to protect the health, safety and general welfare of the residents of Lake County, Florida; and

WHEREAS, in 2008, the Florida Legislature transferred the authority for permitting speed zones to the Florida Fish and Wildlife Conservation Commission making the permitting of waterway speed zones more stringent and requiring all new speed zones to be adopted by ordinance as per Florida Statutes 327.46(1)(b); and

WHEREAS, Florida Statutes 327.46(1)(b) authorizes the City of Clermont to establish Idle Speed/No Wake boating safety zones by ordinance without additional agency approval within 500 feet of any boat ramp, hoist, marine railway, or other launching or landing facility available for use by the general boating public on waterways no exceeding 300 feet in width; and

WHEREAS, Florida Statutes 327.46(1)(c) grants the City of Clermont the authority to implement Idle Speed/No Wake boating safety zones within 300 feet of a confluence of water bodies presenting a blind corner, a bend in a narrow channel or fairway, or such other area if an



CITY OF CLERMONT
ORDINANCE NO. 2020-31

intervening obstruction to visibility may obscure other vessels or other users of the waterway on the City of Clermont waterways after the Florida Fish and Wildlife Conservation Commission has reviewed the ordinance and determined by substantial competent evidence that the ordinance is necessary to protect public safety; and

WHEREAS, Florida Statutes 327.60, provides the authority to local governments to ~~regulate~~regulates restricted areas, such as speed or wake zones, by local ordinances or laws; and

WHEREAS, the Clermont City Council recognizes that speed zones are necessary for the health, safety and welfare of the boating public; and

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

SECTION 1: RECITALS

The foregoing recitals are true and correct and incorporated herein by reference.

SECTION 2: ~~AMENDMENTS~~

Chapter 70 “Waterways”, Article I “~~Speed Limits~~In—General”, Sections 70-1 “~~Authority~~Definitions”; Sections 70-2 “~~Definitions~~Authority”; ~~Section 70-3 Article III “Speed limits”, Sections 70-34~~ “Idle Speed/No Wake Zones”; ~~Section 70-4 “Adoption of Speed Limits”~~ and Section 70-5 “Enforcement and Penalty” -~~is are~~ hereby ~~amended and~~ created to read as follows (note strikethrough indicates removed words and underlined indicates added):

÷

Article I “Speed Limits~~In General~~”

Section 70-1 “Authority”~~“Definitions”~~

The Clermont City Council is authorized by Florida Law and the Charter of the City of Clermont and empowered to regulate and set the maximum speed at which motorboats and vessels of all kinds may be operated on rivers, lakes, streams and other waterways within the City limits.

Section 70-2 “Definitions”

As used in this ~~Article~~chapter, unless the context clearly requires a different meaning:

- a) *Vessel* is synonymous with boat and means a motor or artificially propelled vehicle and every other description of watercraft, whether motor propelled or not, including



CITY OF CLERMONT
ORDINANCE NO. 2020-31

barges and airboats, other than a seaplane on the water, used or capable of being used as a means of transportation on water.

- b) *Motorboat* means any boat or vessel propelled or powered by machinery.
- c) *Operator or Operation* means to navigate or otherwise use such a boat or vessel.
- d) *Waters of the city* means all waters lying within the boundaries of the City of such a proportion to allow thereupon the operation of a vessel or a motor boat.
- e) *Idle speed – No Wake* means that a vessel must proceed at a speed no greater than that which will maintain steerage and headway; provided, however, that at no time is any vessel or any other vessel or object that it has under tow.

~~Section 70-2 “Authority”~~

~~The Clermont City Council is authorized and empowered to regulate and set the maximum speed at which motorboats and vessels of all kinds may be operated on rivers, lakes, streams and other waterways within the City limits.~~

~~Article III “Speed limits”~~

~~Section 70-34 “Idle Speed/No Wake Zones”~~

All creeks, streams, channels, and canals less than seventy five (75) feet wide from shoreline to shoreline and located within the incorporated waters of the City with non-restricted public access shall be declared Idle Speed No Wake Zones unless posted otherwise.

- a) This section shall not apply in case of emergency nor to any law enforcement or emergency services patrol or rescue boat.

~~Section 70-354 “Adoption of Speed Limits”~~

Speed limits, and subsequent amendments, shall be adopted by resolution of the City Council and shall not exceed or diminish speed limits set by the Lake County Board of County Commissioners.

- a) After adoption of such speed limit, speed limit or no-wake signs shall be posted at all public boat-entrance ramps and public launching points along the portion of the waterway specified in the resolution. Additional signs may be posted as deemed necessary by the City Council and upon the approval of the required county, state and federal regulatory agencies.
- b) No person shall operate a boat at a rate of speed in excess of the speed limit posted.



CITY OF CLERMONT
ORDINANCE NO. 2020-31

Section 70-~~536~~ “Enforcement and Penalties”

Enforcement ~~shall be and penalties shall be assessed as provided by applicable law. and conducted in compliance with Florida Statutes.~~

SECTION 3: SIGNS

The City of Clermont is hereby authorized and requested to work with The Lake County Water Authority to obtain the necessary permit(s) and to place such signage as it deems necessary in order to notify the public of any Idle Speed/No Wake or other restrictive zones, and is authorized to coordinate the production of such signage.

SECTION 4: 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 5: 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.

SECTION 6: 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 7: ADMINISTRATIVE CORRECTION

Regardless of whether such inclusion in the Code as described in Section 6 is accomplished, section 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 8: PUBLICATION & EFFECTIVE DATE



CITY OF CLERMONT
ORDINANCE NO. 2020-31

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.

First Reading this ____ day of _____, 2020.

Second Reading this ____ day of _____, 2020.



CITY OF CLERMONT
ORDINANCE NO. 2020-31

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

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

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: 10098116
Phone: (352) 241-7331
Date: 08/07/20
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	08/25/2020	08/25/2020	\$144.64

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. 2020-31

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA; AMENDING CHAPTER 70 "WATERWAYS" OF THE CODE OF ORDINANCES, CREATING ARTICLE I "SPEED LIMITS", SECTION 70-1 "AUTHORITY", SECTION 70-2 "DEFINITIONS", SECTION 70-3 "IDLE SPEED NO WAKE ZONES, SECTION 70-4 "ADOPTION OF SPEED LIMITS" AND SECTION 70-5 "ENFORCEMENT AND PENALTY"; PROVIDING FOR THE ERECTION OF SIGNS; PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION, THE ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND AN EFFECTIVE DATE.

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 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: 10098116
August 25, 2020

A public meeting to consider the ordinance will be held before the Clermont City Council on Tuesday, August 25, 2020 at 6:30 P.M. for introduction.

A public meeting to consider the ordinance will be held before the Clermont City Council on Tuesday, September 8, 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.

Payment Info	
Ad Price	\$144.64
Tax	\$0.00
Sub Total	\$144.64
Prepaid Amount	\$0.00
Balance Due	\$144.64