



**CITY OF CLERMONT
CITY COUNCIL MEETING
LOCATION: CLERMONT CITY HALL
AGENDA
6:30 PM, Tuesday, August 10, 2021**

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 extended by the Mayor or by majority vote of the Council. 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.

Item No. 1 - Minutes Approval

Consider approval of the meeting minutes from the Budget Workshop held July 20, 2021 and Special Meeting held July 26, 2021 and Joint Workshop held August 3, 2021.

Item No. 2 - Agreement Termination

Consider terminating agreement between the City of Clermont and Johnson-Laux Construction, LLC. in the award amount of \$10,515,667 with a settlement of \$19,791.57 for permits.

**Item No. 3 - Lake County School Board
Amended SRO Agreement**

Consider approval of the amended School Resource Officer Agreement for year 2021-2022. This is a reduction of the previously approved agreement by \$25,500. The reduction was requested by the school board to be more in line with their budget and school and safety funding. The reimbursement amount to the City of Clermont will be the same as the 2020-2021 school year.

Item No. 4 - Task Order Approval

Consider task order with Atkins for the design of a stormwater project in the amount of \$103,469.

Item No. 5 - Task Order Approval

Consider approval of the HALFF Civil Engineering Task Order for the removal and relocation of Gopher Tortoises in the amount of \$116,741.

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Item No. 6 - Grant Acceptance and Budget Amendment

Consider acceptance of 2020 Assistance to Firefighters Grant and a Budget Amendment in the amount of \$8,000 in the General Fund towards the City's match for the grant.

UNFINISHED BUSINESS

Item No. 7 - Ordinance No. 2021-017 *Final Headquarter Honda Garage*

Consider annexation of a vacant parcel located on S.R. 50 and Lake Blvd.

Item No. 8 - Ordinance No. 2021-018 *Final Headquarter Honda Garage*

Consider future land use change from Lake County Urban Low to Clermont Commercial designation for vacant property located on S.R. 50 and the corner of Lake Blvd.

Item No. 9 - Ordinance No. 2021-019 *Final Headquarter Honda Garage*

Consider rezoning from Lake County "CP" Commercial Planned to Clermont "C-2" General Commercial for vacant property located on S.R. 50 and the corner of Lake Blvd.

Item No. 10 - Resolution No. 2021-037R *Headquarter Honda Garage*

Consider a Conditional Use Permit for a vehicle inventory garage structure in the C-2 General Commercial zoning district for vacant property located on S. R. 50 and the corner of Lake Blvd.

Item No. 11 - Ordinance No. 2021-026 *Final Golf Carts*

Consider ordinance to amend Chapter 62 "Traffic And Vehicles" creating Article IV "Golf Carts"

NEW BUSINESS

Item No. 12 - Resolution No. 2021-047R *Comprehensive Fee Schedule Amendment*

Consider establishing a fee of \$25 for an annual golf cart registration.

Item No. 13 - Traffic Concerns

Traffic study and recommendations for W. Minneola and 4th Street and E. Desoto Street.

Item No. 14 - Ordinance No. 2021-020 *Introduction Realty Professionals of Florida*

Consider rezoning from C-2 General Commercial to Planned Unit Development for property located at 300 E Hwy 50.

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Item No. 15 - Ordinance No. 2021-023

Introduction

Disston Duplexes Rezoning

Consider rezoning from R-3
Residential/Professional, C-1 Light
Commercial, and C-2 General
Commercial to Planned Unit
Development for vacant parcels located
at the corner of Disston Ave. and
Almond St.

CLOSED SESSION

AT THIS TIME THE REGULAR COUNCIL MEETING SHALL BE IN RECESS SO THE
COUNCIL CAN MEET IN A CLOSED LITIGATION SESSION.

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.

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 BUDGET WORKSHOP
July 20, 2021

The Clermont City Council met at a workshop on Tuesday, July 20, 2021, in the Clermont City Council Chambers. Mayor Murry opened the workshop at 6:30pm with the following Council Members present: Pines and Purvis.

Council Members Bates and Entsuaah were available via conference call.

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

Opening Comments

Interim City Manager Dauderis informed the Council that Council Members Entsuaah and Bates were absent but would be listening to the discussion via a conference call line.

She informed the Council that staff would be presenting an overview of the proposed budget for Fiscal Year 2022. She shared a few highlights:

- The budget is \$155.9 million with 2.67 percent less than the Fiscal Year 2021 budget.
- City wide reserves at the end of Fiscal Year 2022 are projected to be \$53.4 million.
- The presented budget is in compliance with the reserve policy of 25 percent.
- Ad Valorem taxes are projected to be \$15.4 million or 8.32 percent higher than the Fiscal Year 2021.
- The budget has been prepared with the City's millage rate set at 4.2061 for the seventh consecutive year.

Interim City Manager Dauderis extended thanks and appreciation to staff and directors for helping to prepare the budget. She also thanked the Mayor and Council for their participation in the process.

Agenda

1. FY2021/2022 Budget Discussion

Finance Director Brosonski led the staff presentation made via PowerPoint. She provided an overview the budget adoption schedule, budget summary letter, a complete list of elected and appointed officials, the city organizational chart, fund summaries, revenues and expenditures. She also informed the Council that they would be reviewing the five (5) year capital improvement plan which covers Fiscal Year 2023-2027. Items on the five (5) year capital improvement plan are not evaluated until that year's budget.

Director Brosonski provided an overview of the entire budget making the following highlights:

- The overall citywide budget is approximately \$155,900,000 which is approximately \$4,300,000 less than Fiscal Year 2021 budget or 2.67 percent less. The decrease is due to the completion of master plan projects.
- The City has seen growth of 45 percent of which half is attributable to new construction.

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- Capital Outlay total \$29,700,000 which is \$15,200,000 less than the current year's budget.
- Significant Items Include: replacement vehicles, new vehicles, replacement Engine 101, various utility projects, and replacement of a side loader sanitation truck.

Finance Director Brosonski then reviewed the budget adoption schedule and informed the Council that the first budget public hearing would be September 8, 2021 at 6:30pm, and the final hearing would be held on September 22, 2021 at 6:30pm.

The next section was department budget presentations where directors presented to the Council from the PowerPoint presentation. The following highlights were made.

Police Department

- Budget increase is due to hiring new officers

Council Member Purvis inquired about the \$1,500,000 included for a joint wellness way facility. Chief Broadway explained that amount is only the Police share and they are also looking at investors to offset the cost.

Fire Department

- Budget increase is due to personnel costs related to reclassification of positions.
- They are replacing 15 sets of bunker gear each year. The lifespan for each set is approximately 10 years.
- Generator and roof replacements are following standard procurement policies.

Council Member Purvis asked about the rebuilding of Station 2 in 2022. Chief Ezell responded that they are still working on the funding. He would like to see the bid wrapped up in 2022. Council Member Purvis stated that he would like a more in-depth report on this project.

Council Member Purvis also stated that he would like more information on the training facility. He knows it is needed, but the City has also survived without it. He wants to justify the costs.

Public Services

- Decrease in the General Fund budget due to completion of master plan projects.
- Decrease in the Enterprise Fund budget due to reduction in capital projects.

Parks & Recreation

- Increase in budget is due to capital projects and the return of CPAC shows.

Council Member Purvis asked about telescopic seating. Director Davidoff stated that they applied for a grant again.

Council Member Purvis asked about the re-sodding of turf and about the placement of AstroTurf over sod. Director Davidoff said that artificial turns would have a higher cost and only last 7 to 10 years.

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Development Services

- Decrease in department budget is due to completion of capital projects within the Community Redevelopment Area District.

Building Services

- Budget increase due to professional services for inspection and plans review and new software.
- Reviewed significant items in the budget and total permits issued for the fiscal year.

City Clerk

- Budget decrease due to the costs incurred for the Special Election in January 2021.
- Discussed future of cemetery.

Information Technology

- Budget decrease is due to a decrease in fiber network improvements in 2022 from 2021.

Human Resources

- Budget decrease is due to personnel costs.
- No significant items included in proposed budget.

Procurement Services

- Budget increase is due to personnel costs
- Provided an overview of dollars saved through procurement processes and programs and returned to the General Fund.

Finance Department

- Budget increase is due to personnel costs.

City Manager

- Budget increase is due to personnel costs. Rise Clermont is a new program.

After the department presentations, Director Brosniski informed the Council that there is a surplus of \$50,161. The following items were considered: Pig on the Pond Project Scholars, Sommer Sports Grant, Fee Waivers for Facilities, Juneteenth and/or Diversity Day event, City code re-codification, and East Lake Fountain. Interim City Manager Dauderis asked for direction on what the Council would like to include.

The Council decided that the East Lake Fountain was a cosmetic issue and not related to algae growth.

The Council decided to fund a Juneteenth Event as it is a federal holiday. Interim City Manager Dauderis indicated that staff is reviewing the cost for it to be a City holiday.

The Council stated their interest in adding the recodification of the City code to the budget.

The Council discussed the millage rate. Council Member Pines stated that it is a tight budget.

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Council Member Purvis stated that he supports maintaining the millage rate. Council Member Pines agreed. Mayor Murry agreed that there is not a need to increase the millage rate at this time, but it will likely happen in the future. The Council agreed not to increase the millage rate.

The Council discussed the Fire Department generator. Council Member Purvis stated he has a concern that the generator was not on the list as it is part of running the City. He would like to see it before Council at the next meeting. Council Member Pines agreed that it is vitally important as it is for emergency services. Mayor Murry was in agreement.

2. Other

No items were addressed under this agenda item.

Closing Comments

Interim City Manager Dauderis informed the Council that since they went through all departments and budgets this evening, the workshop would be canceled for tomorrow night.

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Adjourn: The workshop concluded at 8:45 pm with no further comments.

APPROVED:

Tim Murry, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

City of Clermont
MINUTES
SPECIAL COUNCIL MEETING
July 26, 2021

The Clermont City Council met at a special meeting on Monday, July 21, 2021, in the Clermont City Council Chambers. Mayor Murry opened the meeting at 6:30pm with the following Council Members present: Purvis, Pines, Entsuah. Council Member Bates participated via a conference call line and made comments through the City Clerk staff.

Other City officials present were Interim City Manager Dauderis, City Attorney Mantzaris and Deputy City Clerk Lueth.

Opening Comments

Mayor Murry provided an opening statement regarding how the meeting would proceed.

Agenda

1. Evaluation of City Manager Candidates and Possible Action

Interim City Manager Dauderis introduced Doug Thomas with SGR Consulting. Mr. Thomas informed the Council that the goal of the meeting is to review the candidates that have been selected with review. There were seventy (70) applicants that applied for the position. Out of those, they will be reviewing forty-five (45) who met the minimum qualifications.

Mr. Thomas reviewed the recruitment process to date. He reviewed the applicant pool demographics, and the process going forward. He described it like a funnel, as the Council makes decisions, they move further down the funnel.

Mr. Thomas reviewed the applications of the individuals as listed in alphabetical order on a PowerPoint presentation. Mr. Thomas provided a brief overview of candidate's qualifications:

- Many candidates will have an AICP designation or having a planning background as the council indicated they want a candidate with strong growth management skills.
- Many candidates will have a CPM designation which stands for Certified Public Manager which means they have gone through a series of courses for professional development.
- Many candidates will have an ICMA credential which is 360 evaluation to develop a plan to become a better public manager. They commit to 40 additional hours each year for professional development.
- A couple of attorneys have applied for the City Manager position as well.

After reviewing the candidates, Mr. Thomas asked for feedback from the Council.

Council Member Pines reviewed her process for selecting a candidate. Her top three candidates are Tabs 3, 22, and 9 which is her number one. She highlighted the accolades of Tab 9 which she discovered when she researched the candidates. Her maybe list includes Tabs 1, 27, 26, and 36.

Council Member Purvis reviewed his process for selecting a candidate. His top three selections are Tabs 29, 31 and 44. His maybe list includes Tabs 2, 3, 13, 19, 20, and 40.

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Mayor Murry stated that due to other commitments he did not spend much time reviewing the candidate's profiles. His choices are Tabs 3, 4, 5 11, 13, 18, 21, 22, 23, 31, 32, 35, 37, 40, 41, and 44. His favorites are Tabs 32 and 35 due to their military background.

Council Member Entsuaah asked Mr. Thomas if the Council needs to be concerned about those candidates that are recently retired. He expressed concern that they may just be looking to coast into retirement in Florida. Mr. Thomas stated that that normally is not the case as retired city officials might just be looking for a different challenge. He suggested that if there is a retired applicant that interests them they can go deeper into the background during the semi-finalist review.

Council Member Entusah stated that his maybe list included Tabs 3, 4, 7, 13, 20, 26, 30, 22, and 40. He really liked Tab 7.

Council Member Bates submitted his choices as Tabs 3, 4, 20, 21, 22, 27, 29, 31, and 32.

Mr. Thomas reviewed the tallies and stated that there are seven (7) candidates that received three (3) or more votes and there are five (5) candidates that received two (2) or more votes.

Mayor Murry asked about candidates that are already finalists in other positions. Mr. Thomas reviewed the two candidates that are finalists.

After some discussion regarding the list of candidates, including adding several candidates from the one (1) vote list, the final list was decided upon.

The final list:

Tab 3 – Albert (Al) Childress
Tab 4 – Alfred (Jerome) Fletcher
Tab 13 – Dan Matthys
Tab 20 – Emily Colon
Tab 22 – George Korthauer
Tab 26 – Jeffery (Jeff) Eder
Tab 27 – Jeffrey (Jeff) Brown
Tab 29 – Joseph (Joe) Lessard
Tab 31 – Laurence (Larry) Bradley
Tab 32 – Lee Staab
Tab 40 – Shawn Hennessee
Tab 44 – Thomas (Tom) Hutka
Tab 9 – Brian Bulthuis
Tab 35 – Patrick Albritton
Tab 1 - Aaron Baker

Mr. Thomas reviewed the review process going forward including the stages of investigation into the finalist candidates, and showed a tentative interview schedule.

There will be a special meeting on August 18, 2021 to review the semi-finalists and further narrow the field.

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The finalists and their spouses will be invited in September, tentatively scheduled for the 9th and 10th to meet with the City Council, Directors, employees and residents.

Mayor Murry asked about how long after an offer is accepted it takes for a City Manager to start. Mr. Thomas said he normally sees 30-45 days, but could be as long as 90 days. The hope is to have a City Manager by November or December.

Council Member Purvis asked about if a relocation package was included. Mr. Thomas said that that information was not in the brochure, but typically the municipality would pick up the cost of moving.

Mayor Murry asked about those that had previously applied and if they had been considered as well. Mr. Thomas said yes.

Mayor Murry opened the floor for comments from the public.

Dani Page, Tuscany Ridge – Asked if the City was on budget for this process. Asked about family members coming for final interviews and if the City picks up the cost.

Seeing no further comments the floor is closed.

Mr. Thomas stated that there is a not to exceed budget with SGR, Inc. for the recruitment project and they are not currently near that total. Regarding spouses, Mr. Thomas said that most communities cover the cost of both the candidate and their spouse, and informed the Council that this is a legislative decision. He also told them that candidates are often also afforded a per diem.

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Adjourn: The meeting concluded at 8:31 pm with no further comments.

APPROVED:

Tim Murry, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

City of Clermont
MINUTES
JOINT COUNCIL WORKSHOP
August 3, 2021

The City Council met in a joint workshop session with the Planning & Zoning Commission on Tuesday, August 3, 2021 in the Clermont City Council Chambers. Mayor Murry called the workshop to order at 4:00 pm with the following Council Members present: Council Members Pines and Entsuah.

Absent: Council Members Purvis and Bates

The following Planning & Zoning Commissioners were present: Commissioner Gustafson, Niemiec, Colby, Seaver, Rogers and McAllister.

Absent: Chairman Krzyminski

Other City officials present were Interim Assistant City Manager Davidoff, City Attorney Mantzaris, and Deputy City Clerk Lueth.

Opening Comments

Interim Assistant City Manager Davidoff introduced Dr. Richard Levey as the facilitator for the session.

Agenda

1. Joint Workshop between the Clermont City Council and the Planning and Zoning Commission

Dr. Levey presented a PowerPoint to the joint officials gathered. He highlighted the following items:

- Why Plan
- Planning History in Florida
- Florida's Coordinated Planning System
- The Comprehensive Plan
- Plan Implementation
- The Planning & Zoning Commission and Its Role
- Role of Staff
- Best Practices

Chairman Krzyminski arrived at 4:08 PM

City Attorney Mantzaris informed the group that the state legislature recently added a mandatory element to Comprehensive Plans which is the "Property Rights" element. City staff are working to develop the element which will need to be brought before the Commission and Council.

Commissioner Niemiec asked what the consequences of non-compliance are with the seven (7) year update requirement. Dr. Levey stated that the State is not taking a heavy hand and is often giving extensions to counties and municipalities.

Council Member Entsuah asked how long it takes to review and update the plan. Dr. Levey stated that the process can be designed with lots of public involvement and then periodically checked with the public. He thinks in Clermont it can be done in less than a year.

Dr. Levey informed those gathered that the critical role of the Planning and Zoning Commission is the implementation of the Comprehensive Plan. Many communities, including Clermont, have a unified Land Development Code as a part of the City Code.

Dr. Levey stated that in regards to membership of the Planning and Zoning Commission, many communities require certain members have a background and expertise; Clermont does not. He wanted to point this out as an observation.

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City Attorney Mantzaris explained how legislative decisions that are related to land applications are also quasi-judicial. Dr. Levey agreed and said it is an important distinction to understand what quasi-judicial means.

Dr. Levey described the roles of officers, staff, and the City Attorney. He also stated that the Planning and Zoning Commission has the benefit that as part of the staff review, all departments are making reviews and recommendations. The application process is like an iceberg and the legislative boards are only seeing the tip.

Dr. Levey explained that when staff makes a “staff recommendation” it is after a strong, comprehensive, rigid, constrained review. These decisions reflect the professional opinions of the staff. It is important to understand that if the Council or Commission disagrees with a recommendation, they should address the rules and policies in place and not the competencies of the staff.

Dr. Levey reviewed best practices with the group gathered.

- Review the staff reports.
- Visit the site, but do not enter the site. Stay on the public right of way.
- Know the sunshine law.
- Avoid independent research. Work through the staff.
- Use Roberts Rules of Order.
- Put personal views aside and stick to the facts.
- Decorum – Avoid Appearances of Unfairness.
- Treat All Parties Equally – Applicants, fellow members, the public and staff.
- Observe Due Process – All applicants have the right to have their item heard.
- Recommendations to the City Council need to be based on fact with relevant information.
- Avoid Project Advocacy. Keep your opinions to the confines of the Planning and Zoning Commission. Do not appear before the City Council if you feel strongly on an issue.

City Attorney Mantzaris informed those gathered that it is important that decisions be based on substantial competent evidence. The law does not respect a recommendation or vote that is made on the subjective opinion of the Commission or Council.

Council Member Entsuh asked about Planning and Zoning Commissioners talking with City staff as he as a Council Member has been advised not to do it. City Attorney Mantzaris explained that that rule does apply to a Planning and Zoning Commissioner like it does to the City Council. He explained that the City Council hires a City Manager to direct their questions and comments to; the Planning and Zoning Commission does not have a designated individual and has to rely on staff for information.

Dr. Levey concluded his presentation by summarizing the information that was provided in the PowerPoint.

Commissioner Gustafson asked about the use of the word “vision” during the presentation and taking a long range view. He thinks that a vision needs to be established for the City. He would like to see all the interested parties sit down and figure out what the vision for City of Clermont is for the next 10-15 years.

Mayor Murry asked for suggestions on how best to review the Comprehensive Plan. Dr. Levey stated that there is a lot of technical reading and it may be difficult to comprehend. He suggested that the Council and Commission rely on staff to lead the review. He also suggested that the current plan does not drive a lot of policy decisions and that during the City’s review, they will want to make sure that the plan reflects the values and vision of the City insofar as that it can be used as a basis for decision making.

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He reminded those gathered that should a conflict occur between the Land Development Code and the Comprehensive Plan, the Comprehensive Plan will overrule the Land Development Code in a court of law.

Commissioner Niemiec asked what defines an advocate. Dr. Levey stated that in the context of this presentation, advocate is defined as supporting or opposing a project that was heard or considered as a member of the Planning and Zoning Commission. Dr. Levey stated that it hurts the integrity of the board of commissioners when they cannot remain independent from advocacy.

City Attorney Mantzaris added that the goal of the city's legal counsel and city staff is to maintain the integrity of the process. He stated that people have individual bias which is why there are two boards required for review and approval; this helps to maintain the integrity of the process.

Commissioner Niemiec asked if he was giving up his rights as a citizen by being on the board. Dr. Levey stated that he is not giving up his rights, but advised that if Commissioner Niemiec feels so strongly that he needs to get up and talk about projects, maybe the Planning and Zoning Commission is not an appropriate role for him.

Commissioner Gustafson asked what the next steps are. City Attorney Mantzaris explained that to review the comprehensive plan is both a labor and time intensive project. He informed those gathered that staff is currently maxed maintaining the day-to-day operations. He suggested that outside consultants may be required and stated that many communities usually hire an outside agent to assist with the process.

Council Member Pines told the Planning and Zoning Commissioners that a review of the Comprehensive Plan would not be considered until after the Council hires a new City Manager, and then it may be some time as he or she gets adjusted into the role.

Commissioner Niemiec asked Dr. Levey if five (5) years behind schedule is too long to be behind. Dr. Levey stated that there are many examples of municipalities throughout the state that are further behind than Clermont. He also explained that there are numerous things that affect the due dates and so until the research is done, no one should assume that the city is five (5) years behind. His opinion is that the City should be looking at the plan.

Commissioner Gustafson said he is not as much concerned about the states reaction, but that the City is growing quickly and that there is an outdate plan to address that. Mayor Murry stated that he thinks that is an unfair assessment as the City staff is constantly looking at the plan and advising on how the code can be updated.

City Attorney Mantzaris informed those gathered that even upon review it is unlikely that the required elements change substantially; he did state that the optional elements may come into play as the Council identifies new priorities.

Planning and Zoning Chairman Kyrzminski asked about advocacy in situations where a member wishes to make comments based on new items that were received after a project was considered by the Planning and Zoning Commission. Dr. Levey said that this is not uncommon, however, he is of the belief that Planning and Zoning Commissioners are to judge the item before them and then be done with it.

City Attorney Mantzaris stated that as a member of Planning and Zoning, there are certain limitations that each Commissioner experiences and accepts when they take on the role. He advised the Planning and Zoning Commission that it is a positive thing if an applicant makes changes after they meet with the Commission. It means that Planning and Zoning did their job and raised valid concerns and questions that the applicant wishes to address.

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Commissioner Rogers asked about projects that did not come before the Planning and Zoning Commission. Dr. Levey and City Attorney Mantzaris both stated that commissioners have every right to comment.

Closing Comments

Mayor Murry thanked Dr. Levey for his attendance.

In closing, City Attorney Mantzaris stated that it is vitally important that both the Planning and Zoning Commission and the City Council stick to the facts of the case when considering a project. In some regards, the members have to put blinders on and stay inside their lane as to the facts of the application before them and not let outside opinion affect their decisions.

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ADJOURN: With no further comments, this workshop adjourned at 5:30 pm.

APPROVED:

Tim Murry, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk



CITY OF CLERMONT

AGENDA ITEM

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Meeting Date		
Tuesday, August 10, 2021		
Agenda Item Name		
Agreement Termination		
Requested Action		
Recommend to terminate agreement between the City of Clermont and Johnson-Laux Construction, LLC. for the Public Works Operations facility.		
Staff Report		
The Procurement Services Department and the Public Services Department recommend approval of the above action. The Procurement Services Department recommended award to Johnson-Laux Construction, LLC. as the result of bid number 20-034 titled Construction of Public Works Operations Facility on March 2, 2021, for the lump sum price of \$10,515,667. The City Council approved the award recommendation and entered into a construction contract on April 13, 2021. Shortly after the award, the contractor expressed concerns of shortages in construction materials driving up prices and could no longer perform their duties at the contracted rate. The Procurement Services Department reached out to the second and third bidders on the bid tabulation and neither could honor their bids submitted due to material price escalation. The Procurement Services Department is recommending to terminate the agreement with Johnson-Laux Construction, LLC. for the construction of Public Works facility and issuing a re-bid at a later date.		
Additional Analysis		
Fiscal Impact Summary		
The current budget has adequate funds for the settlement amount of \$19,791.57 for permitting costs associated with the new Public Services Facility.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. RFB 20-034 Response Tabulation	RFB 20-034 Response Tabulation.pdf	



RESPONSE TABULATION

RFB 20-034, CONSTRUCTION OF PUBLIC WORKS OPERATIONS FACILITY
DUE DATE/TIME: FEBRUARY 25, 2021 AT 2:00 P.M. (EST)

COMPANY NAME	ADDN. 1-7	BID BOND	LUMP SUM PRICE	DEDUCT 1	DEDUCT 2	DEDUCT 3	DEDUCT 4	LUMP SUM – 1-4 DEDUCT
Johnson-Laux Construction, LLC. – Winter Garden, FL	Y	Y	\$10,515,667.00	\$119,708.00	\$306,495.00	\$79,067.00	\$229,116.00	\$9,781,281.00
DeMaria Building Company, Inc. – Tampa, FL	Y	Y	\$10,669,900.00	\$125,000.00	\$422,000.00	\$51,500.00	\$281,000.00	\$9,790,400.00
Astra Construction Services, LLC. – Tampa, FL	Y	Y	\$10,750,000.00	\$120,000.00	\$250,000.00	\$85,000.00	\$240,000.00	\$10,055,000.00
Clancy & Theys Construction Co. – Winter Garden, FL	Y	Y	\$11,049,000.00	\$112,807.00	\$191,891.00	\$83,183.00	\$234,820.00	\$10,426,299.00
Envirostruct, LLC. – Bonita Springs, FL	Y	Y	\$11,260,532.00	\$111,734.00	\$427,351.00	\$16,793.00	\$299,739.00	\$10,404,915.00
Evergreen Construction Management, Inc. – Mount Dora, FL	Y	Y	\$11,303,000.00	\$125,000.00	\$327,000.00	\$102,000.00	\$200,000.00	\$10,549,000.00
RL Burns, Inc. – Orlando, FL	Y	Y	\$11,318,033.00	\$118,390.00	\$394,448.00	\$111,818.00	\$334,643.00	\$10,358,734.00
SEMCO Construction, Inc. – Bartow, FL	Y	Y	\$11,326,958.00	\$178,672.00	\$399,737.00	\$47,185.00	\$379,530.00	\$10,321,834.00
Compass Group, Inc. – Amelia Island, FL	Y	Y	\$11,669,437.00	\$142,019.00	\$489,304.00	\$89,052.00	\$278,287.00	\$10,670,775.00



RESPONSE TABULATION

ADDN. 1-7 = Addendum 1 through 7 submitted with bid documents.

BID BOND = Bid Bond submitted with bid documents.

LUMP SUM PRICE = Lump price including alternates 1 through 4.

DEDUCT 1 = Deductive Alternate No. 1: Drive-Thru Vehicle Wash

DEDUCT 2 = Deductive Alternate No. 2: Covered Parking Structures

DEDUCT 3 = Deductive Alternate No. 3: Fuel Tank Relocation

DEDUCT 4 = Deductive Alternate No. 4: Pre-Wash Facility

LUMP SUM – 1-4 DEDUCT = Lump sum price minus deductive alternates 1 through 4.



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, August 10, 2021		
Agenda Item Name		
Lake County School Board Amended SRO Agreement		
Requested Action		
Staff Report		
Amended Agreement between the Lake County School Board and the City of Clermont for the School Resource Officer Program for the 2021-2022 school year. Reduction of the previously approved agreement by \$25,500 was requested by the school board to be more in line with budget and school and safety funding. The reimbursement amount to the city of Clermont will be the same as the 2020-2021 school year.		
Additional Analysis		
Fiscal Impact Summary		
The fiscal impact to the FY 2022 budget will be a reduction of budgeted revenues in the amount of \$25,500.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. City of Clermont SY21-22 (REVISED)	City of Clermont SY21-22 (REVISED).pdf	

**AGREEMENT BETWEEN THE SCHOOL BOARD OF LAKE COUNTY, FLORIDA,
AND THE CITY OF CLERMONT, FOR
SCHOOL RESOURCE OFFICER PROGRAM [2021-2022]**

This **AGREEMENT** is entered into by and between the **City of Clermont**, a Florida municipal corporation, hereinafter referred to as “LAW ENFORCEMENT AGENCY” and the **School Board of Lake County, Florida**, a political subdivision of the State of Florida, hereinafter referred to as “SCHOOL BOARD”.

WITNESSETH:

WHEREAS, the SCHOOL BOARD is seeking three (3) School Resource Officers (SROs) to interact with students during the regular class schedule and at extra-curricular school activities so as to provide additional security to students, school personnel, the school community and school property; and

WHEREAS, the LAW ENFORCEMENT AGENCY is willing to place three (3) **City of Clermont** Police Officers at **Clermont Elementary (1), Cypress Ridge Elementary (1), and Lost Lake Elementary (1)** for the purpose of carrying out this school program.

NOW, THEREFORE, in and for consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree that the LAW ENFORCEMENT AGENCY will provide three (3) sworn **City of Clermont** Police Officers who are certified pursuant to Section 943.10(1) *Florida Statutes* to the SCHOOL BOARD to act as SROs at the three (3) designated schools under the terms and conditions of this Agreement.

1. Term of Agreement. The term of this Agreement shall be for the next school year, beginning the 10th day of August 2021 through the last day of school for students in May 2022.

2. Compensation. The SCHOOL BOARD will pay the **City of Clermont** the sum of Two hundred forty-two thousand seven hundred (\$242,700.00) Dollars for services of the three (3) SROs provided pursuant to the terms of this Agreement. Such compensation shall be invoiced to the SCHOOL BOARD by the LAW ENFORCEMENT AGENCY in equal quarterly installments (September, November, February and May) commencing on the 1st day of September 2021. Invoices shall be paid by the SCHOOL BOARD within fifteen (15) days of receipt. In the

event that The Board of County Commissioners of Lake County, Florida, agrees to pay for any or all of the police officers assigned to the schools pursuant to this Agreement, then the LAW ENFORCEMENT AGENCY agrees that the SCHOOL BOARD may assign its obligation to pay under this section to The Board of County Commissioners of Lake County, Florida.

3. Scope. The LAW ENFORCEMENT AGENCY shall assign an SRO for three (3) designated schools. The SROs shall interact with students and provide security at the three (3) designated schools. In addition, the SROs shall have the duties and responsibilities listed in Exhibit “A” attached hereto.

4. Background Investigations. The LAW ENFORCEMENT AGENCY represents and warrants to the SCHOOL BOARD that the LAW ENFORCEMENT AGENCY has read and is familiar with Sections 1012.32, 1012.465, 1012.467 and 1012.468, *Florida Statutes* regarding background investigations. The LAW ENFORCEMENT AGENCY covenants to comply with all requirements of the above-cited statutes and shall provide SCHOOL BOARD with proof of compliance upon request. The LAW ENFORCEMENT AGENCY agrees, to the extent permitted by law and only to the extent permitted by 768.28, *Florida Statutes*, to indemnify and hold harmless the SCHOOL BOARD, its officers, agents and employees from any liability in the form of physical injury, death, or property damage resulting from the LAW ENFORCEMENT AGENCY’s failure to comply with the requirements of this paragraph or Florida Statute Sections, 1012.32, 1012.465, 1012.467 and 1012.468, *Florida Statutes*. Any claim against the LAW ENFORCEMENT AGENCY by the SCHOOL BOARD under the preceding sentence shall not include punitive damages or any interest for the period before judgment. Additionally, the LAW ENFORCEMENT AGENCY shall not be liable pursuant to this indemnity to pay a claim or judgment by any one person which exceeds the sum of \$200,000 or any claim or judgment, or portions thereof, which, when totaled with all other claims or judgments paid by the LAW ENFORCEMENT AGENCY arising out of the incident or occurrence, exceeds the sum of \$300,000. Further, nothing in this paragraph shall be construed as an admission of liability on behalf of the LAW ENFORCEMENT AGENCY.

5. Assignment of Officers. The LAW ENFORCEMENT AGENCY shall determine which SROs will be assigned under this Agreement and will also determine the particular school

to which the SRO will be assigned to. The LAW ENFORCEMENT AGENCY shall provide a notice of the assigned SROs to the school principals of the three (3) designated schools. In the event that the principal of the school where the SRO is assigned believes that the particular SRO is not effectively performing his/her duties and responsibilities, the principal shall notify the SRO in writing. If the situation is not corrected within three (3) working days, the principal shall contact the SRO's immediate supervisor and the Superintendent's designee in writing and provide a copy of said notice to each of them. If the situation is not resolved to the mutual satisfaction of both the SRO's immediate supervisor and the Superintendent's designee within ten (10) days, or if, during the same contract period, the principal determines for a second time that the SRO is not effectively performing his/her duties and responsibilities, then the Principal shall recommend to the Superintendent that the SRO be removed from the program at his/her school, and shall state the reasons as well as the efforts to resolve the problems in writing. The Superintendent, or his/her designee, shall review the request and, if approved, shall provide written notification to the LAW ENFORCEMENT AGENCY who shall transfer the SRO or take other appropriate action within ten (10) business days. In the event the principal considers the SRO's conduct to present a threat to the safety or well-being of the students or staff, the principal will immediately notify the Superintendent and the LAW ENFORCEMENT AGENCY. Upon receipt of such notification, the LAW ENFORCEMENT AGENCY shall take appropriate action.

6. Dismissal/Replacement/Absence.

The LAW ENFORCEMENT AGENCY may dismiss or reassign SROs with or without cause. In the event of the resignation, dismissal, or reassignment of an SRO, or in the case of long-term absences by an SRO, the LAW ENFORCEMENT AGENCY shall provide a temporary replacement for the SRO as soon as practical.

7. Leaves/Coverage.

The Chief of Police or another designated scheduling officer will approve vacations, sick leaves, and other leaves of absence for the SRO. The SRO will communicate approved vacation, sick leaves, trainings or any other leave that impacts SRO presence in schools with the SCHOOL BOARD'S Safety and Security Specialist.

LAW ENFORCEMENT AGENCY shall provide coverage of an SRO during any time in which the SRO will be off campus of the school to include, but not be limited to vacations, sick leaves, other leaves of absence or due to other related assignments.

8. Hours of Assignment. The SROs will be stationed at the three (3) designated schools for eighty (80) hours per two-week period, Monday through Friday, as assigned and scheduled by the respective school principal and as approved by the LAW ENFORCEMENT AGENCY.

9. Additional Hours of Assignment. Additional hours of assignment during a two-week period may be made with prior approval of the LAW ENFORCEMENT AGENCY, if requested by the respective school principal. If the additional hours worked require that overtime be paid to the SROs, the SCHOOL BOARD will reimburse the LAW ENFORCEMENT AGENCY for overtime paid at the SRO's existing pay rate.

10. Off Campus Assignments. Upon the request of the respective school principal and with the prior approval of the LAW ENFORCEMENT AGENCY, an SRO's duties may occasionally include his/her assignment at school functions and activities that are held off campus.

11. Reassignment in Emergency Situations. Nothing in this Agreement shall prevent or interfere with the ability of the LAW ENFORCEMENT AGENCY to temporarily withdraw an assigned SRO from his/her post at the three (3) designated schools to respond to emergency situations as determined in the sole judgment and discretion of the LAW ENFORCEMENT AGENCY.

12. Supervising Authority. During the term of this Agreement, the SROs assigned shall remain employees of the LAW ENFORCEMENT, under the authority of the chain of command of the LAW ENFORCEMENT AGENCY and subject to all other rules and regulations of the LAW ENFORCEMENT AGENCY. The SROs will report to their respective school principal for assignment of duties and work schedules, including the extracurricular activities during the regular school day for up to eighty (80) hours for each officer per two-week period. Each SRO shall remain, at all times, an employee of the LAW ENFORCEMENT AGENCY. Workers

Compensation coverage, as required by law, will be provided for the officer by the LAW ENFORCEMENT AGENCY.

13. Salary and Benefits. The LAW ENFORCEMENT AGENCY will provide the salary and benefits to each SRO assigned, including uniforms and equipment and any applicable overtime pay as agreed to above.

14. Vehicle. The LAW ENFORCEMENT AGENCY will provide vehicles for SROs if or when determined necessary by the LAW ENFORCEMENT AGENCY.

15. Threats to School Safety.

A. Pursuant to Section 1006.13(4), *Florida Statutes*, any acts that pose a threat to school safety, whether committed by a student or adult, shall be reported to the School Principal, or his or her designee, who shall report the acts to the SRO and the School Board's School Safety Specialist.

B. If requested by the School Principal, or his or her designee, the SRO, or other appropriate law enforcement officers, shall assist in the investigation of the acts that pose a threat to school safety; upon conclusion of the investigation, the SRO shall report the findings of the investigation to the School Board's School Safety Specialist to properly document the disposition of the incident. Additionally, the School Principal, or his or her designee, shall consult with SRO concerning appropriate delinquent acts and crimes.

16. Termination of Agreement. This Agreement may be terminated by either party upon thirty (30) days written notice. Notice shall be deemed given as of the date of deposit of such written NOTICE in the course of transmission in the United States Postal Service and addressed as follows:

SCHOOL BOARD:

Superintendent of Schools
School Board of Lake County
201 West Burleigh Boulevard
Tavares, FL 32778

LAW ENFORCEMENT
AGENCY:

Chief of Police
City of Clermont Police Department

3600 U.S. 27
Clermont, FL 34711

Upon termination pursuant to this subsection, payment will be made by the SCHOOL BOARD or reimbursement made by the LAW ENFORCEMENT AGENCY based on a pro rata charge for services for that portion of the school year covered by this Agreement prior to termination.

17. Entire Agreement. This Agreement embodies the entire agreement and understanding between the parties with respect to the subject matter hereto and supersedes all prior Agreements, representations and understandings either oral, written or otherwise relating thereto.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the respective dates under each signature.

“SCHOOL BOARD”

**THE SCHOOL BOARD OF LAKE COUNTY,
FLORIDA**

By: _____
William J. Mathias, Chairperson

Date: _____

Approved as to form:

Attest: _____
Diane S. Kornegay, Superintendent

School Board Attorney

“LAW ENFORCEMENT AGENCY”

CITY OF CLERMONT

By: _____
Tim Murry, Mayor

Date: _____

Approved as to form:

Attest: _____
Tracy Ackroyd Howe, City Clerk

Daniel Mantzaris, City Attorney

EXHIBIT “A”

In addition to the routine duties and responsibilities of the SROs, the SROs shall have the following specific duties and responsibilities:

1. Each SRO shall at all times perform his/her duties in accordance with City of Clermont Police Department’s standard operating procedures.
2. The SROs shall serve as resource instructors providing programs in crime prevention that encourage students to become responsible citizens.
3. The SROs shall also assist the orderly flow of traffic on school grounds.
4. Each SRO shall maintain all law enforcement powers, duties, and responsibilities inclusive of his/her position as C Police Officers while assigned to the SRO program.
5. Each SRO shall be responsible to his/her agency in all matters relating to employment, however, activities conducted by the SROs which are part of the regular school instruction program shall be under the direction of the principal or his/her designee.
6. Each SRO shall be at his/her school during normal school hours of operation and shall utilize the school’s computer-based management system to sign in and out to verify attendance. During times that the SROs are unable to be on campus or need to leave campus, those times will be coordinated with the principal or his/her designee and each SRO’s supervisor. The SRO supervisor will assure that the School has a replacement SRO on campus.
7. The SROs shall perform such duties as directed by his/her agency when school is not in session. The principal or his/her designee shall advise the Officers’ supervisor of the school’s calendar.
8. The SROs may contact students during school hours in conjunction with a criminal investigation so long as such contact does not interfere with or impede the orderly operation of the school or the rights of the individual students.
9. All student record information will be maintained in accordance with the provisions of Florida Statutes.
10. The SROs shall interface with students between class breaks, during lunch periods, before and after school and at school activities at which the SROs are in attendance. The SROs will not be assigned to a permanent school related duty post so as not to establish predictable patterns.
11. In the interest of maintaining a safe and orderly school environment, student and campus supervision is of critical importance. The SROs shall take a prominent role in supervision responsibilities, which shall be coordinated with and agreed to by the SROs and the designated

school principal. While school is in session, the SROs shall be present on and around the school campus except as permitted in paragraph 6 of this Exhibit A.

12. The SROs will serve as a referral resource for students, faculty and parents to community agencies.

13. The SROs will serve as a Law Enforcement resource to school administration and the district manager of security services.

14. The SROs shall be familiar and offer support with the plans and strategies for the prevention and control of dangerous situations at the school.

15. The SROs will coordinate activities with the school administration and the school guidance department in an effort to identify those students who exhibit indications of early delinquent behavior.

16. The SROs shall attend meetings of school faculty and requested administrative meetings during school hours on a regular basis.

17. The SROs shall not act as a school disciplinarian, as disciplining students is a school responsibility. However, the principal shall contact the SROs for any violations of the law, and the SROs shall determine whether law enforcement action is appropriate.

18. The SROs shall take law enforcement action as necessary and as permitted under Florida law and shall inform the school principal of such action unless it would impede a criminal investigation, under such circumstances as practical. The SROs shall take appropriate law enforcement action against intruders and unwanted guests who may appear at the school and related school functions, to the extent that the SROs may do so under the authority of law. Whenever practical, the SROs shall advise the principal before requesting additional law enforcement assistance on campus.

19. The SROs shall be informed by school personnel of any situation occurring on school grounds that would appear to be a violation of the law of criminal nature.

20. The SROs shall maintain detailed accurate records of his/her activities, and provide a written monthly report to the LAW ENFORCEMENT AGENCY who shall provide such information to the Safe Schools Department of the SCHOOL BOARD.

21. The SROs and school administration shall work together to keep each other informed during the course of all criminal investigations as permitted by law and as practical. This provision shall not be interpreted so as to interfere with or impede the SROs' law enforcement duties, obligations and/or powers.

22. The SROs shall work with school administration when determining whether an arrest should be made, or if there is an alternative solution to the incident which would still be in compliance with Florida law. The final decision on whether arrest is appropriate will lie with the

attending SRO or other law enforcement officer on scene at the incident. This provision shall not be interpreted so as to interfere with or impede the SROs' law enforcement duties, obligations or powers.

23. The SROs shall affect a physical arrest for felonies committed on school grounds, particularly those that are "Zero Tolerance", as permitted by law.

24. The SROs shall give assistance to other law enforcement officers and government agencies in matters regarding his/her school assignment, whenever necessary.

25. The parties shall comply with the provisions of the Family Educational Rights and Privacy Act ("FERPA").



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, August 10, 2021		
Agenda Item Name		
Task Order Approval		
Requested Action		
Staff recommends approval of a task order with Atkins for the design of a stormwater project in the amount of \$103,469.00		
Staff Report		
The Public Services Department has a long history of constructing water quality projects to assist in the treatment of stormwater discharges and the protection of the waters of Lake Minneola and Lake Minnehaha and subsequently the chain-of-lakes. The City's master stormwater plan identifies 20 stormwater outfalls that do not have treatment before discharging into Lake Minnehaha. The LCWA has always supported projects that the City of Clermont designs and constructs to improve the quality of the discharge of stormwater. For this design project LCWA has provided a \$30,000 grant to assist with the cost of designing the improvement.		
Additional Analysis		
Fiscal Impact Summary		
The design of the project is estimated at \$104,000. A \$30,000 grant from LCWA will help offset the cost of designing the proposed water quality project. The remaining balance of \$74,000 will come from stormwater funds in the current fiscal year 2021 budget (\$30,000) and the proposed fiscal year 2022 budget (\$40,000).		
Fiscal Impact	Fund Number and Description	Available Budget Amount
\$34,000	45538-66900-38125 (Stormwater Fund)	\$34,000
\$70,000	45538-66900-38125 (Stormwater Fund)	\$70,000
-\$30,000	45337-33735-38125 (LCWA Grant Revenue)	-\$30,000
Exhibits Attached (copies of original agreements)		
1.	Atkins Cost Proposal Lake Winona Basin	Atkins Cost Proposal Lake Winona Basin.pdf
2.	Atkins Scope Lake Winona Basin	Atkins Scope Lake Winona Basin.pdf



Member of the SNC-Lavalin Group

Cost Proposal - Detail

Lake Winona Basin 12A Drainage Improvements
City of Clermont

Exhibit A: Continuing Services Contract: 2020-99; Task Work Order # TBD

Submittal Date: Apr-05-2021

Task#	Resource Category	Description	O/H Pool	Rate	Unit	Qty	Extended Price
1	Data Collection						
	Labor						
		Technical Manager II	Home	203.00	Hr	-	-
		Sr Engineer I	Home	136.00	Hr	16.0	2,176.00
		Sr Scientist I	Home	136.00	Hr	8.0	1,088.00
	Labor Total					36	5,700.00
	ODCs					350.0	203.00
		Mileage		0.6	LS	350.0	203.00
	Subcontract and Expenses Total						203.00
1	Data Collection Total						5,903.00
2	Survey						
	Labor						
		Sr Surveyor II	Home	169.00	Hr	6.0	1,014.00
		Sr Geomaticist I	Home	136.00	Hr	12.0	1,632.00
		Geomaticist I	Home	109.00	Hr	28.0	3,052.00
		Surveyor I	Home	92.00	Hr	42.0	3,864.00
		Two Person Crew	Home	178.00	Hr	56.0	9,968.00
	Labor Total					144	19,530.00
2	Survey Total						19,530.00
3	Subsurface Utility Engineering						
	Subcontract & Consultants						5,320.00
		Echo UES		5,320.0	-	1.0	5,320.00
	Subcontract and Expenses Total						5,320.00



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Cost Proposal - Detail

Lake Winona Basin 12A Drainage Improvements
City of Clermont

Exhibit A: Continuing Services Contract: 2020-99; Task Work Order # TBD

Submittal Date: Apr-05-2021

Task#	Resource Category	Description	O/H Pool	Rate	Unit	Qty	Extended Price
3	Subsurface Utility Engineering Total						5,320.00
4	Utility Adjustment Plans						
	Labor						
		Project Director	Home	227.00	Hr	8.0	1,816.00
		Sr Engineer III	Home	203.00	Hr	12.0	2,436.00
		Engineer II	Home	109.00	Hr	12.0	1,308.00
	Labor Total						32 5,560.00
4	Utility Adjustment Plans Total						5,560.00
5	Geotechnical Services						
	Subcontract & Consultants						3,891.00
		Andreyev Engineering		3,891.0	-	1.0	3,891.00
	Subcontract and Expenses Total						3,891.00
5	Geotechnical Services Total						3,891.00
6	Wetland and Seasonal High Water Determination						
	Labor						
		Sr Scientist I	Home	136.00	Hr	8.0	1,088.00
	Labor Total						8 1,088.00
6	Wetland and Seasonal High Water Determination Total						1,088.00



Member of the SNC-Lavalin Group

Cost Proposal - Detail

Lake Winona Basin 12A Drainage Improvements
City of Clermont

Exhibit A: Continuing Services Contract: 2020-99; Task Work Order # TBD

Submittal Date: Apr-05-2021

Task#	Resource Category	Description	O/H Pool	Rate	Unit	Qty	Extended Price
7	Modelling						
	Labor						
		Sr Engineer III	Home	203.00	Hr	30.0	6,090.00
		Sr Engineer II	Home	169.00	Hr	16.0	2,704.00
	Labor Total					46	8,794.00
7	Modelling Total						8,794.00
8	Design report						
	Labor						
		Sr Engineer III	Home	203.00	Hr	28.0	5,684.00
		Engineer II	Home	109.00	Hr	8.0	872.00
	Labor Total					36	6,556.00
8	Design report Total						6,556.00
9	Construction plans						
	Labor						
		Sr Engineer III	Home	203.00	Hr	16.0	3,248.00
		Sr Engineer II	Home	169.00	Hr	32.0	5,408.00
		Sr Engineer I	Home	136.00	Hr	52.0	7,072.00
		Engineer II	Home	109.00	Hr	24.0	2,616.00
	Labor Total					124	18,344.00
9	Construction plans Total						18,344.00



Member of the SNC-Lavalin Group

Cost Proposal - Detail

Lake Winona Basin 12A Drainage Improvements
City of Clermont

Exhibit A: Continuing Services Contract: 2020-99; Task Work Order # TBD

Submittal Date: Apr-05-2021

Task#	Resource Category	Description	O/H Pool	Rate	Unit	Qty	Extended Price
10	Permits						
	Labor						
		Project Director	Home	227.00	Hr	8.0	1,816.00
		Sr Engineer III	Home	203.00	Hr	16.0	3,248.00
		Sr Engineer I	Home	136.00	Hr	8.0	1,088.00
	Labor Total					32	6,152.00
10	Permits Total						7,742.00
11	Specifications						
	Labor						
		Project Director	Home	227.00	Hr	1.0	227.00
		Sr Engineer III	Home	203.00	Hr	3.0	609.00
	Labor Total					4	836.00
11	Specifications Total						836.00
12	Construction Cost Estimates and Durations						
	Labor						
		Sr Engineer III	Home	203.00	Hr	4.0	812.00
		Sr Engineer II	Home	169.00	Hr	8.0	1,352.00
	Labor Total					12	2,164.00
12	Construction Cost Estimates and Durations Total						2,164.00



Member of the SNC-Lavalin Group

Cost Proposal - Detail

Lake Winona Basin 12A Drainage Improvements
City of Clermont

Exhibit A: Continuing Services Contract: 2020-99; Task Work Order # TBD

Submittal Date: Apr-05-2021

Task#	Resource Category	Description	O/H Pool	Rate	Unit	Qty	Extended Price
13	Project Management and Project Administration						
	Labor						
		Project Director	Home	227.00	Hr	9.0	2,043.00
		Technical Manager II	Home	203.00	Hr	13.0	2,639.00
		Sr Engineer II	Home	169.00	Hr	5.0	845.00
		Engineer II	Home	109.00	Hr	4.0	436.00
Labor Total						31	5,963.00
13	Project Management and Project Administration Total						5,963.00
14	Quality Control						
	Labor						
		Sr Project Director	Home	278.00	Hr	2.0	556.00
		Project Director	Home	227.00	Hr	4.0	908.00
		Technical Manager II	Home	203.00	Hr	16.0	3,248.00
Labor Total						22	4,712.00
14	Quality Control Total						4,712.00
15	Bid Phase Services						
	Labor						
		Project Director	Home	227.00	Hr	8.0	1,816.00
		Sr Engineer III	Home	203.00	Hr	4.0	812.00
Labor Total						12	2,628.00
15	Bid Phase Services Total						2,628.00



Member of the SNC-Lavalin Group

Cost Proposal - Detail

Lake Winona Basin 12A Drainage Improvements
City of Clermont

Exhibit A: Continuing Services Contract: 2020-99; Task Work Order # TBD

Submittal Date: Apr-05-2021

Task#	Resource Category	Description	O/H Pool	Rate	Unit	Qty	Extended Price
16	Legal Description and Sketches						
	Labor						
		Project Director	Home	227.00	Hr	1.0	227.00
		Sr Engineer II	Home	169.00	Hr	3.0	507.00
		Geomaticist I	Home	109.00	Hr	8.0	872.00
Labor Total						12	1,606.00
16	Legal Description and Sketches Total						1,606.00
17	Public Involvement						
	Labor						
		Sr Project Director	Home	278.00	Hr	4.0	1,112.00
		Project Director	Home	227.00	Hr	4.0	908.00
		Technical Manager II	Home	203.00	Hr	4.0	812.00
Labor Total						12	2,832.00
17	Public Involvement Total						2,832.00
Total Extended Price							103,469.00

**Task Work Order # TBD
City of Clermont, Florida
Lake Winona Basin 12A Drainage Improvements**

Continuing Services Contract: 2020-99

**Scope of Services
April 2021**

**Atkins Project Manager: Chris Rader, PE (Chris.Rader@atkinsglobal.com)
Atkins Deputy PM: Carlos Estrella, PE, PMP(carlos.estrella@atkinsglobal.com)**

Background

In 2017 City of Clermont completed a Stormwater Master Plan for the Lake Winona Basin. The study identified drainage sub-basin 12A as a candidate for a water quality improvement project. Subsequently the CITY applied for, and received, a grant to design a combination stormwater treatment train to reduce the pollutant load to the lake by installing baffle boxes and/or an underground retention facility connected to an outfall discharging into Lake Winona. The City asked Atkins to prepare a set of construction plans consistent with the approved grant and stormwater master plan.

Reference to Baffle Box are understood to mean brand name or approved equal. The project will include a requirement of the contractor that if supplying an equal vendor product, then the technical support for the substitution of brand name must be provided for consideration.

Hereinafter all references to CITY will mean City of Clermont and all references to CONSULTANT will mean Atkins. The fee negotiated for this project includes all incidental expenses such as mileage to field reviews and meetings, printing, etc. Deliverables for this project are anticipated to be in PDF format and digitally transmitted. Fees shall be based upon on a lump sum basis except for those items specifically indicated as not-to-exceed.

Scope of Services

The CONSULTANT shall collect site information and prepare construction plans and specifications for the project with sufficient information to allow for bidding, constructing, and permitting. Work shall also include four plans submittal stages (30%, 60%, 100%, and Final) and a permit application to the St. Johns Water Management District (SJRWMD), as necessary.

The purpose of this scope of services is to describe the scope of work and the responsibilities of the CONSULTANT and the CITY in delivery of the requested tasks.

Task 1 – Data Collection

The CONSULTANT shall conduct a desktop investigation of available GIS, permit or other relevant data which may be used for the project.

The CONSULTANT shall perform an initial site review to observe and document existing conditions at the project location. This will include a visual review of the condition of the existing above-ground drainage structures. Video inspection of the existing drainage pipe is not included.

The CONSULTANT shall perform a “plans-in-hand” site visit after the 30% plans have been approved to identify potential conflicts and concerns that may impact the proposed.

Task 2 – Survey

The services for this project will include 1950 feet of route survey as required to facilitate the design of 2 (two) baffle boxes in the Lake Winona Basin along West Avenue from 30-foot north of W. Magnolia Avenue to W. Minnehaha Avenue; the intersection of West Avenue and W. Magnolia Street, and W. Minnehaha; 11th Street from 150-foot north of W. Minnehaha to W. Minnehaha Avenue; and W. Minnehaha Avenue from 50-foot west of 11th Street east to the water's edge of Lake Winona. Accordingly, the limits to be surveyed will include the areas between the East and West right-of-way lines of 11th Street and West Avenue and the area between the North and South right-of-way lines of W Minnehaha Avenue and 10 feet beyond the beyond the right-of-way lines. The limits of the surveys are shown in blue in Figure 1 at the end of this document. Atkins surveyors will utilize a combination of robotic total stations, RTK GPS and Fixed Scanning Technology to collect information throughout the limits of the surveys.

Specific Survey Tasks will include:

- Establish horizontal and vertical control points along the routes of the proposed water mains. These control points will be set at approximately 500-foot intervals along the roads within the routes. The control points will be tied to the NAD 83 (2011 adjustment) of the Florida State Plane Coordinate System and NAVD 88 Elevations.
- Establish a Baseline for routes with a minimum of two (2) benchmarks every 1000 feet and one (1) at the beginning and end of each route labeled for future construction
- Review the recorded plats and property appraiser's maps to determine the apparent limits of the public rights-of-way along the roadways within proposed

routes. Locate Section, Right-of-Way, and Property Corners along the routes to help verify the rights-of-way.

- Locate aboveground features within the limits of the public rights-of-way and 10 feet beyond the rights-of-way. These features will typically include edge of pavement, driveways, sidewalks, walls, fences, utility features, trees (with DBH of 12" or larger), signs and mailboxes.
- Measure elevations sufficient to develop approximate 1-foot contours throughout the limits of the surveys.
- Measure the invert elevations and pipe sizes of the accessible gravity storm and sanitary sewer structures along the design route.
- Locate the rim or lids of the electrical manholes, pull boxes or concrete vaults.
- Locate surface utility features such as: water meters, fire hydrants, valves, back flow preventers, poles, risers, transformers, manholes, and drainage structures.
- Atkins will collect the location of the utility designates and up to 10 utility verification test holes performed by ECHO.
- The survey deliverables will include 1"=20' scale base file drawings in AutoCAD Civil 3D format showing all information listed in tasks 1 through 9 above.

Task 3 – Subsurface Utility Engineering (SUE) and Utility Coordination

Provided by Echo UES, Inc. See attached scope for more detail.

Task 4 – Utility Adjustment Plans and Coordination

The CONSULTANT shall identify all existing utilities within the project area. Distribute all plans, conflict matrixes and changes to the affected Utility Companies. Coordinate with all relevant owners affected within the project area and confirm that all necessary arrangements for utility work on the project have been made and will not conflict with the construction schedule.

The CONSULTANT shall request a Utility Work Schedule (UWS) from each affected owner showing a schedule for relocating/adjusting of affected utilities. UWS shall include estimated length of time for each utility in conflict to be relocated and start date for each utility in conflict to be relocated. Any utility that can be relocated prior to construction should start around 60% finalized plans time frame pending no major changes in design. The CONSULTANT shall provide all documentation of all utility coordination as defined above to the contractor. The CONSULTANT shall provide a letter to the CITY indicating all utilities have been coordinated with and there is a plan in place for relocation prior to construction.

Task 5 – Geotechnical Services

Provided by Andreyev Engineering, Inc. See attached scope for more detail

Task 6 – Wetland and Seasonal High Water (SHW) Determination

The CONSULTANT shall perform a field investigation to determine the wetland line and seasonal high water (SHW) elevation along Lake Winona. The wetland line and the SHW will be geodetically located using sub-meter Trimble GPS equipment. The findings will be presented in a technical memorandum.

Task 7 – Modelling

The CONSULTANT shall prepare the necessary modelling to determine project flows through the baffle boxes, as well as, pre- and post-development hydraulic calculations documenting changes in the stormsewer hydraulic grade lines (immediately upstream of the project) due to the installation of the baffle boxes.

The CONSULTANT shall prepare an Interconnected Channel and Pond Routing (ICPR) model to ascertain that design will not adversely impact existing drainage in the basin. The storm events to be checked will be the mean annual / 24-hour, 10yr/6hr, 25yr/6hr, 25yr/24hr, and the 25yr/96hr as required by SJRWMD.

The CONSULTANT shall size the underground detention systems as needed.

Task 8 – Design Report

The CONSULTANT shall prepare a report documenting the supporting hydraulic calculations for the project, and the decisions and conclusions reached during the development of the construction plans.

Task 9 – Construction Plans

The existing and proposed conditions including existing topographic survey, existing right-of-way, proposed improvements, and proposed right-of-way or easements shall be shown on the construction plans. The following sheets shall be included in the plans set, as needed.

- Key Sheet, General Notes, Summaries of Quantities and Pay Items – Cover page detailing project locations, EOR, County PM, governing standards, specs, and index of sheets. General notes and pay item notes, and summaries of pay items and select quantities.
- Project Layout and Access Plan – survey, baseline, reference points, benchmarks, datum information for the layout of the project. Proposed plan for contractor access to construction site.
- Plan Sheet(s) - locations and descriptions of existing conditions and proposed improvements in plan view and profile view
- Drainage Structure Details - miscellaneous details for baffle box, partial structures, pipe collar, etc.
- Roadway Details - miscellaneous details required for the restoration of impacted pavement, curb, sidewalk, pavement markings, and signs, if necessary

- SWPPP and Erosion Control Plan(s) – locations and descriptions of BMP items such as turbidity barrier, silt fence, inlet protection, etc.

Task 10 – Permits

The CONSULTANT shall conduct a pre-application at the beginning of the project to present the concept plans and receive a determination from the St. Johns Water Management District (SRJWMD) on what type of Environmental Resource Permit will be required. The CONSULTANT will coordinate with CITY staff on dates and times of the meeting if their attendance is desired. Includes time for preparation.

The CONSULTANT shall prepare and submit an Environmental Resource Permit (ERP) application upon approval of the 60% plans and ICPR model by the CITY. This task assumes one (1) request for additional information.

An estimated on-line permit fee for a project area less than 10-acres and less than 1-acre of wetland and surface water impact of \$1,190 is included in this proposal. The water management district will require the permit application be advertised in the paper. An estimated \$400 advertisement fee is included in this proposal.

Task 11 – Specifications

The CONSULTANT shall coordinate the specification year to be consistent with the construction contract and shall reference the FDOT specifications where necessary. Minimal effort is anticipated for the preparation of project specifications or bidding documents but will include the specifications for the baffle box to be provided by the manufacturer.

Task 12 – Construction Cost Estimates and Durations

The CONSULTANT shall provide construction cost estimates with each submittal. Construction duration will be provided with the final submittal.

Task 13 – Project Management and Project Administration

This task includes project oversight and general administration. The project manager shall provide general project control and team coordination, monthly status reports and invoices. The project manager and a lead designer shall attend five (5) meetings with the CITY: one (1) kickoff meeting, and one (1) review meeting at each submittal stage (30%, 60%, 100%, and Final). The meetings will be held virtually.

Task 14 – Quality Control

This task includes quality control review for each submittal to the CITY or public agency.

Task 15 – Bid Phase Services

The CONSULTANT shall provide a bid tabulation form, review contractor bids and respond to questions from bidders. ATKINS shall attend the pre-bid meeting, if requested by the CITY.

The following are as-requested services to be invoice on a Not-to-Exceed Basis

Task 16 – Legal Descriptions and Sketches

The CONSULTANT shall prepare legal descriptions and sketches for one (1) easement or right-of-way, as needed. This will be determined during final design.

Task 17 – Public Involvement

Generate exhibits and/or roll plots for public information. Attend one (1) small group meeting in person or virtually host a meeting (due to current social distancing guidelines). The CONSULTANT shall address all inquiries received from the public in writing, phone, or email format.

Exclusions

- Structural design. Design of Nutrient Separating Baffle Boxes will be by others / provided by vendor.
- Maintenance of Traffic plan sheets or details. Plans will reference appropriate FDOT Index in the General Notes.
- Army Corp of Engineers, wetland, or other permitting not explicitly stated
- Dredge and fill sketches
- General or Individual ERP Permitting with SJRWMD
- CEI services
- Ecological services and wetland survey
- Sovereign submerged lands determination or survey
- As-built survey
- Existing pipe or structure inspection
- Post Design Services

Assumptions

- Facilities or areas to be surveyed are readily accessible.
- Locations with access obstruction are excluded and the engineer will be informed such areas. Obstructions include, but not limited to, fences, gates, or any structure with sealed or locked covers.
- Sites where natural hazards that create obstruction (e.g., downed vegetation, submerged pipes, or nuisance wildlife) or that which would otherwise impede the field observations at the time of the Survey will not be surveyed and the engineer will be informed such areas.
- If available, the City will provide ATKINS with digital files of the existing Right of Way.
- If available, the City will provide ATKINS with copies of any previous surveys within the area.
- ATKINS will locate gravity structures along the design route. They will only measure the rim and invert elevations for accessible gravity sewer structures.
- ATKINS will locate the rim or lids of the electrical manholes, pull boxes or concrete vaults. (ATKINS will not open any electrical manhole, cabinets or pull boxes, per company policy for safety reasons.)

- Other than a review of the existing subdivision plats, Right of Way Maps and the Property Appraiser's maps, this proposal does not include researching title, ownership or existing easement information unless said easements are shown on the recorded plats.
- The location of property lines shown on the survey will be approximate and will be based upon existing subdivision plats, Right of Way Maps and the Property Appraiser's maps.
- ATKINS will produce a Topographic Survey Map and Surveyor's Report (ATKINS will not be cutting separate map sheets) as a part of this scope of services.
- The merging of the new Topographic Survey to any exiting file IS NOT PART of this proposal.
- The end products will not represent a field boundary survey.

ADDITIONAL INFORMATION

A. Time of Completion / Schedule

The CONSULTANT shall complete the assessment within 180-days following the issuance of the Notice-to-Proceed. This is contingent on the availability of City staff to participate on kickoff and progress meetings.

A formal project schedule will be provided at the kick-off meeting once NTP is received.

B. Limitations

- The CONSULTANT assumes the CITY has real property interest for the purposes of submitting a SJRWMD permit. If not, ATKINS assumes that the CITY will obtain a new easement that will be sufficient.
- The CONSULTANT cannot guarantee receipt of SJRWMD ERP permit.
- The CITY will obtain any additional easements, rights-of-entry, or temporary construction easements necessary to allow for construction of the project.
- The CONSULTANT cannot guarantee receipt of Utility Work Schedules from utility owners.



March 25, 2021

TO: Atkins
482 South Keller Road
Orlando, Florida 32810

Attention: Mr. Carlos A. Estrella, P.E., P.M.P.

SUBJECT: Proposal - Geotechnical Investigation
City of Clermont - Baffle Boxes
Clermont, Lake County, Florida

Dear Mr. Estrella:

Andreyev Engineering, Inc. (AEI) is pleased to present the following proposal to perform a geotechnical investigation for the above referenced project. The purpose of this investigation is to obtain geotechnical data to assist in the future design of a combination of a stormwater treatment train which will include two baffle boxes and an underground retention facility connected to a new outfall discharging into Lake Winona.

PROPOSED SCOPE OF SERVICES

- Mobilize crew and drilling equipment to the site.
- Perform two (2) Standard Penetration Test borings to a depth of 20 feet below ground surface within each of the two proposed baffle box locations.
- Perform four (4) auger borings to a depth of 8 feet within the proposed underground retention facility areas.
- Measure the stabilize groundwater table at each boring location.
- Perform three (3) field permeability tests.

The proposed scope of services will be supervised by a geotechnical engineer registered in the State of Florida. The results of the exploration will be presented in a geotechnical report. This report will specifically address the following:

- Existing site condition.
- Exploration, testing, and sampling methods.
- Subsurface soil conditions encountered and soil classification.

- Depth to groundwater at the time of the exploration and estimated seasonal high groundwater table.
- Provide evaluation of the soil and groundwater table as they relate to the proposed project.
- Prepare a geotechnical report with our findings and evaluations for retention pond design.

PROJECT SCHEDULE

Based on our present schedule we are prepared to mobilize to begin the field operation on this project within 5 days following your authorization to proceed, assuming access permission is obtained. We anticipate the field portion of the study to be completed in three (3) days. Engineering analysis, necessary laboratory work and report preparations should be completed within approximately 1 to 2 weeks after the completion of the fieldwork. However, we can provide you with verbal information immediately following the completion of the fieldwork.

ESTIMATED COST

We estimate that we can perform this study for the lump sum cost of **\$3,891.00**. In computing the above estimate, we have assumed the site is accessible to our drilling crew, that we have the right of entry to the site and that we will not experience delays due to reasons beyond our control. Additional work required beyond the scope of services included in this proposal will be invoiced on a time and expense basis. You will be contacted for authorization should additional work beyond the estimated budget be required to complete the scope of services.

AUTHORIZATION

To authorize us to proceed with this project, please sign on the space below and return a copy for our records. Authorization should be indicated by the person or firm responsible for payment of our invoice.

CLOSURE

AEI appreciates the opportunity to submit this proposal, and we look forward to working with you on this project. If you have any questions or if we can provide any additional information, please feel free to call us at your convenience.

Sincerely,
ANDREYEV ENGINEERING, INC.



Rob Cornelius, P.E.
 Vice President

ACCEPTED:

TITLE:

PRINT NAME:

DATE:

COMPANY:

ADDRESS:

PHONE:

EMAIL:

Conditions of Acceptance: The above proposal is acceptable. This proposal constitutes a binding contract between AEI and the client. It is agreed by the client and AEI that there are no additional terms, conditions, or agreements with respect to the project, other than the items referenced in the proposal. Payment terms are “net thirty”, and for past due invoices, interest shall be accrued at a rate of 1.5 % per month. Client also agrees to reimburse AEI for reasonable attorney fees, in the event that payment is not submitted to AEI for services rendered.

**GEOTECHNICAL INVESTIGATION
PROPOSED BAFFLE BOXES AND UNDERGROUND RETENTION FACILITY
CLERMONT, LAKE COUNTY, FLORIDA**

I. FIELD EXPLORATION

A.	Mobilization of Men and Equipment	\$ 450.00
B.	Standard Penetration Test Borings 40 LF @ 12.75/LF	510.00
C.	Auger Borings 32 LF @ \$10/LF	320.00
D.	Field Permeability Tests 3 tests @ \$325.00/test	975.00
E.	Boring Location and stabilized groundwater measurements Engineering Technician (4 hours @ \$65/hour)	260.00
Subtotal Field Exploration		\$ 2,515.00

II. LABORATORY TESTING

A.	Visual Classification and Limited Testing of Soil Samples Lump Sum	\$ 200.00
Subtotal for Laboratory		\$ 200.00

III. ENGINEERING AND TECHNICAL SERVICES

A.	Principal Engineer 2 hour @ \$195.00/hour	\$ 390.00
B.	Project Engineer 4 hours @ \$150.00/hour	650.00
C.	Drafting 2 hours @ \$68.00/hour	136.00
Subtotal for Engineering Services		<u>\$ 1,176.00</u>
Total Estimated Cost		\$ 3,891.00

March 25, 2021

Carlos A. Estrella, PE, PMP
Project Manager, Water Resources
North America
Engineering, Design and Project Management
ATKINS GLOBAL

PROPOSAL FOR UTILITY INVESTIGATIVE SERVICES

Project: Basin 12A Water Quality Project; City of Clermont, Lake County, FL

Dear Mr. Estrella:

At ECHO UES, Inc. (ECHO) we value your consideration and appreciate the opportunity to provide a technical proposal for the provision of professional services. This technical proposal, inclusive of economical offer and schedule, details the approach we consider as the most suitable for this project.

Project Synopsis: Based on the information made available to ECHO, we understand the project consisting of engineering design services for design and construction of two (2) baffle boxes to be constructed along W. Minnehaha Ave. in Clermont to collect and treat the stormwater runoff from the Basin 12A prior to discharge into Lake Winona. ECHO's professional services were requested to provide utility investigation services in support of this work. Utility information as provided by ECHO will then be surveyed by Atkins Global for inclusion in the project plans.

Project Limits: ECHO's proposed services will be performed within well-defined limits (i.e. Project Limits) as shown on the attached graphic representation.

Utility Investigation Services

Using a combination of field investigative techniques and technology, including surface geophysical instruments and vacuum excavation if needed, ECHO will perform the following services.

1. **Identification and marking of existing utilities.** Utilities potentially in conflict with the project and located within the project limits will be investigated in the attempt to identify their position. The results will be marked on the ground surface using the

most appropriate method (i.e. pin flags, paint etc.) and showing the approximate position of the identified utilities.

ECHO will attempt to identify and mark detectable utilities located within the project limits, with the exclusion of irrigation lines, services lines and gravity (storm and sanitary) lines.

2. **Verification of utility location and characteristics.** At specific locations ECHO will attempt to expose utilities via minimally intrusive methods (e.g. use of vacuum excavation) to confirm their characteristics (e.g. type, size, material, direction, configuration) and provide an accurate location. At completion of each excavation (test hole) ECHO will record all verifiable utility information, mark the utility location with the most appropriate method (e.g. wooden lathes, "X" mark on concrete, disc and nail on asphalt) and restore the field to as close as possible to its original conditions.

ECHO proposes to perform up to 10 utility verification test holes at locations identified by the EOR.

Deliverables:

- Field deliverables will consist of field marks (e.g. pin flags, paint marks, wooden lathes, nails/discs etc.) showing the position of the designated and located utilities.
- Office deliverables will consist of:
 - Images and a sketch (not to scale unless otherwise stated) based on the project plans or aerial imagery publicly available.
 - Test hole data sheets containing all the information obtained via test holes and visual verification.

Proposed Schedule: To be discussed and agreed upon with the client following acceptance of this proposal. The proposed schedules shall be valid barring any unforeseen conditions.

Notes and Limitations:

1. Client shall facilitate access to the site and provide any relevant project information.
2. Site must be clear from obstacles impeding access to any portion of the project limits.
3. Standard work hours are from 7:00am to 4:00pm, Monday through Friday; additional charges may occur (following discussion with the Client) in case of weekend or nighttime work.
4. ECHO will not work on any site that is known to be contaminated with any hazardous or harmful substance.
5. Any permit or fee requested to perform the work complying with any stakeholder's requirement will be submitted to the Client with a 5% administrative markup.
6. FDOT Design Standards (Index 600 Series) will be utilized for the Maintenance of Traffic (MOT). Should the site require modification to the Index 600 for non-standard MOT arrangements, ECHO will seek the Client's concurrence to obtain signed and sealed project's specific MOT plans (to be provided by others).
7. Any cost associated with signed and sealed MOT plans will be submitted to the Client with a 5% administrative markup.

8. Unless otherwise stated within this proposal, test holes have usual depth of up to eight (8) ft. from the ground surface, and diameter of up to 1 ft. Should there be a need for deeper or wider excavations, additional charges may apply.
9. The original ground surface at each test hole location will be restored to as close as possible to its original conditions, using concrete mix or asphalt cold patch as applicable. Any deviation from this standard (e.g. use of hot asphalt, flowable fill etc.) may require additional charges and the use of specialty subcontractors.
10. Regardless of the type of estimate proposed (e.g. lump sum, time and materials, etc.) such estimate should be considered indicative and based on preliminary information. Should any situation out of ECHO's control heavily impact ECHO's field work performance (e.g. adverse site conditions), ECHO reserves the right to seek additional funds to complete the work.
11. The exact location of any underground utility is not guaranteed unless clearly exposed and visually verified at a specific location. Utility characteristics, methods of installation, soil conditions and the surrounding environment all may impact adversely the results of any utility investigation with surface geophysical instruments and technology. No guarantee is made that all utilities will be found and identified.
12. Independently from ECHO's scope of work and performance, the Client shall comply with the relative chapter from the Florida (or any other applicable) Statutes: "Underground Facility Damage Prevention and Safety Act" and call 811 prior to any excavation taking place.
13. Subsurface Utility Engineering, Designating and Locating terms all refer to the American Society of Civil Engineers / Construction Institute Standard for the Collection and Depiction of Subsurface Utility Data (ASCE/CI 38-02). Should ECHO adopt this standard for the performance of the scope of work and preparation of deliverables, clear mention to the Standard shall be made throughout the deliverable.

Fee: ECHO's competitive offer, which is inclusive of all field, office, materials, supplies, and equipment costs is detailed below.

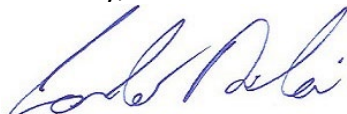
- **Utility investigation services, inclusive of up to 10 utility verification test holes; Fixed Fee: \$5,320.00**

Acceptance: We will honor this proposal for 90 days. If accepted, please return to our attention together with a professional services agreement / task work order authorization and official Notice to Proceed.

At ECHO UES, Inc. we believe in collaboration and communication with our clients and are driven to understand their needs and provide time efficient and cost-effective solutions. ECHO strives to provide quality utility and survey reliable data to design better, build faster, and safely enhance Engineering, Design, Construction and Maintenance of infrastructure.

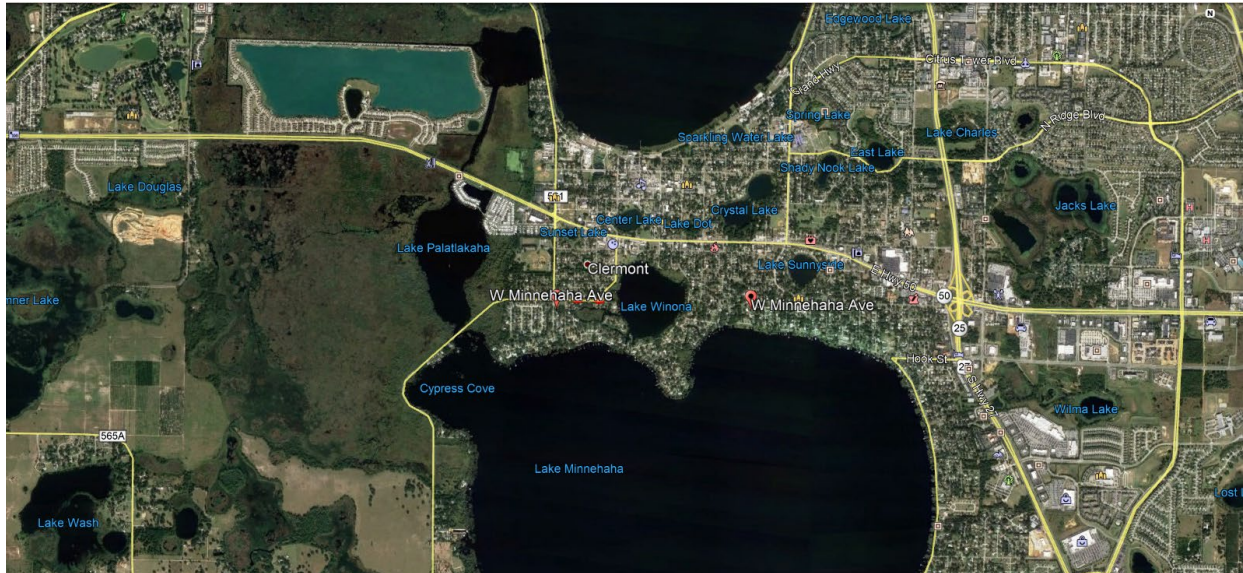
Thank you for considering ECHO for this important project and please do not hesitate to contact me directly should you have any questions or concern.

Sincerely,

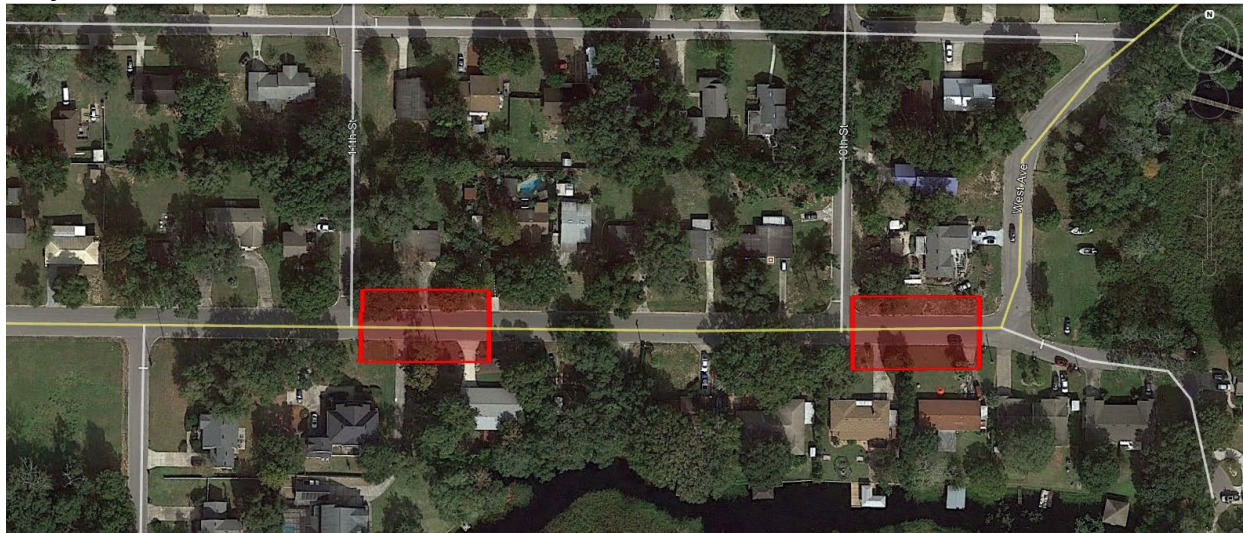


Carlo Pilia
Vice President
ECHO UES, Inc.

Vicinity Map:

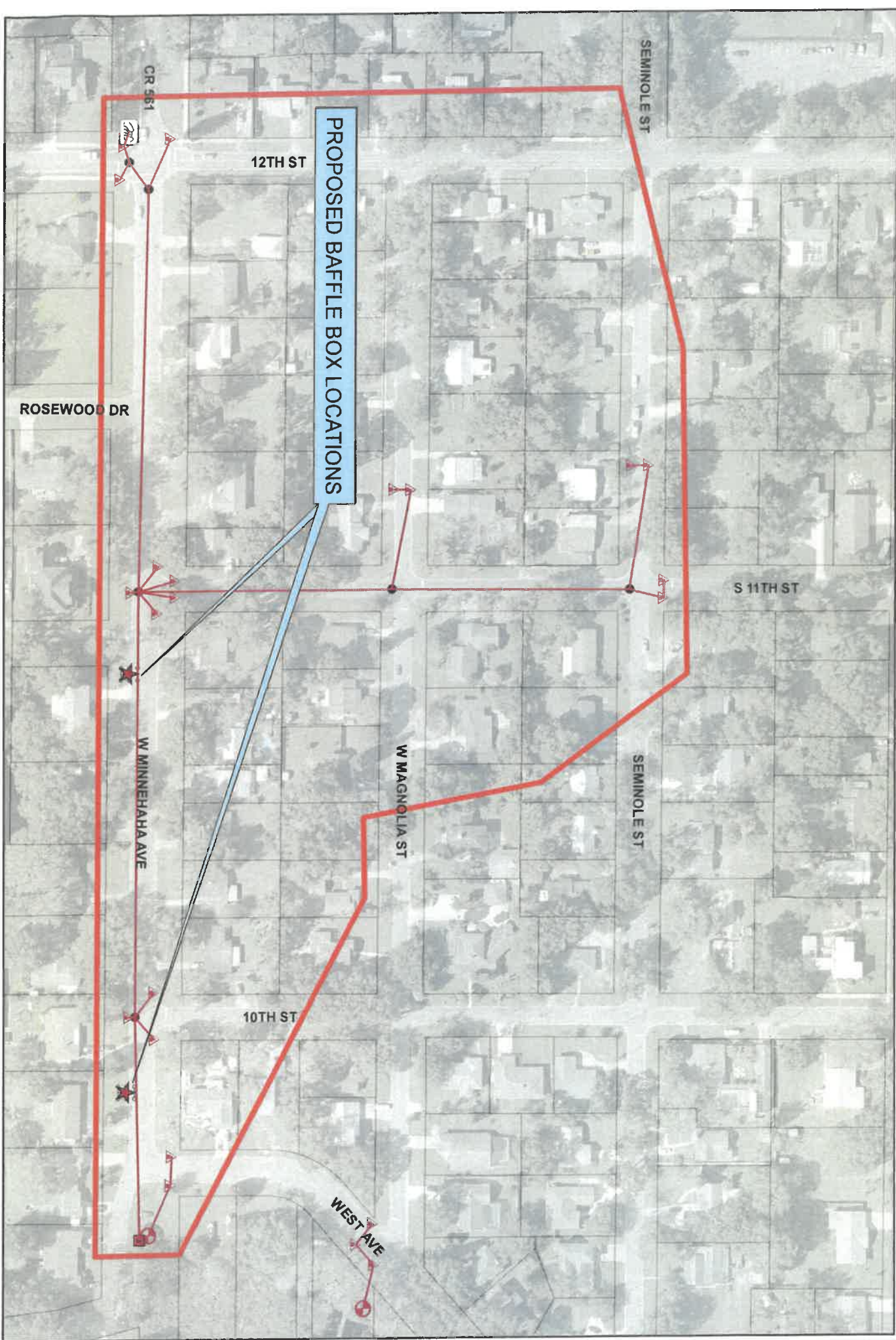


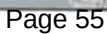
Project Limits:





STORMWATER FACILITIES - BASIN 12A







CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, August 10, 2021		
Agenda Item Name		
Task Order Approval		
Requested Action		
Recomend to approve the HALFF Civil Engineering Task Order for the removal and relocation of Gopher Tortoises.		
Staff Report		
The Public Services Department is requesting approval for the HALFF Civil Engineering Task Order to provide services for the removal and relocation of Gopher Tortoises per the Florida Fish and Wildlife Conservation Commission guidelines in the amount of \$116,741. The removal and relocation is for the new Public Services land and must be done prior to starting any construction.		
Additional Analysis		
Fiscal Impact Summary		
The current budget includes funds in the amount of \$116,741 as part of the Public Services new facility budget in the Capital Projects Fund (Master Plan) and Sanitation Fund.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
\$87,556	32549-66900-49000 (Capital Projects	\$87,556
\$29,185	Fund - Master Plan)	\$29,185
	49534-66900-49000 (Sanitation Fund)	
Exhibits Attached (copies of original agreements)		
1. Clermont PW Site HALFF Proposal 7-28-21	Clermont PW Site HALFF Proposal 7-28-21.pdf	

CIVIL ENGINEERING SERVICES PROPOSAL/AGREEMENT

FOR

**CITY OF CLERMONT PUBLIC WORKS SITE
CLERMONT, FLORIDA, LAKE COUNTY
(HALFF P43826.215)**

ENGINEER'S:

HALFF
902 North Sinclair Avenue
Tavares, Florida 32778
(352) 343-8481 - Phone
(352) 343-8495 – Fax
dbooth@halff.com

CLIENT:

Stoney Brunson
Public Works Director
City of Clermont
400 12th Street
Clermont, Florida 34711
(352) 394-7177 – Phone
sbrunson@clermontfl.org

CIVIL ENGINEERING SERVICES PROPOSAL/AGREEMENT

HALFF is pleased to submit the following Scope of Work.

PHASE 100 GOPHER TORTOISE SERVICES

This Scope of Services is provided for the 14.34± acre parcel owned by the City of Clermont and identified by the Lake County Property Appraiser with Alternate Key Number 1593093.

Modica & Associates conducted the comprehensive (100%) gopher tortoise survey on April 8, 2021 and documented the presence of forty-six (46) “potentially occupied” gopher tortoise burrows. The costs outlined in the Scope of Services are based on these survey results. If more tortoise burrows are documented during the updated survey, a Change Order will be required.

Gopher Tortoise Survey

Note: The Florida Fish & Wildlife Conservation Commission (FWC) considers a gopher tortoise survey to be valid for a period of 90 days. In accordance with the FWC *Gopher Tortoise Permitting Guidelines* (“Guidelines”; April 2008, revised July 2020), the gopher tortoise survey must be conducted by a Gopher Tortoise Authorized Agent, or an approved assistant to an Authorized Agent.

1. Modica & Associates will conduct a comprehensive (100%) gopher tortoise survey of the project site in strict accordance with the FWC’s Guidelines. The FWC Guidelines were updated in July 2020. The cost to conduct the comprehensive survey has been updated to reflect additional coordination tasks, data management, etc. to ensure the survey is conducted in compliance with the updated Guidelines.

Cost: \$1,600.00

Gopher Tortoise Permitting

1. Modica & Associates will prepare and submit an application to the FWC for relocation of tortoises. This task includes preparation of all required supporting documentation for the application, which includes a map series of the project site prepared using ArcGIS® software including a recent aerial, soils map, land use map and a map depicting the location of our survey transects and any documented gopher tortoise burrows. This task also includes responding to any Requests for Additional Information (RAI’s) issued by the FWC.

Cost: \$1,200.00

2. The FWC has been conducting site inspections of each project prior to permit issuance. If requested by FWC, Modica & Associates will accompany FWC staff on-site to review project conditions and tortoise burrow locations.

Cost: \$350.00

Gopher Tortoise Relocation

Relocation by backhoe is charged on a daily basis, the cost of which will depend upon how many burrows are present. In the event there are any burrows that cannot be excavated by backhoe (i.e. located near adjacent property, near utilities, etc.). Additional Services may be required to set and check bucket traps.

1. Relocation efforts typically proceed at a rate of 7-10 burrows per day, depending on site conditions and depth of burrows. Based on the April 8, 2021 survey results, there are 46 burrows present on the Property. Accordingly, the relocation effort may take up to seven days to complete.

Backhoe and Operator:	\$1,350.00/day
Gopher Tortoise Authorized Agent (Biologist):	<u>\$1,050.00/day</u>
Cost:	\$2,400.00/day

Cost: \$2,400.00 X 7 days = \$16,800.00*

**Client will only be billed for the number of days required to complete the relocation by backhoe.*

Relocation Coordination

1. Proof of local government approval for site development or land clearing must be provided to FWC. Modica & Associates will submit the 24-hour notification to FWC, coordinate with the project team to obtain local government approval, and coordinate with the project team for utility locates, silt fence installation and other site-specific requirements to facilitate commencement of relocation. This task also includes coordination with the City of Clermont, Project Engineer to obtain any required letters of authorization and to coordinate the physical relocation.

Cost: \$500.00

After Action Report

1. Following completion of the relocation effort, Modica & Associates will file an After-Action Report and input the relocation data into the FWC's online permitting system, as required by the permit conditions.

Cost: \$400.00

Third Party Fees

1. FWC Mitigation Contribution Fee

The FWC will require a Mitigation Contribution Fee, the amount of which is calculated based on the anticipated number of tortoises to be relocated. The Mitigation Contribution Fee for a Conservation Permit is \$334.00 for each tortoise (FWC 2021 Mitigation Contribution price structure). **Please note that this fee must be submitted to the FWC before the permit can be issued. A refund will be issued by FWC for any tortoises not captured, minus a processing fee.**

FWC Guidelines state that a 50% occupancy rate be assumed to determine the number of tortoises anticipated to be present. It is the experience of Modica & Associates that burrow occupancy in south Lake County is higher than 50%. To prevent a delay in relocation and the need to amend the permit, it is recommended that a higher occupancy rate be assumed. The costs outlined below are based on the assumed presence of thirty-five (35) tortoises.

Cost: $(\$334.00 \times 35) = \$11,690.00 \times 3\% = \$12,040.70$

***FWC charges a 3% online payment convenience fee**

2. Recipient Site Fee

The most affordable recipient site has a current rate of \$2,200.00/tortoise. **The Client will only be billed for the actual number of tortoises recovered from the project site.** This cost is not governed by Modica & Associates and is subject to change.

Cost: $\$2,200.00 \times 35 \text{ tortoises} = \$77,000.00$

3. The recipient site is located in Highlands County and requires the tortoises to be marked, measured, weighed, and delivered by Modica & Associates. It is anticipated that up to five deliveries may be required because tortoises can only be held for 72 hours.

Collecting Stats & Tortoise Delivery: $\$850.00 \times 5 \text{ trips} = \$4,250.00$

Reimbursable Expenses

Mileage will be billed at \$0.56/mile or the current rate published by the IRS at the time of work.

Cost Budget: \$1,000.00

TOTAL COST ESTIMATE: \$115,140.70

PHASE 200 PROJECT ADMINISTRATION

HALFF will provide administrative services necessary to coordinate all aspects of the project through the design review process. These services shall also include project scheduling, coordination with Electrical Engineer, and meetings with the City.

FEE: \$1,600.00

FEE SUMMARY

TASK	AMOUNT
PHASE 100	\$115,140.40
PHASE 200	\$1,600.00
TOTAL FEES	\$116,740.40

Project: City of Clermont Public Works Site, Clermont, Florida, Lake County
Client: City of Clermont
Date: July 28, 2021

Standard Hourly Rate Schedule

Engineers

Principal/Officer – Professional Engineer	\$250.00
Senior Professional Engineer	\$220.00
Professional Engineer	\$175.00
Project Manager	\$145.00
Engineer Intern	\$100.00

Technicians

Senior Technician	\$125.00
Design Technician	\$85.00

GIS

Principal Officer – Senior Spatial Analyst	\$165.00
Senior Spatial Analyst	\$135.00
Spatial Analyst	\$100.00
GIS Specialist	\$60.00

Landscape Architects

Principal/Officer – Professional Landscape Architect	\$200.00
Senior Professional Landscape Architect	\$175.00
Project Manager Landscape Architect	\$130.00
Professional Landscape Architect	\$110.00
Senior Landscape Designer	\$110.00
Landscape Designer	\$80.00

Planners

Principal/Officer – Land Planner	\$225.00
Senior Planner	\$150.00
Professional Planner	\$110.00
Project Planner	\$85.00

Environmental Scientists

Senior Environmental Scientist	\$200.00
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Inspection and Plans Review

Licensed Plans Examiner, Residential and/or Commercial	\$85.00
Inspection Services Residential and/or Commercial	\$85.00

Survey

Survey Department Manager – P.S.M.	\$175.00
Professional Surveyor – P.S.M.	\$150.00
2 Man Field Crew	\$155.00
3 Man Field Crew	\$175.00
4 Man Field Crew	\$190.00
Senior Survey Technician	\$105.00
Survey Technician	\$85.00

Project: City of Clermont Public Works Site, Clermont, Florida, Lake County
Client: City of Clermont
Date: July 28, 2021

Administration

Project Technician	\$75.00
Administrative Assistant	\$75.00

Reimbursable Expenses

Reimbursable expenses include, but are not limited to:

Courier Service	Government Permitting Fees
Maps/GIS Data	Prints, Copies, Plots, Plans
Mileage, Parking, Tolls	Subconsultant Fees
Postage and Overnight Mail	Travel (lodging, rental car, per diem)
Miscellaneous Services	

Project: City of Clermont Public Works Site, Clermont, Florida, Lake County
Client: City of Clermont
Date: July 28, 2021

CLIENT INFORMATION FORM

To assist Halff Associates, Inc., to prepare the requested proposal, please complete the information below:

PRINT NAME & TITLE: _____

COMPANY NAME: _____

BILLING ADDRESS: _____

PHONE: _____

FAX: _____

E-MAIL: _____

BILLING CONTACT NAME & TITLE: _____

BILLING CONTACT EMAIL: _____

BILLING CONTACT PHONE: _____

CLIENT REPRESENTATIVE: _____

IS CLIENT THE OWNER OF THE SUBJECT

PROPERTY? YES: _____ NO: _____

(If no, Halff Associates, Inc., reserves the right to require a retainer prior to commencing services.)

Is the property accessible? _____

If gated/locked, who shall Halff Associates, Inc. contact to gain access to the property?

NAME AND PHONE NUMBER: _____

I HEREBY CERTIFY THAT THE ABOVE INFORMATION IS TRUE TO THE BEST OF MY KNOWLEDGE.

SIGNATURE: _____

DATE: _____



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, August 10, 2021		
Agenda Item Name		
Grant Acceptance and Budget Amendment		
Requested Action		
Recommend acceptance of the award and a Budget Amendment in the amount fo \$8,000 in the General Fund (reserves)towards the City's match for the grant.		
Staff Report		
Clermont Fire Department has been awarded a grant in the amount of \$80,000 (+\$8,000 match for a total of \$88,000) for the purchase of a new compressor and containment/fill station for air bottles at Station 101. The Fire Department currently has one unit, department-wide, that is twenty-one years old and now obsolete. This funding opportunity also includes exercise equipment for Station 101 to replace damaged and obsolete equipment. Note: The acceptance deadline for this opportunity is August 29, 2021. A budget amendment in the general fund from reserves in the amount of \$8,000 will be incorporated into the FY 2021 budget to allow the immediate acquisition of these items.		
Additional Analysis		
Fiscal Impact Summary		
The City's match on this grant is not funded in the current budget, therefore a budget amendment is required from general fund reserves in the amount of \$8,000.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. EMW-2020-FG-15036 - Award Package	EMW-2020-FG-15036 - Award Package.pdf	

Award Letter

U.S. Department of Homeland Security
Washington, D.C. 20472

Effective date: 07/22/2021



Jennifer Pierce
CLERMONT FIRE DEPARTMENT
439 W HWY 50
CLERMONT, FL 34711

EMW-2020-FG-15036

Dear Jennifer Pierce,

Congratulations on behalf of the Department of Homeland Security. Your application submitted for the Fiscal Year (FY) 2020 Assistance to Firefighters Grant (AFG) Grant funding opportunity has been approved in the amount of \$80,000.00 in Federal funding. As a condition of this grant, you are required to contribute non-Federal funds equal to or greater than 10.0% of the Federal funds awarded, or \$8,000.00 for a total approved budget of \$88,000.00. Please see the FY 2020 AFG Notice of Funding Opportunity for information on how to meet this cost share requirement.

Before you request and receive any of the Federal funds awarded to you, you must establish acceptance of the award through the FEMA Grants Outcomes (FEMA GO) system. By accepting this award, you acknowledge that the terms of the following documents are incorporated into the terms of your award:

- Summary Award Memo - included in this document
- Agreement Articles - included in this document
- Obligating Document - included in this document
- 2020 AFG Notice of Funding Opportunity (NOFO) - incorporated by reference

Please make sure you read, understand, and maintain a copy of these documents in your official file for this award.

Sincerely,

A handwritten signature in black ink, appearing to read "Christopher Logan", with a stylized flourish at the end.

Christopher Logan
Acting Assistant Administrator
Grant Programs Directorate

Summary Award Memo

Program: Fiscal Year 2020 Assistance to Firefighters Grant

Recipient: CLERMONT FIRE DEPARTMENT

DUNS number: 619250710

Award number: EMW-2020-FG-15036

Summary description of award

The purpose of the Assistance to Firefighters Grant program is to protect the health and safety of the public and firefighting personnel against fire and fire-related hazards. After careful consideration, FEMA has determined that the recipient's project or projects submitted as part of the recipient's application and detailed in the project narrative as well as the request details section of the application - including budget information - was consistent with the Assistance to Firefighters Grant Program's purpose and was worthy of award.

Except as otherwise approved as noted in this award, the information you provided in your application for FY 2020 Fiscal Year (FY) 2020 Assistance to Firefighters Grants funding is incorporated into the terms and conditions of this award. This includes any documents submitted as part of the application.

Amount awarded table

The amount of the award is detailed in the attached Obligating Document for Award.

The following are the budgeted estimates for object classes for this award (including Federal share plus your cost share, if applicable):

Object Class	Total
Personnel	\$0.00
Fringe benefits	\$0.00
Travel	\$0.00
Equipment	\$88,000.00
Supplies	\$0.00
Contractual	\$0.00
Construction	\$0.00
Other	\$0.00
Indirect charges	\$0.00
Federal	\$80,000.00
Non-federal	\$8,000.00
Total	\$88,000.00
Program Income	\$0.00

Approved scope of work

After review of your application, FEMA has approved the below scope of work. Justifications are provided for any differences between the scope of work in the original application and the approved scope of work under this award. You must submit scope or budget revision requests for FEMA's prior approval, via an amendment request, as appropriate per 2 C.F.R. § 200.308 and the FY2020 AFG NOFO.

Approved request details:

Wellness and fitness programs

Exercise Equipment

DESCRIPTION

This price is an all-inclusive gym equipment package completely designed and installed for the space intended. The vendor works closely with public safety to maximize space, safety and results. This equipment will be used as part of a formal exercise/fitness program.

QUANTITY	UNIT PRICE	TOTAL
1	\$35,000.00	\$35,000.00

BUDGET CLASS

Equipment

Equipment

Air Compressor/Cascade/Fill Station (Fixed or Mobile) for filling SCBA

DESCRIPTION

Fixed fill station to replace obsolete equipment (21 years old). The price includes a complete system featuring compressor, containment fill station, delivery, training and setup.

	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	1	\$53,000.00	\$53,000.00	Equipment

Agreement Articles

Program: Fiscal Year 2020 Assistance to Firefighters Grant

Recipient: CLERMONT FIRE DEPARTMENT

DUNS number: 619250710

Award number: EMW-2020-FG-15036

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Article 1**Assurances, Administrative Requirements, Cost Principles, Representations and Certifications**

DHS financial assistance recipients must complete either the Office of Management and Budget (OMB) Standard Form 424B Assurances – Non-Construction Programs, or OMB Standard Form 424D Assurances – Construction Programs, as applicable. Certain assurances in these documents may not be applicable to your program, and the DHS financial assistance office (DHS FAO) may require applicants to certify additional assurances. Applicants are required to fill out the assurances applicable to their program as instructed by the awarding agency. Please contact the DHS FAO if you have any questions. DHS financial assistance recipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located at Title 2, Code of Federal Regulations (C.F.R.) Part 200, and adopted by DHS at 2 C.F.R. Part 3002. By accepting this agreement, the recipient and its executives, as defined in 2 C.F.R. § 170.315, certify that the recipient policies are in accordance with OMB guidance located at 2 C.F.R. Part 200, all applicable federal laws, and relevant Executive guidance.

Article 2**DHS Specific Acknowledgements and Assurances**

All recipients, subrecipients, successors, transferees, and assignees must acknowledge and agree to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff. 1. Recipients must cooperate with any compliance reviews or compliance investigations conducted by DHS. 2. Recipients must give DHS access to, and the right to examine and copy, records, accounts, and other documents and sources of information related to the federal financial assistance award and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations and other applicable laws or program guidance. 3. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports. 4. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance. 5. Recipients of federal financial assistance from DHS must complete the DHS Civil Rights Evaluation Tool within thirty (30) days of receipt of the Notice of Award or, for State Administrative Agencies, thirty (30) days from receipt of the DHS Civil Rights Evaluation Tool from DHS or its awarding component agency. After the initial submission for the first award under which this term applies, recipients are required to provide this information once every two (2) years if they have an active award, not every time an award is made. Recipients should submit the completed tool, including supporting materials, to CivilRightsEvaluation@hq.dhs.gov. This tool clarifies the civil rights obligations and related reporting requirements contained in the DHS Standard Terms and Conditions. Subrecipients are not required to complete and submit this tool to DHS. The evaluation tool can be found at <https://www.dhs.gov/publication/dhs-civil-rights-evaluation-tool>. The DHS Office for Civil Rights and Civil Liberties will consider, in its discretion, granting an extension if the recipient identifies steps and a timeline for completing the tool. Recipients should request extensions by emailing the request to CivilRightsEvaluation@hq.dhs.gov prior to expiration of the 30-day deadline.

Article 3**Acknowledgement of Federal Funding from DHS**

Recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposal, bid invitations, and other documents describing projects or programs funded in whole or in part with federal funds.

Article 4**Activities Conducted Abroad**

Recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

Article 5	Age Discrimination Act of 1975 Recipients must comply with the requirements of the Age Discrimination Act of 1975, Pub. L. No. 94-135 (1975) (codified as amended at Title 42, U.S. Code, § 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.
Article 6	Americans with Disabilities Act of 1990 Recipients must comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, Pub. L. No. 101-336 (1990) (codified as amended at 42 U.S.C. §§ 12101–12213), which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities.
Article 7	Best Practices for Collection and Use of Personally Identifiable Information Recipients who collect personally identifiable information (PII) are required to have a publicly available privacy policy that describes standards on the usage and maintenance of the PII they collect. DHS defines PII as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. Recipients may also find the DHS Privacy Impact Assessments: Privacy Guidance at http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_guidance_june2010.pdf and Privacy Template at https://www.dhs.gov/sites/default/files/publications/privacy_pia_template_2017.pdf as useful resources respectively.
Article 8	Civil Rights Act of 1964 – Title VI Recipients must comply with the requirements of Title VI of the Civil Rights Act of 1964 (codified as amended at 42 U.S.C. § 2000d et seq.), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. DHS implementing regulations for the Act are found at 6 C.F.R. Part 21 and 44 C.F.R. Part 7.

Article 9	Civil Rights Act of 1968 Recipients must comply with Title VIII of the Civil Rights Act of 1968, Pub. L. No. 90-284, as amended through Pub. L. 113-4, which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (see 42 U.S.C. § 3601 et seq.), as implemented by the U.S. Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units—i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)—be designed and constructed with certain accessible features. (See 24 C.F.R. Part 100, Subpart D.)
Article 10	Copyright Recipients must affix the applicable copyright notices of 17 U.S.C. §§ 401 or 402 and an acknowledgement of U.S. Government sponsorship (including the award number) to any work first produced under federal financial assistance awards.
Article 11	Debarment and Suspension Recipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders (E.O.) 12549 and 12689, which are at 2 C.F.R. Part 180 as adopted by DHS at 2 C.F.R. Part 3000. These regulations restrict federal financial assistance awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.
Article 12	Drug-Free Workplace Regulations Recipients must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of 2 C.F.R. Part 3001, which adopts the Government-wide implementation (2 C.F.R. Part 182) of Sec. 5152-5158 of the Drug-Free Workplace Act of 1988 (41 U.S.C. §§ 8101-8106).
Article 13	Duplication of Benefits Any cost allocable to a particular federal financial assistance award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other federal financial assistance awards to overcome fund deficiencies; to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions; or for other reasons. However, these prohibitions would not preclude recipients from shifting costs that are allowable under two or more awards in accordance with existing federal statutes, regulations, or the federal financial assistance award terms and conditions.

Article 14	Education Amendments of 1972 (Equal Opportunity in Education Act) – Title IX Recipients must comply with the requirements of Title IX of the Education Amendments of 1972, Pub. L. 92-318 (1972) (codified as amended at 20 U.S.C. § 1681 et seq.), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19.
Article 15	Energy Policy and Conservation Act Recipients must comply with the requirements of the Energy Policy and Conservation Act, Pub. L. 94- 163 (1975) (codified as amended at 42 U.S.C. § 6201 et seq.), which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.
Article 16	False Claims Act and Program Fraud Civil Remedies Recipients must comply with the requirements of the False Claims Act, 31 U.S.C. §§ 3729-3733, which prohibit the submission of false or fraudulent claims for payment to the federal government. (See 31 U.S.C. §§ 3801-3812, which details the administrative remedies for false claims and statements made.)
Article 17	Federal Debt Status All recipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. (See OMB Circular A-129.)
Article 18	Federal Leadership on Reducing Text Messaging while Driving Recipients are encouraged to adopt and enforce policies that ban text messaging while driving as described in E.O. 13513, including conducting initiatives described in Section 3(a) of the Order when on official government business or when performing any work for or on behalf of the federal government.
Article 19	Fly America Act of 1974 Recipients must comply with Preference for U.S. Flag Air Carriers (air carriers holding certificates under 49 U.S.C. § 41102) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974, 49 U.S.C. § 40118, and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942.

Article 20	Hotel and Motel Fire Safety Act of 1990 In accordance with Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. § 2225a, recipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with federal funds complies with the fire prevention and control guidelines of the Federal Fire Prevention and Control Act of 1974, (codified as amended at 15 U.S.C. § 2225.)
Article 21	Limited English Proficiency (Civil Rights Act of 1964, Title VI) Recipients must comply with Title VI of the Civil Rights Act of 1964, (42 U.S.C. § 2000d et seq.) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance: https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited and additional resources on http://www.lep.gov .
Article 22	Lobbying Prohibitions Recipients must comply with 31 U.S.C. § 1352, which provides that none of the funds provided under a federal financial assistance award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any federal action related to a federal award or contract, including any extension, continuation, renewal, amendment, or modification.
Article 23	National Environmental Policy Act Recipients must comply with the requirements of the National Environmental Policy Act of 1969 (NEPA), Pub. L. 91-190 (1970) (codified as amended at 42 U.S.C. § 4321 et seq.) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which require recipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans.
Article 24	Nondiscrimination in Matters Pertaining to Faith-Based Organizations It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries. Recipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statutes, regulations, and guidance governing the participations of faith-based organizations in individual DHS programs.

Article 25	Non-Supplanting Requirement Recipients receiving federal financial assistance awards made under programs that prohibit supplanting by law must ensure that federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-federal sources.
Article 26	Notice of Funding Opportunity Requirements All the instructions, guidance, limitations, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this program are incorporated here by reference in the award terms and conditions. All recipients must comply with any such requirements set forth in the program NOFO.
Article 27	Patents and Intellectual Property Rights Recipients are subject to the Bayh-Dole Act, 35 U.S.C. § 200 et seq, unless otherwise provided by law. Recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from federal financial assistance awards located at 37 C.F.R. Part 401 and the standard patent rights clause located at 37 C.F.R. § 401.14.
Article 28	Procurement of Recovered Materials States, political subdivisions of states, and their contractors must comply with Section 6002 of the Solid Waste Disposal Act, Pub. L. 89-272 (1965), (codified as amended by the Resource Conservation and Recovery Act, 42 U.S.C. § 6962.) The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.
Article 29	Rehabilitation Act of 1973 Recipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, Pub. L. 93-112 (1973) (codified as amended at 29 U.S.C. § 794) which provides that no otherwise qualified handicapped individuals in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Article 30	Reporting of Matters Related to Recipient Integrity and Performance If the total value of any currently active grants, cooperative agreements, and procurement contracts from all federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this federal award, then the recipients must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated here by reference in the award terms and conditions.
Article 31	Reporting Subawards and Executive Compensation Recipients are required to comply with the requirements set forth in the government-wide award term on Reporting Subawards and Executive Compensation located at 2 C.F.R. Part 170, Appendix A, the full text of which is incorporated here by reference in the award terms and conditions.
Article 32	SAFECOM Recipients receiving federal financial assistance awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.
Article 33	Terrorist Financing Recipients must comply with E.O. 13224 and U.S. laws that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Recipients are legally responsible to ensure compliance with the Order and laws.
Article 34	Trafficking Victims Protection Act of 2000 (TVPA) Recipients must comply with the requirements of the government-wide financial assistance award term which implements Section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), codified as amended at 22 U.S.C. § 7104. The award term is located at 2 C.F.R. § 175.15, the full text of which is incorporated here by reference.
Article 35	Universal Identifier and System of Award Management Recipients are required to comply with the requirements set forth in the government-wide financial assistance award term regarding the System for Award Management and Universal Identifier Requirements located at 2 C.F.R. Part 25, Appendix A, the full text of which is incorporated here by reference.

Article 36	USA PATRIOT Act of 2001 Recipients must comply with requirements of Section 817 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act), Pub. L. No. 107-56, which amends 18 U.S.C. §§ 175–175c.
Article 37	Use of DHS Seal, Logo and Flags Recipients must obtain permission from their DHS FAO prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.
Article 38	Whistleblower Protection Act Recipients must comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C § 2409, 41 U.S.C. § 4712, and 10 U.S.C. § 2324, 41 U.S.C. §§ 4304 and 4310.
Article 39	Acceptance of Post Award Changes In the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award. Please call the FEMA/GMD Call Center at (866) 927-5646 or via e-mail to ASK-GMD@fema.dhs.gov if you have any questions.
Article 40	Prior Approval for Modification of Approved Budget Before making any change to the FEMA approved budget for this award, you must request prior written approval from FEMA where required by 2 C.F.R. § 200.308. FEMA is also utilizing its discretion to impose an additional restriction under 2 C.F.R. § 200.308(f) regarding the transfer of funds among direct cost categories, programs, functions, or activities. Therefore, for awards with an approved budget where the federal share is greater than the simplified acquisition threshold (currently \$250,000), you may not transfer funds among direct cost categories, programs, functions, or activities without prior written approval from FEMA where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of the total budget FEMA last approved. You must report any deviations from your FEMA approved budget in the first Federal Financial Report (SF-425) you submit following any budget deviation, regardless of whether the budget deviation requires prior written approval.

Article 41**Disposition of Equipment Acquired Under the Federal Award**

When original or replacement equipment acquired under this award by the recipient or its subrecipients is no longer needed for the original project or program or for other activities currently or previously supported by a federal awarding agency, you must request instructions from FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. § 200.313.

Article 42**Environmental Planning and Historic Preservation (EHP) Review**

DHS/FEMA funded activities that may require an EHP review are subject to the FEMA Environmental Planning and Historic Preservation (EHP) review process.

This review does not address all federal, state, and local requirements.

Acceptance of federal funding requires recipient to comply with all federal, state, and local laws. DHS/FEMA is required to consider the potential impacts to natural and cultural resources of all projects funded by DHS/FEMA grant funds, through its EHP Review process, as mandated by the National Environmental Policy Act; National Historic Preservation Act of 1966, as amended; National Flood Insurance Program regulations; and, any other applicable laws and Executive Orders. To access the FEMA EHP screening form and instructions, go to the DHS/FEMA website at:

<https://www.fema.gov/media-library/assets/documents/90195>. In order to initiate EHP review of your project(s), you must complete all relevant sections of this form and submit it to the Grant Programs Directorate (GPD) along with all other pertinent project information. The EHP review process must be completed before funds are released to carry out the proposed project; otherwise, DHS/FEMA may not be able to fund the project due to noncompliance with EHP laws, executive order, regulations, and policies. If ground disturbing activities occur during construction, applicant will monitor ground disturbance, and if any potential archeological resources are discovered, applicant will immediately cease work in that area and notify the pass-through entity, if applicable, and DHS/FEMA.

Article 43**Award Performance Goals**

FEMA will measure the recipient's performance of the grant by comparing the number of items requested in its application, the numbers acquired (ordered, paid, and received) within the period of performance. In order to measure performance, FEMA may request information throughout the period of performance. In its final performance report submitted at closeout, the recipient is required to report on the recipients compliance with the applicable industry, local, state and national standards described in the NOFO.

Article 44**EHP Compliance Review Required**

Under the Modification to a Facility, Equipment, or a component in the Wellness and Fitness Activity, this award includes work, such as ground disturbance, that triggers an EHP compliance review. The recipient is prohibited from committing, obligating, expending, or drawing down FY20 Assistance to Firefighters Grant funds in support of the Modification to Facility, Equipment or a component in the Wellness and Fitness Activity that requires the EHP compliance review, with a limited exception for any approved costs associated with the preparation, conducting, and completion of required EHP reviews. See the FY20 Assistance to Firefighters Grant NOFO for further information on EHP requirements and other applicable program guidance, including FEMA Information Bulletin No. 404. The recipient is required to obtain the required DHS/FEMA EHP compliance approval for this project pursuant to the FY20 Assistance to Firefighters Grant NOFO prior to commencing work for this project. DHS/FEMA will notify you when the EHP compliance review is complete, and work may begin. If the recipient requests a payment for one of the activities requiring EHP compliance review, FEMA may not make a payment for that work while the EHP compliance review is still pending. If FEMA discovers that work has been commenced under one of those activities prematurely, FEMA may disallow costs incurred prior to completion of the EHP compliance review and the receipt of DHS/FEMA approval to begin the work. Please contact your DHS/FEMA AFG Help Desk at 1-866-274-0960 or FireGrants@fema.dhs.gov to receive specific guidance regarding EHP compliance. If you have questions about this term and condition or believe it was placed in error, please contact the relevant Preparedness Officer.

Obligating document

1. Agreement No. EMW-2020-FG-15036	2. Amendment No. N/A	3. Recipient No. 596000290	4. Type of Action AWARD	5. Control No. WX00641N2021T
6. Recipient Name and Address CLERMONT FIRE DEPARTMENT 439 W HWY 50 CLERMONT, FL 34711	7. Issuing FEMA Office and Address Grant Programs Directorate 500 C Street, S.W. Washington DC, 20528-7000 1-866-927-5646		8. Payment Office and Address FEMA, Financial Services Branch 500 C Street, S.W., Room 723 Washington DC, 20742	
9. Name of Recipient Project Officer Jennifer Pierce	9a. Phone No. 3522412201	10. Name of FEMA Project Coordinator Assistance to Firefighters Grants Grant Program		10a. Phone No. 1-866-274-0960
11. Effective Date of This Action 07/22/2021	12. Method of Payment OTHER - FEMA GO	13. Assistance Arrangement COST SHARING	14. Performance Period 07/29/2021 to 07/28/2023 Budget Period 07/29/2021 to 07/28/2023	

15. Description of Action a. (Indicate funding data for awards or financial changes)						
Program Name Abbreviation	Assistance Listings No.	Accounting Data(ACCS Code)	Prior Total Award	Amount Awarded This Action + or (-)	Current Total Award	Cumulative Non-Federal Commitment
AFG	97.044	2021-F0-GB01 - P410-xxxx-4101-D	\$0.00	\$80,000.00	\$80,000.00	\$8,000.00
Totals			\$0.00	\$80,000.00	\$80,000.00	\$8,000.00
b. To describe changes other than funding data or financial changes, attach schedule and check here: N/A						
16.FOR NON-DISASTER PROGRAMS: RECIPIENT IS REQUIRED TO SIGN AND RETURN THREE (3) COPIES OF THIS DOCUMENT TO FEMA (See Block 7 for address) This field is not applicable for digitally signed grant agreements						
17. RECIPIENT SIGNATORY OFFICIAL (Name and Title)					DATE	
18. FEMA SIGNATORY OFFICIAL (Name and Title) Christopher Logan, Acting Assistant Administrator Grant Programs Directorate					DATE 07/22/2021	



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 2

Meeting Date	
Tuesday, August 10, 2021	
Agenda Item Name	
Ordinance No. 2021-017 <i>Final</i> <i>Headquarter Honda Garage</i>	
Requested Action	
Recommend approval of Ordinance No. 2021-017.	
Staff Report	
The applicant is requesting an annexation, small-scale comprehensive plan amendment, rezoning, and a Conditional Use Permit (CUP) for the 3.12 acre+/- vacant parcel located on State Road 50 and the southwest corner of Lake Boulevard. The requested Conditional Use Permit (CUP) will allow for the construction of a four-story garage structure to be used in conjunction with the existing Headquarter Honda Dealership. The conceptual site plan prepared by Tannath Design Group Inc, shows the layout of the proposed structure and parking for the site. With the annexation petition to the City; a request was also included to change the future land use from Lake County Urban Low Density to Clermont Commercial designation. The proposed rezoning from Lake County "C-P" Commercial Planned to Clermont "C-2" General Commercial is being requested. In addition, a Conditional Use Permit (CUP) is needed to allow for any automotive sales and services, such as the inventory garage, located in the "C-2" General Commercial zoning district, as required by the Land Development Code, Section 122-224. The subject property is contiguous to Clermont Boundaries and meet the requirements of Florida Statutes, Chapter 171 for Annexation. The project will connect to City water and sewer services, if applicable, which has adequate capacity to service the development. The applicant indicates the proposed development will allow the existing Honda dealership the ability to use the garage structure for the expansion of vehicle inventory, storage and display of new and used vehicles at this location. The project will be required to provide cross access from the existing Honda dealership, which shall be used as the primary access point for the public and any customers that utilize the garage structure. The secondary access point on Lake Boulevard will be gated and used for Emergency Vehicles only. The proposed development will be required to comply with Clermont Land Development Regulations and Architectural Design Standards to allow for construction of the garage structure. The applicant has not requested any variances to the code for construction of the garage. The adjacent parcel located to the west is within Clermont boundaries and zoned C-2 General Commercial, the Honda Dealership use, and the parcel located to the south and southeast of subject property is located in Lake County, with an Urban Low zoning category. <u>STAFF RECOMMENDATION:</u> Staff has reviewed the application and proposed project in regards to compliance with the Clermont Codes of Ordinances and Comprehensive Plan. The proposed use is consistent with the goals, objectives and policies of the comprehensive plan and intent of the land development regulations for commercial zoning. Staff recommends approval of Ordinance No. 2021-017 annexation and Ordinance No. 2021-018, changing the future land use to Clermont Commercial and approval of Ordinance No. 2021-019, rezoning the subject parcel to C-2 General Commercial zoning category. Staff also recommends approval of the Conditional Use Permit (CUP), with the provisions and conditions contained in Resolution No. 2021-037R, to allow a garage structure to be used ancillary to an existing automobile dealership located in the "C-2" General Commercial zoning district.	
Additional Analysis	

Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Staff Analysis Report	Staff Analysis Report.pdf	
2. Ord 2021-017 - Headquarter Honda Annexation (07.28.2021 V2) - RF BL	Ord 2021-017 - Headquarter Honda Annexation (07.28.2021 V2) - RF BL.pdf	
3. Location Map	Location Map.pdf	
4. New Conceptual Plan-7-13-21	New Conceptual Plan-7-13-21.pdf	
5. HondaDeck-Roadview1	HondaDeck-Roadview1.pdf	
6. HondaDeck-Roadview2	HondaDeck-Roadview2.pdf	
7. HondaDeck-Roadview3	HondaDeck-Roadview3.pdf	
8. Signed Annexation App	Signed Annexation App.pdf	
9. 2021-017 Legal AD	2021-017 Legal AD.pdf	



CITY OF CLERMONT Staff Analysis Report

OWNER: Gary A. Bodzin, Trustee UTD

APPLICANT: Headquarter Honda Orlando Real Estate, LLC

PROJECT NAME: Headquarter Honda Garage

REQUESTED ACTION: A request for annexation, small-scale comprehensive plan amendment, rezoning and Conditional Use Permit (CUP) to allow for construction of a vehicle storage/display garage structure to be used ancillary to the existing Headquarter Honda dealership.

SIZE OF PARCEL: 3.12 acres +/- Alternate Key 3306686

LOCATION: Vacant parcel located on State Road 50 and the southwest corner of Lake Boulevard.

EXISTING ZONING: **FROM:** Lake County "CP" Commercial Planned
TO: Clermont "C-2" General Commercial

EXISTING LAND USE: Vacant property

FUTURE LAND USE CATEGORY: **FROM:** Lake County Urban Low
TO: Clermont Commercial

SITE UTILITIES: City of Clermont Water and Sewer

ANALYSIS:

The applicant is requesting an annexation, small-scale comprehensive plan amendment, rezoning, and a Conditional Use Permit (CUP) for the 3.12 acre +/- vacant parcel located on State Road 50 and the southwest corner of Lake Boulevard. The requested Conditional Use Permit (CUP) will allow for the construction of a four-story garage structure to be used in conjunction with the existing Headquarter Honda Dealership. The conceptual site plan prepared by Tannath Design Group Inc, shows the layout of the proposed structure and parking for the site.

The annexation petition to the City; also included a request to change the future land use from Lake County Urban Low Density to Clermont Commercial designation. The proposed rezoning from Lake County "C-P" Commercial Planned to Clermont "C-2" General Commercial, which requires a Conditional Use Permit (CUP) to allow for any automotive sales, services, garages, dealerships, carwash, boats, trucks, auto paint and body shops located in the "C-2" General Commercial zoning district, as required by the

Land Development Code, Section 122-224. The subject property is contiguous to Clermont Boundaries and meet the requirements of Florida Statutes, Chapter 171 for Annexation.

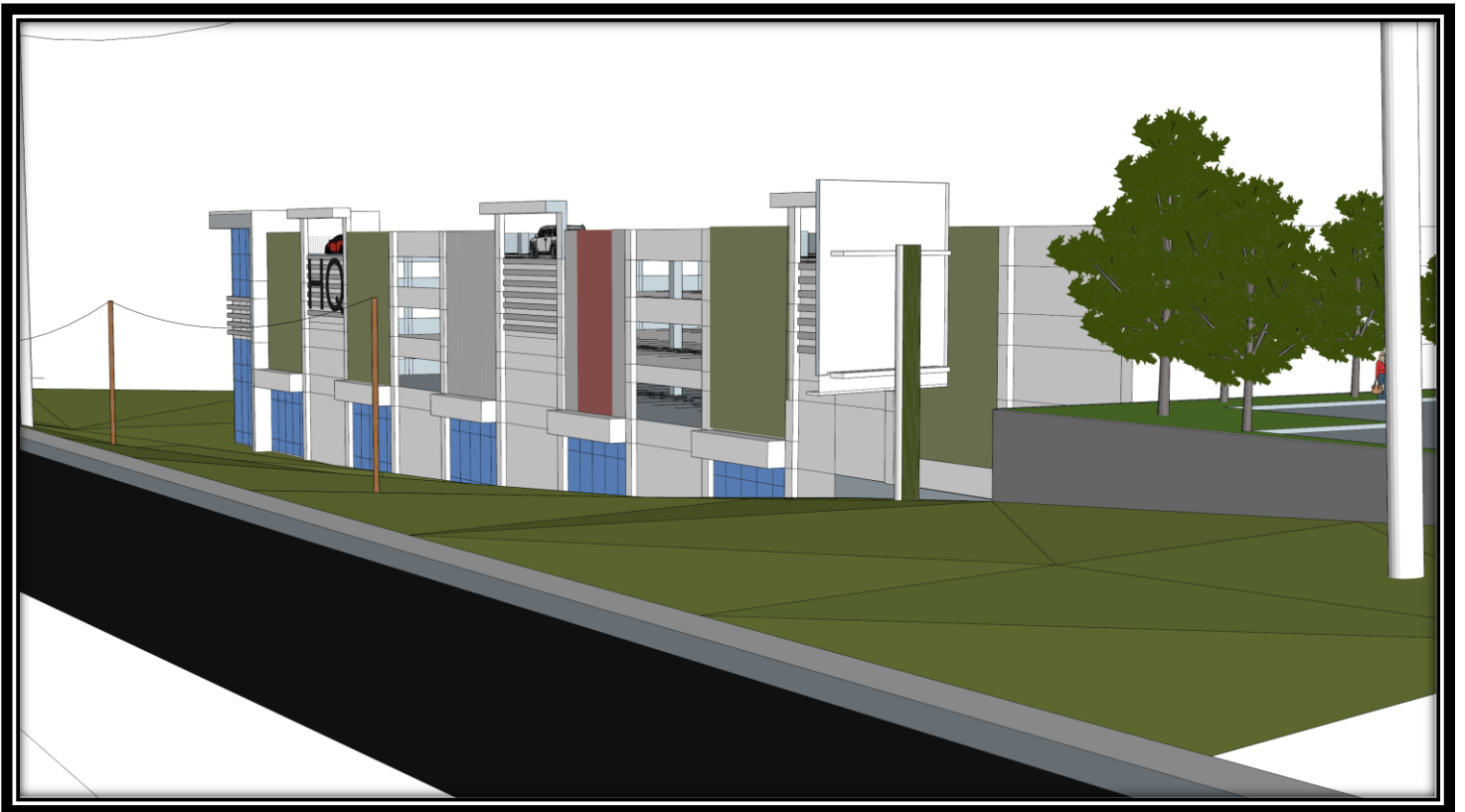
The applicant indicates the proposed development will allow the existing Honda dealership the ability to use the garage structure for expansion of automobile inventory, storage and display of new and used vehicles at this location. The project will be required to provide cross access from the existing Honda dealership, which shall be used as the primary access point for the public and any customers that utilize the garage structure. The secondary emergency access point on Lake Boulevard will have a private and gated access, to restrict and limit public use and to minimize any traffic impacts on Lake Boulevard.

The proposed development will be required to comply with Clermont Land Development Regulations and Architectural Design Standards to allow for construction of the garage structure. The applicant has not requested any variances to the code for construction. The adjacent parcel located to the west is within Clermont boundaries and zoned C-2 General Commercial; and the current use is Headquarter Honda Auto Sales and Services, the parcel located to the south and east of subject property is located in Lake County; with an Urban Low zoning designation.

STAFF RECOMMENDATION:

Staff has reviewed the application and proposed project in regards to compliance with the Clermont Codes of Ordinances and Comprehensive Plan. The proposed use is consistent with the goals, objectives and policies of the comprehensive plan and intent of the land development regulations for commercial zoning.

Staff recommends approval of Ordinance No. 2021-017 annexation and Ordinance No. 2021-018, changing the future land use to Clermont Commercial and approval of Ordinance No. 2021-019, rezoning the subject parcel to C-2 General Commercial zoning category. Staff also recommends approval of the Conditional Use Permit (CUP), with the provisions and conditions contained in Resolution No. 2021-037R, to allow a garage structure to be used ancillary to an existing automobile dealership located in the "C-2" General Commercial zoning district.





CITY OF CLERMONT
ORDINANCE NO. 2021-017

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 SEVERABILITY; ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR; RECORDING; PUBLICATION AND AN EFFECTIVE DATE.

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

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

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

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

SECTION 1.

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

LEGAL DESCRIPTION

Lots 2, 3, 4 and 5, Block “H”, according to the Plat of EDGEWATER BEACH, a Subdivision in Section 25, Township 22 South, Range 26 East, Lake County, Florida, recorded in Plat Book 8, Page 84, Public Records of Lake County, Florida.

Lots 1 through 20, inclusive, and Lot 23, Block “A”, according to the Plat of EDGEWATER BEACH, a Subdivision in Section 25, Township 22 South, Range 26 East, Lake County, Florida, recorded in Plat Book 8, Page 84, Public Records of Lake County, Florida.

That part of First Avenue according to said EDGEWATER BEACH SUBDIVISION lying South of the Southerly Right of Way line of State Road 50; lying North of the Westerly extension of the South line of Lot 17, Block “A”, lying West of Block “A”, and lying East of Block “A”, less and except the Westerly 1/2 lying North of the Easterly extension of the South line of Lot 1, Block “H”; and an unnamed alley according to said EDGEWATER BEACH SUBDIVISION lying North of Lots 17 through 20, inclusive, Block :A;; lying South of Lots 9 through 16, inclusive, Block “A”; and an unnamed alley according to said EDGEWATER BEACH SUBDIVISION lying South of Lots 1 through 7, Block “A”, North of Lot 23, Block “A”, lying Westerly of the Westerly right of way line of Lake Blvd. #3-1370, and the extension thereof, less and except any portion of the vacated street known as Madison Street.



CITY OF CLERMONT
ORDINANCE NO. 2021-017

SECTION 6: RECORDING

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

SECTION 7: PUBLICATION AND AN EFFECTIVE DATE

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



CITY OF CLERMONT
ORDINANCE NO. 2021-017

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 10th day of August, 2021.

CITY OF CLERMONT

Tim Murry, Mayor

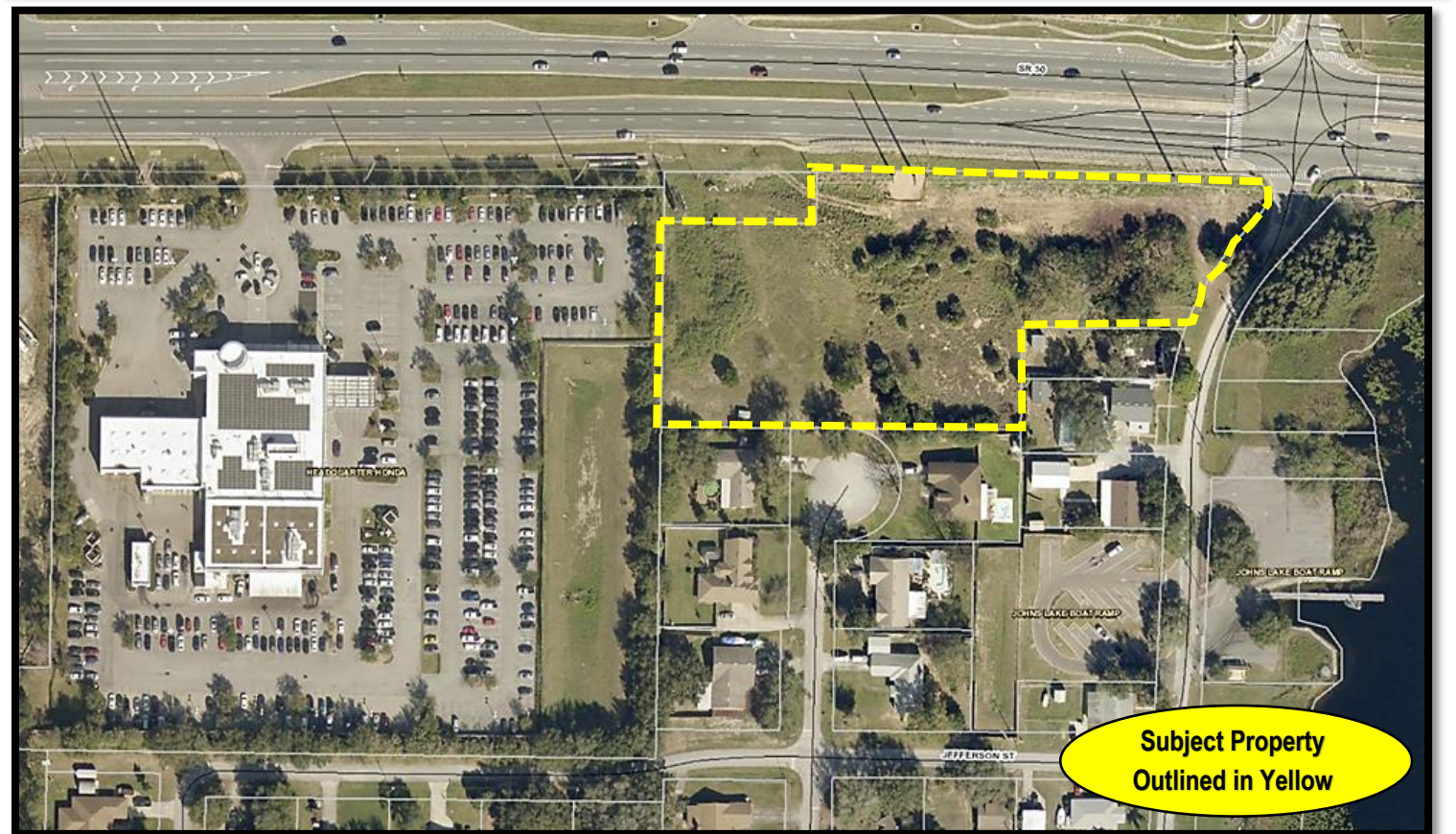
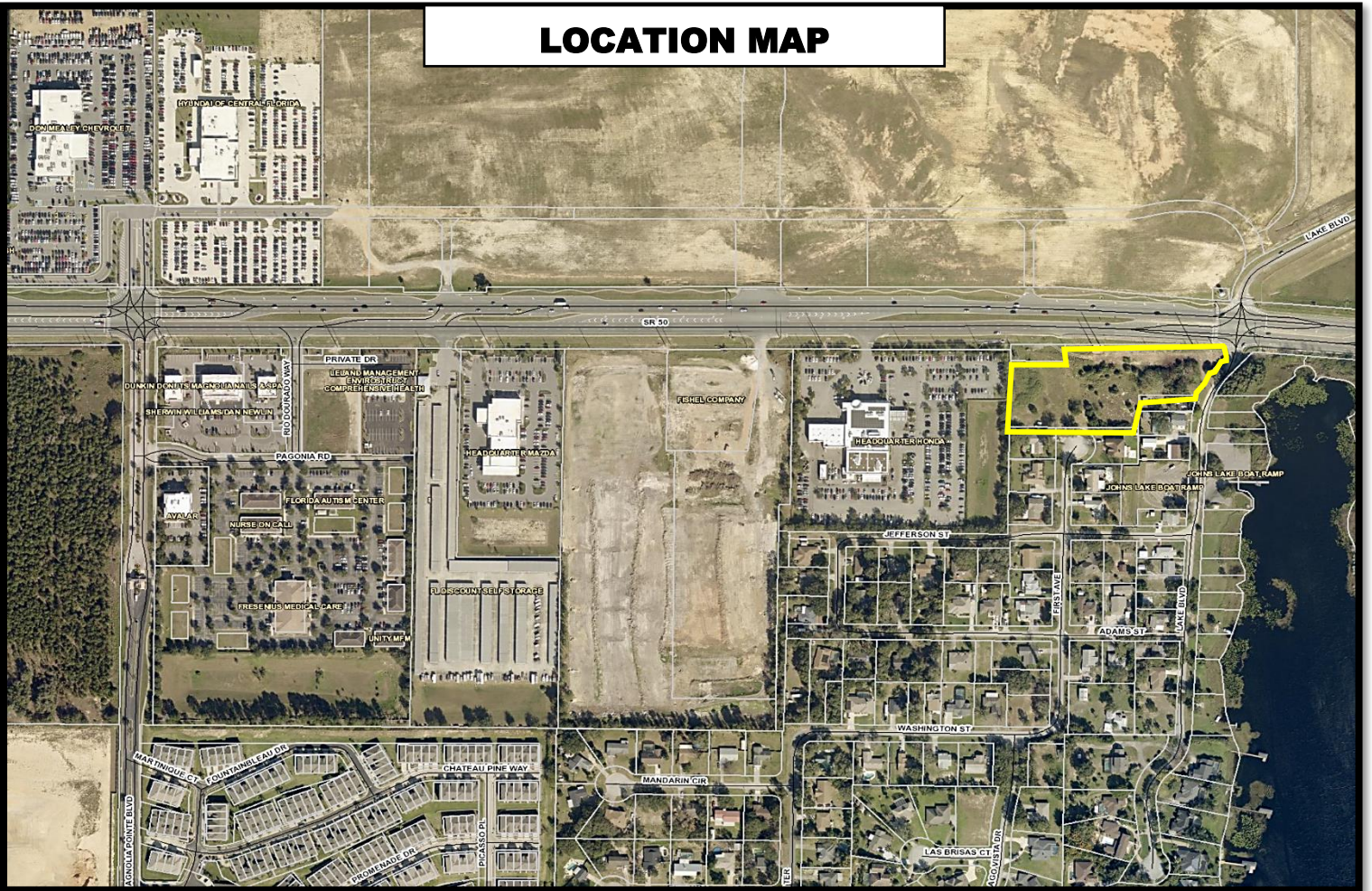
ATTEST:

Tracy Ackroyd Howe, MMC
City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

LOCATION MAP



SITE DATA:

PROPERTY LOCATION:

PARCEL ID:

ALTERNATIVE KEY:

CURRENT LOCAL MUNICIPALITY:

PROPOSED LOCAL MUNICIPALITY:

EXISTING FUTURE LAND USE:

PROPOSED FUTURE LAND USE:

CURRENT ZONING:

PROPOSED ZONING"

CURRENT USE:

PROPOSED USE:

TOTAL OVERALL PARCEL AREA:

SR 50 & LAKE BLVD

25-22-26-0001-000-02600

3306686

LAKE COUNTY

CITY OF CLERMONT

URBAN LOW

COMMERCIAL

COMMERCIAL PLANNED (CP)

GENERAL COMMERCIAL (C-2)

VACANT COMMERCIAL LAND

CAR DEALERSHIP

3.12 AC

CITY SETBACKS:

50' ALONG SR50

25' REAR

12' SIDE

BUFFERS:

20' ALONG SR 50

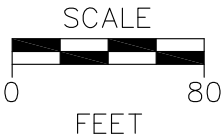
15' ALONG LAKE BLVD

10' SIDE

BUILDING MAX HEIGHT: 55'

MIN. INTERIOR LANDSCAPE ISLAND AREA: 300SF

SR 50



FLU: COMMERCIAL
ZONING: C-2
USE: CAR DEALERSHIP
(CITY OF CLERMONT)

FLU: URBAN LOW
ZONING: C-1
USE: BILLBOARD SIGN
(LAKE COUNTY)

4-STORY
PARKING GARAGE

SWALE

PARKING AREA

STORMWATER POND

FLU: URBAN LOW
ZONING: A
USE: RESIDENTIAL
(LAKE COUNTY)

FLU: URBAN LOW
ZONING: A
USE: RESIDENTIAL
(LAKE COUNTY)

FLU: URBAN LOW
ZONING: A
USE: RESIDENTIAL
(LAKE COUNTY)

FLU: URBAN LOW
ZONING: A
USE: RESIDENTIAL
(LAKE COUNTY)

FLU: URBAN LOW
ZONING: A
USE: RESIDENTIAL
(LAKE COUNTY)

FIRST AVE

LAKE BLVD

OWNER:

GARY A. BODZIN, TRUSTEE
18205 BISCAYNE BLVD, STE 2201
AVENTURA, FL 33160

APPLICANT:

HEADQUARTER ORLANDO REAL ESTATE LLC
5895 NW 167TH ST
HIALEAH, FL 33015

PROPOSED DEVELOPMENT:

THE DEVELOPMENT WILL BE AN EXPANSION OF THE ADJACENT HEADQUARTER HONDA FACILITIES TO PROVIDE ADDITIONAL CAR DISPLAY AREA ALONG WITH THE NECESSARY STORMWATER MANAGEMENT FOR THE PROPOSED AREA.

THE PROPERTY IS CURRENTLY IN UNINCORPORATED LAKE COUNTY AND IS BEING ANNEXED INTO THE CITY OF CLERMONT. THE DESIRED ZONING IS C-2 GENERAL COMMERCIAL TO MATCH THE EXISTING ZONING OF THE CONTIGUOUS PROPERTY OWNED BY HEADQUARTER HONDA.

SCALE: 1"=80'

PROJECT: 060-003

DATE: 05/07/21

DRAWN BY: SCP

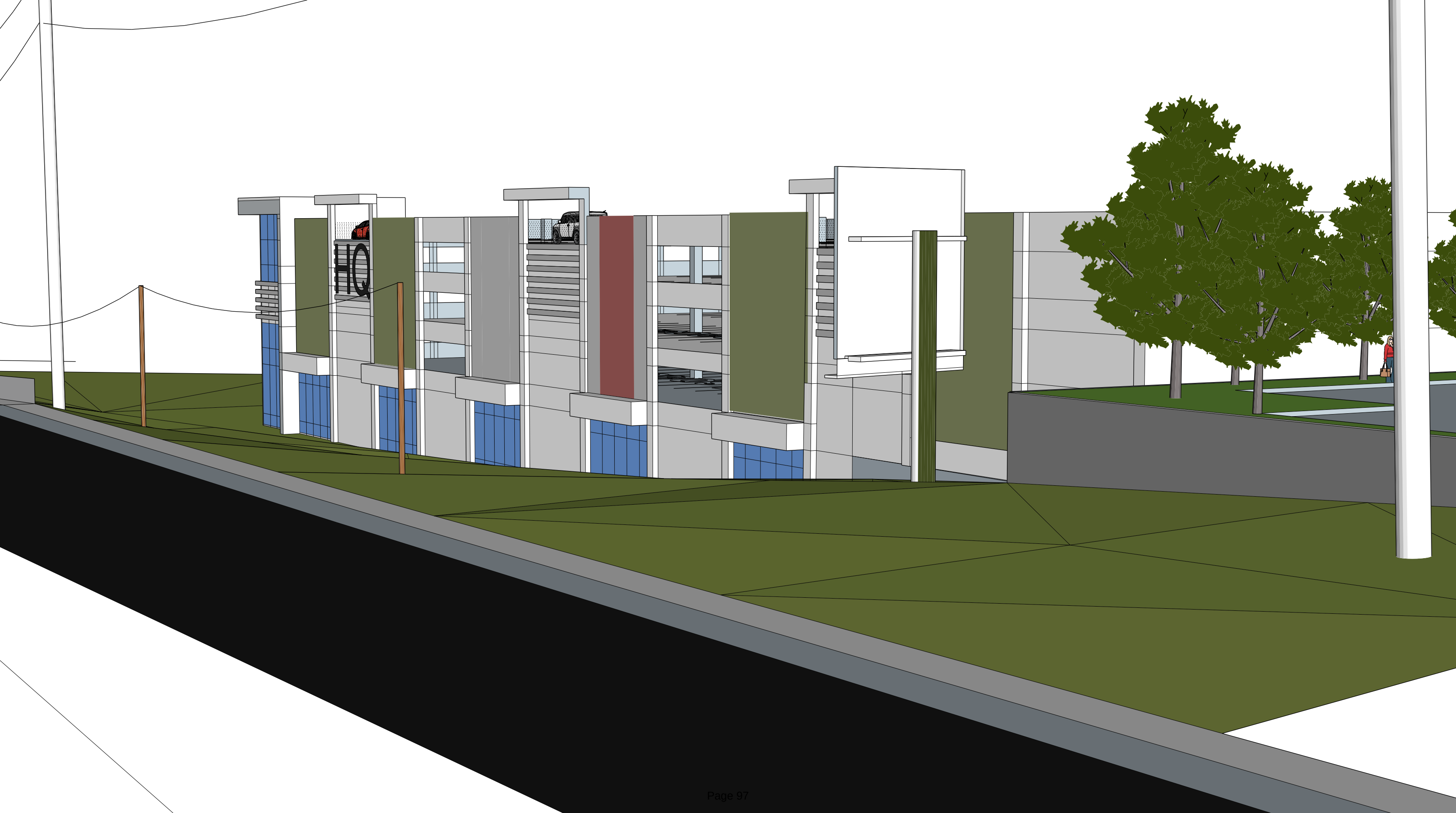
Plot Plan
Headquarter Honda
SR 50 & Lake Blvd
Clermont, Florida

Tannath Design, Inc.
2494 Rose Springs Drive
Orlando, Florida 32825
407-982-9878
www.tannathdesign.com



EXHIBIT

2









CHECK LIST & FILING INSTRUCTIONS

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

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

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

PROCEDURES:

1. The proposed use of the property must be assessed to determine if there will be an increase in demand on the water or wastewater systems prior to submittal of the application. Any increase in demand on the water or wastewater systems will be subject to impact fees.
2. Any person requesting an Annexation shall file a complete application in the Development Services Department on or before the 1st day of the Month. Complete applications will then be scheduled for Public Hearing on the 4th Tuesday of the following month for the City Council meeting. All applications must be complete, to include applicable site plans and/or other pertinent descriptive materials in order to be processed. A pre-application meeting may be required prior to submission of an application. Dependent upon the scope and/or magnitude of a particular project, scheduling of one or more City Council Workshop(s) may also be necessary and additional time may be required prior to being scheduled for public hearing.
3. Upon receipt of a complete application, the Development Services Department shall proceed with the request for a public hearing in accordance with the following:
 - A: The owners of all property lying within one hundred fifty (150) feet of the property requested to be annexed shall be notified by mail.
 - B. A legal advertisement of the request shall be advertised in a local newspaper prior to the meeting date.
4. Failure to provide an accurate and complete application will result in automatic rejection and return of the application and delay of the hearing date.



APPLICATION & PETITION

DATE: _____

FEE: \$155.⁰⁰
+ cost of advertising

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

PROJECT NAME (if applicable): Headquarter Honda

APPLICANT: Headquarter Orlando Real Estate LLC

Address: 5895 NW 167th ST

City: Hialeah State: FL Zip: 33015

Phone: _____ Fax: _____

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

OWNER: Gary A. Bodzin, Trustee UTD 7/29/2009

Address: 18205 Biscayne Blvd, Ste 2201

City: Aventura State: FL Zip: 33160

Phone: _____ Fax: _____

AGENT NAME (Affidavit required): Tannath Design, Inc.

Address: 2494 Rose Spring Dr.

City: Orlando State: FL Zip: 32825

Phone: 407-982-9878 Fax: _____

E-Mail: bpotts@tannathdesign.com

Property address and/or general location: Lake Blvd & SR 50, Clermont, FL

Area of property: 3.12 +/- acres, and/or _____ +/- sq. ft.

The property is PRESENTLY used for: Vacant commercial land

The property is PROPOSED to be used for: Additional car display area and stormwater as assemblage with property to the west owned by the applicant.



Existing Lake County Land Use* : Urban Low

Existing Lake County Zoning* : CP-Commercial Planned

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

Number of existing structures on the property and their present use: 0

State the reason or basis for this request: Property is being purchased by adjacent property owner for assemblage and that parcel is within the city limits

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

Section _____, Township _____, Range _____

See attached copy of deed as recorded in the public records.

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



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

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

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

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

IN WITNESS WHEREOF, we, the undersigned landowners, as petitioners, have hereunto set our hands and seals as of the 20 day of May, 2021.

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



Landowner (Petitioner)
Gary A. Bodzin, as Trustee UTD 7/29/09

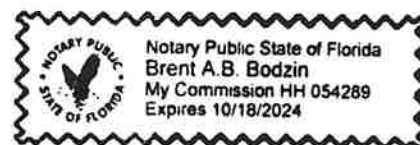
May 20, 2021

Date



Notary Public

My Commission Expires





OWNER / AGENT AFFIDAVIT (ANNEXATION)

Date: May 20, 2021

Before me, the undersigned authority personally appeared Gary A. Bodzin, as Trustee UTD 7/29/09
(owner(s) name), who being by me duly sworn on oath,
deposes and says:

1. That said authority is the fee-simple owner of the property legally described in this application.
2. That said authority desires an ANNEXATION to allow:
commercial use
3. That said authority (owner) has appointed (agent's name) Bryan Potts, P.E. of Tannath Design, Inc. to act in its behalf to accomplish the above, and before me the undersigned authorized agent personally appeared and being by me duly sworn on oath, deposes and says:

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

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

X [Signature] X [Signature]
Owner (signature)
Gary A. Bodzin, as Trustee UTD 7/29/09

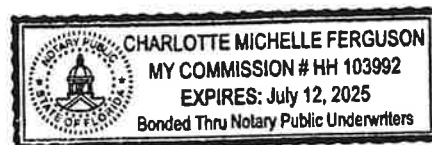
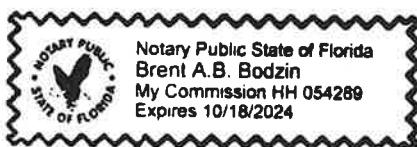
Sworn to and subscribed before
me this 20th day of May,
2021.

[Signature]
Notary Public, State of FL
My commission expires:

Sworn to and subscribed before
me this 25th day of May,
2021.

[Signature]
Notary Public, State of FL
My commission expires:

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



LEGAL NOTICE

The Clermont City Council will consider the enactment of the following proposed Ordinance at their regularly scheduled meeting to be held on Tuesday, July 13, 2021 at 6:30 P.M. (Introduction) and a public meeting will be held on Tuesday, July 27, 2021 at 6:30 P.M. for the (Final Adoption). The public meetings are held at the Clermont City Hall, Council Chambers located at 685 West Montrose Street. All interested parties will be given an opportunity to express their views on this matter.

ORDINANCE NO. 2021-017

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 CONFLICT, SERVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, RECORDING, PUBLICATION AND AN EFFECTIVE DATE.

LOCATION:

Vacant parcel located on State Road 50
and the corner of Lake Boulevard
Alternate Key 3306686
3.12 +/- Acres



LEGAL DESCRIPTION

Lots 2, 3, 4 and 5, Block "H", according to the Plat of EDGEWATER BEACH, a Subdivision in Section 25, Township 22 South, Range 26 East, Lake County, Florida, recorded in Plat Book 8, Page 84, Public Records of Lake County, Florida.

Lots 1 through 20, inclusive, and Lot 23, Block "A", according to the Plat of EDGEWATER BEACH, a Subdivision in Section 25, Township 22 South, Range 26 East, Lake County, Florida, recorded in Plat Book 8, Page 84, Public Records of Lake County, Florida.

That part of First Avenue according to said EDGEWATER BEACH SUBDIVISION lying South of the Southerly Right of Way line of State Road 50; lying North of the Westerly extension of the South line of Lot 17, Block "A", lying West of Block "A", and lying East of Block "A", less and except the Westerly 1/2 lying North of the Easterly extension of the South line of Lot 1, Block "H"; and an unnamed alley according to said EDGEWATER BEACH SUBDIVISION lying North of Lots 17 through 20, inclusive, Block :A:; lying South of Lots 9 through 16, inclusive, Block "A"; and an unnamed alley according to said EDGEWATER BEACH SUBDIVISION lying South of Lots 1 through 7, Block "A", North of Lot 23, Block "A", lying Westerly of the Westerly right of way line of Lake Blvd. #3-1370, and the extension thereof, less and except any portion of the vacated street known as Madison Street. Site contains 3.12 +/- acres.

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

The proposed ordinance may be inspected at the Clermont Development Services Department, located on the 1st Floor of the City Hall Building, between 8 a.m. and 5 p.m. Monday-Friday.

Please be advised that under state law, any person deciding to appeal a decision made at the public hearings will need a record of the proceedings and may need to ensure a verbatim record is made. Persons with disabilities who need assistance should contact the City Clerk's office, (352) 241-7331, at least 48 hours prior to the public hearings.

Tracy Ackroyd Howe, MMC
City Clerk



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 2

Meeting Date	
Tuesday, August 10, 2021	
Agenda Item Name	
Ordinance No. 2021-018 <i>Final</i> <i>Headquarter Honda Garage</i>	
Requested Action	
Recommend approval of Ordinance No. 2021-018.	
Staff Report	
The applicant is requesting an annexation, small-scale comprehensive plan amendment, rezoning, and a Conditional Use Permit (CUP) for the 3.12 acre+/- vacant parcel located on State Road 50 and the southwest corner of Lake Boulevard. The requested Conditional Use Permit (CUP) will allow for the construction of a four-story garage structure to be used in conjunction with the existing Headquarter Honda Dealership. The conceptual site plan prepared by Tannath Design Group Inc, shows the layout of the proposed structure and parking for the site. With the annexation petition to the City; a request was also included to change the future land use from Lake County Urban Low Density to Clermont Commercial designation. The proposed rezoning from Lake County "C-P" Commercial Planned to Clermont "C-2" General Commercial is being requested. In addition, a Conditional Use Permit (CUP) is needed to allow for any automotive sales and services, such as the inventory garage, located in the "C-2" General Commercial zoning district, as required by the Land Development Code, Section 122-224. The subject property is contiguous to Clermont Boundaries and meet the requirements of Florida Statutes, Chapter 171 for Annexation. The project will connect to City water and sewer services, if applicable, which has adequate capacity to service the development. The applicant indicates the proposed development will allow the existing Honda dealership the ability to use the garage structure for the expansion of vehicle inventory, storage and display of new and used vehicles at this location. The project will be required to provide cross access from the existing Honda dealership, which shall be used as the primary access point for the public and any customers that utilize the garage structure. The secondary access point on Lake Boulevard will be gated for the use of Emergency Vehicles only. The proposed development will be required to comply with Clermont Land Development Regulations and Architectural Design Standards to allow for construction of the garage structure. The applicant has not requested any variances to the code for construction of the garage. The adjacent parcel located to the west is within Clermont boundaries and zoned C-2 General Commercial, the Honda Dealership use, and the parcel located to the south and southeast of subject property is located in Lake County, with an Urban Low zoning category. <u>STAFF RECOMMENDATION:</u> Staff has reviewed the application and proposed project in regards to compliance with the Clermont Codes of Ordinances and Comprehensive Plan. The proposed use is consistent with the goals, objectives and policies of the comprehensive plan and intent of the land development regulations for commercial zoning. Staff recommends approval of Ordinance No. 2021-017 annexation and Ordinance No. 2021-018, changing the future land use to Clermont Commercial and approval of Ordinance No. 2021-019, rezoning the subject parcel to C-2 General Commercial zoning category. Staff also recommends approval of the Conditional Use Permit (CUP), with the provisions and conditions contained in Resolution No. 2021-037R, to allow a garage structure to be used ancillary to an existing automobile dealership located in the "C-2" General Commercial zoning district. <i>The Planning and Zoning Commission at their meeting voted 6-1 to recommend approval of Ordinance No.</i>	

2021-018.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1.	Staff Analysis Report	Staff Analysis Report.pdf
2.	Ord 2021-018 - Headquarter Honda CPA (07.28.2021 V2) - RF BL	Ord 2021-018 - Headquarter Honda CPA (07.28.2021 V2) - RF BL.pdf
3.	Location Map	Location Map.pdf
4.	New Conceptual Plan-7-13-21	New Conceptual Plan-7-13-21.pdf
5.	2021-18 Before	2021-18 Before.pdf
6.	2021-18 After	2021-18 After.pdf
7.	HondaDeck-Roadview1	HondaDeck-Roadview1.pdf
8.	HondaDeck-Roadview2	HondaDeck-Roadview2.pdf
9.	HondaDeck-Roadview3	HondaDeck-Roadview3.pdf
10.	Signed Comp Plan App	Signed Comp Plan App.pdf
11.	Headquarter Honda Garage- SSCPA AD	Headquarter Honda Garage- SSCPA AD.docx



CITY OF CLERMONT Staff Analysis Report

OWNER: Gary A. Bodzin, Trustee UTD

APPLICANT: Headquarter Honda Orlando Real Estate, LLC

PROJECT NAME: Headquarter Honda Garage

REQUESTED ACTION: A request for annexation, small-scale comprehensive plan amendment, rezoning and Conditional Use Permit (CUP) to allow for construction of a vehicle storage/display garage structure to be used ancillary to the existing Headquarter Honda dealership.

SIZE OF PARCEL: 3.12 acres +/- Alternate Key 3306686

LOCATION: Vacant parcel located on State Road 50 and the southwest corner of Lake Boulevard.

EXISTING ZONING: **FROM:** Lake County "CP" Commercial Planned
TO: Clermont "C-2" General Commercial

EXISTING LAND USE: Vacant property

FUTURE LAND USE CATEGORY: **FROM:** Lake County Urban Low
TO: Clermont Commercial

SITE UTILITIES: City of Clermont Water and Sewer

ANALYSIS:

The applicant is requesting an annexation, small-scale comprehensive plan amendment, rezoning, and a Conditional Use Permit (CUP) for the 3.12 acre +/- vacant parcel located on State Road 50 and the southwest corner of Lake Boulevard. The requested Conditional Use Permit (CUP) will allow for the construction of a four-story garage structure to be used in conjunction with the existing Headquarter Honda Dealership. The conceptual site plan prepared by Tannath Design Group Inc, shows the layout of the proposed structure and parking for the site.

The annexation petition to the City; also included a request to change the future land use from Lake County Urban Low Density to Clermont Commercial designation. The proposed rezoning from Lake County "C-P" Commercial Planned to Clermont "C-2" General Commercial, which requires a Conditional Use Permit (CUP) to allow for any automotive sales, services, garages, dealerships, carwash, boats, trucks, auto paint and body shops located in the "C-2" General Commercial zoning district, as required by the

Land Development Code, Section 122-224. The subject property is contiguous to Clermont Boundaries and meet the requirements of Florida Statutes, Chapter 171 for Annexation.

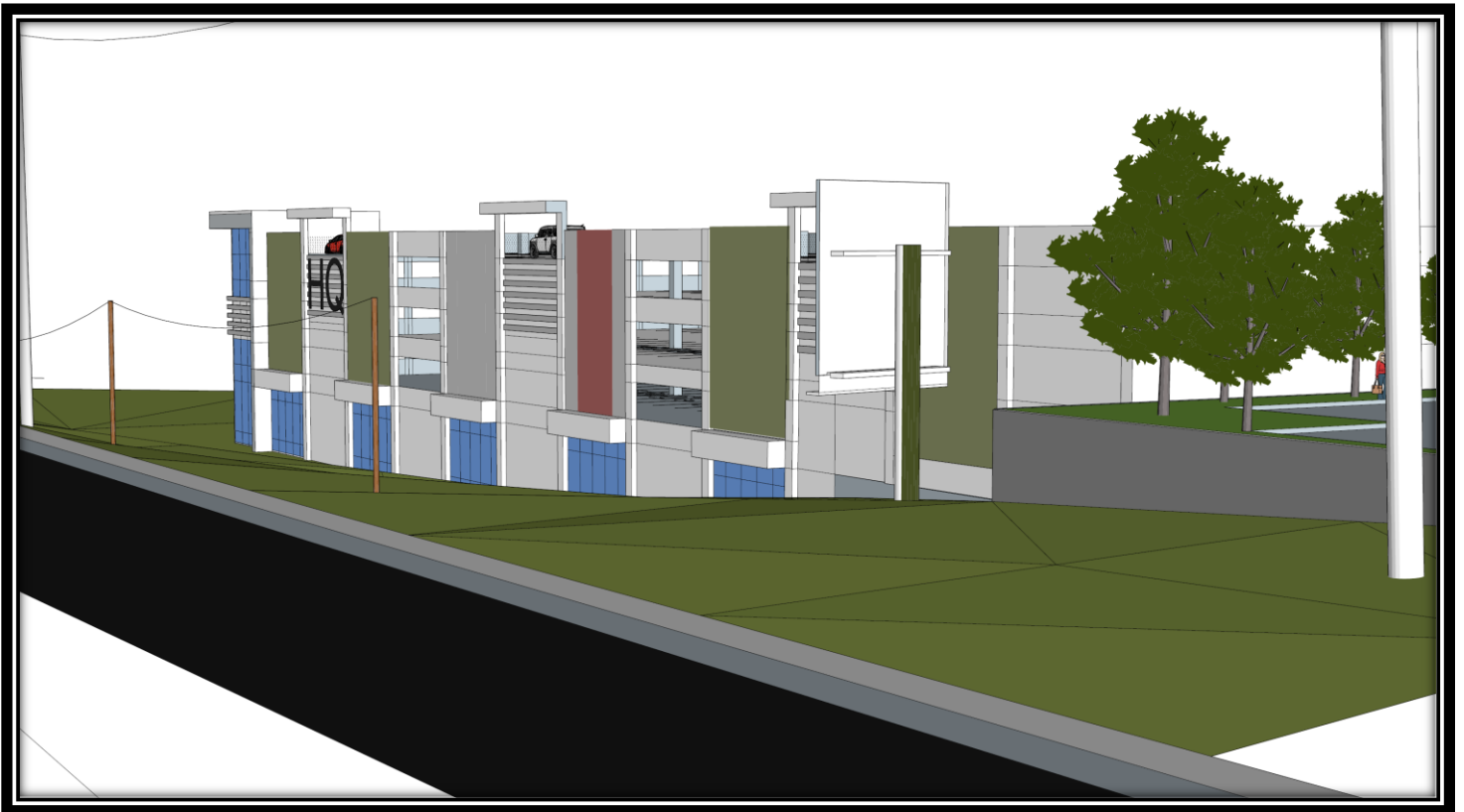
The applicant indicates the proposed development will allow the existing Honda dealership the ability to use the garage structure for the expansion of vehicle inventory, storage and display of new and used vehicles at this location. The project will be required to provide cross access from the existing Honda dealership, which shall be used as the primary access point for the public and any customers that utilize the garage structure. The secondary emergency access point on Lake Boulevard will have a private and gated access point, to restrict and limit public use and to minimize any traffic impacts on Lake Boulevard.

The proposed development will be required to comply with Clermont Land Development Regulations and Architectural Design Standards to allow for construction of the garage structure. The applicant has not requested any variances to the code for construction of the garage. The adjacent parcel located to the west is within Clermont boundaries and zoned C-2 General Commercial, as the Honda Headquarter Dealership, and the parcel located to the south and east of subject property is located in Lake County, with Urban Low zoning designation.

STAFF RECOMMENDATION:

Staff has reviewed the application and proposed project in regards to compliance with the Clermont Codes of Ordinances and Comprehensive Plan. The proposed use is consistent with the goals, objectives and policies of the comprehensive plan and intent of the land development regulations for commercial zoning.

Staff recommends approval of Ordinance No. 2021-017 annexation and Ordinance No. 2021-018, changing the future land use to Clermont Commercial and approval of Ordinance No. 2021-019, rezoning the subject parcel to C-2 General Commercial zoning category. Staff also recommends approval of the Conditional Use Permit (CUP), with the provisions and conditions contained in Resolution No. 2021-037R, to allow a garage structure to be used ancillary to an existing automobile dealership located in the "C-2" General Commercial zoning district.





CITY OF CLERMONT
ORDINANCE NO. 2021-018

AN ORDINANCE 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 FOR CONFLICT, SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND 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 to consider this amendment to the Future Land Use Map of the Comprehensive Plan and considered all written and oral comments, proposals and objections from the general public; and

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

Lots 2, 3, 4 and 5, Block “H”, according to the Plat of EDGEWATER BEACH, a Subdivision in Section 25, Township 22 South, Range 26 East, Lake County, Florida, recorded in Plat Book 8, Page 84, Public Records of Lake County, Florida.

Lots 1 through 20, inclusive, and Lot 23, Block “A”, according to the Plat of EDGEWATER BEACH, a Subdivision in Section 25, Township 22 South, Range 26 East, Lake County, Florida, recorded in Plat Book 8, Page 84, Public Records of Lake County, Florida.

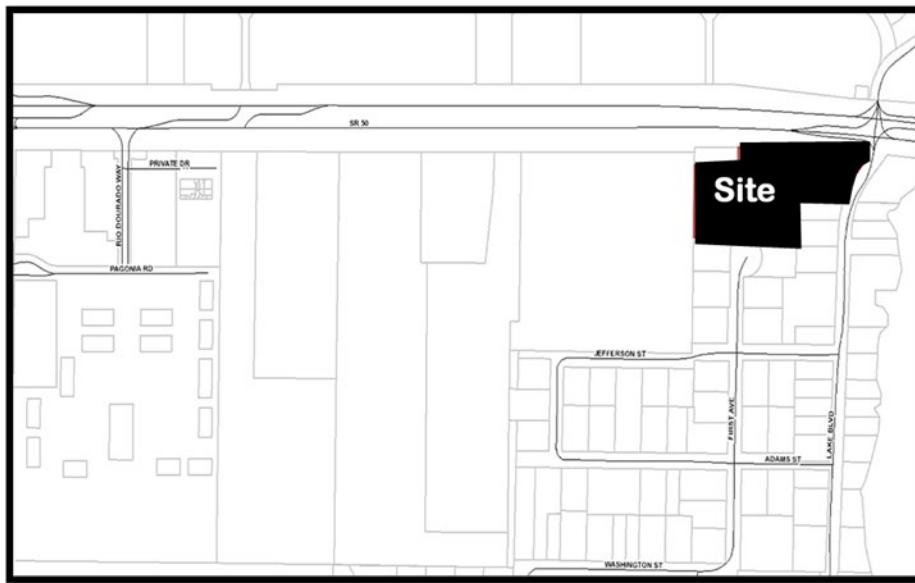
That part of First Avenue according to said EDGEWATER BEACH SUBDIVISION lying South of the Southerly Right of Way line of State Road 50; lying North of the Westerly extension of the South line of Lot 17, Block “A”, lying West of Block “A”, and lying East of Block “A”, less and except the Westerly 1/2 lying North of the Easterly extension of the South line of Lot 1, Block “H”; and an unnamed alley according

CITY OF CLERMONT
ORDINANCE NO. 2021-018

to said EDGEWATER BEACH SUBDIVISION lying North of Lots 17 through 20, inclusive, Block :A;; lying South of Lots 9 through 16, inclusive, Block “A”; and an unnamed alley according to said EDGEWATER BEACH SUBDIVISION lying South of Lots 1 through 7, Block “A”, North of Lot 23, Block “A”, lying Westerly of the Westerly right of way line of Lake Blvd. #3-1370, and the extension thereof, less and except any portion of the vacated street known as Madison Street.

LOCATION

Vacant parcel located on State Road 50 and the
corner of Lake Boulevard
Alternate Key 3306686
3.12 +/- acres



CHANGE IN FUTURE LAND USE DESIGNATION:

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

SECTION 2: CONFLICT

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

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.



CITY OF CLERMONT
ORDINANCE NO. 2021-018

SECTION 4: ADMINISTRATIVE CORRECTION

This 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 5: PUBLICATION AND EFFECTIVE DATE

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



CITY OF CLERMONT
ORDINANCE NO. 2021-018

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida, this 10th day of August, 2021.

CITY OF CLERMONT

Tim Murry, Mayor

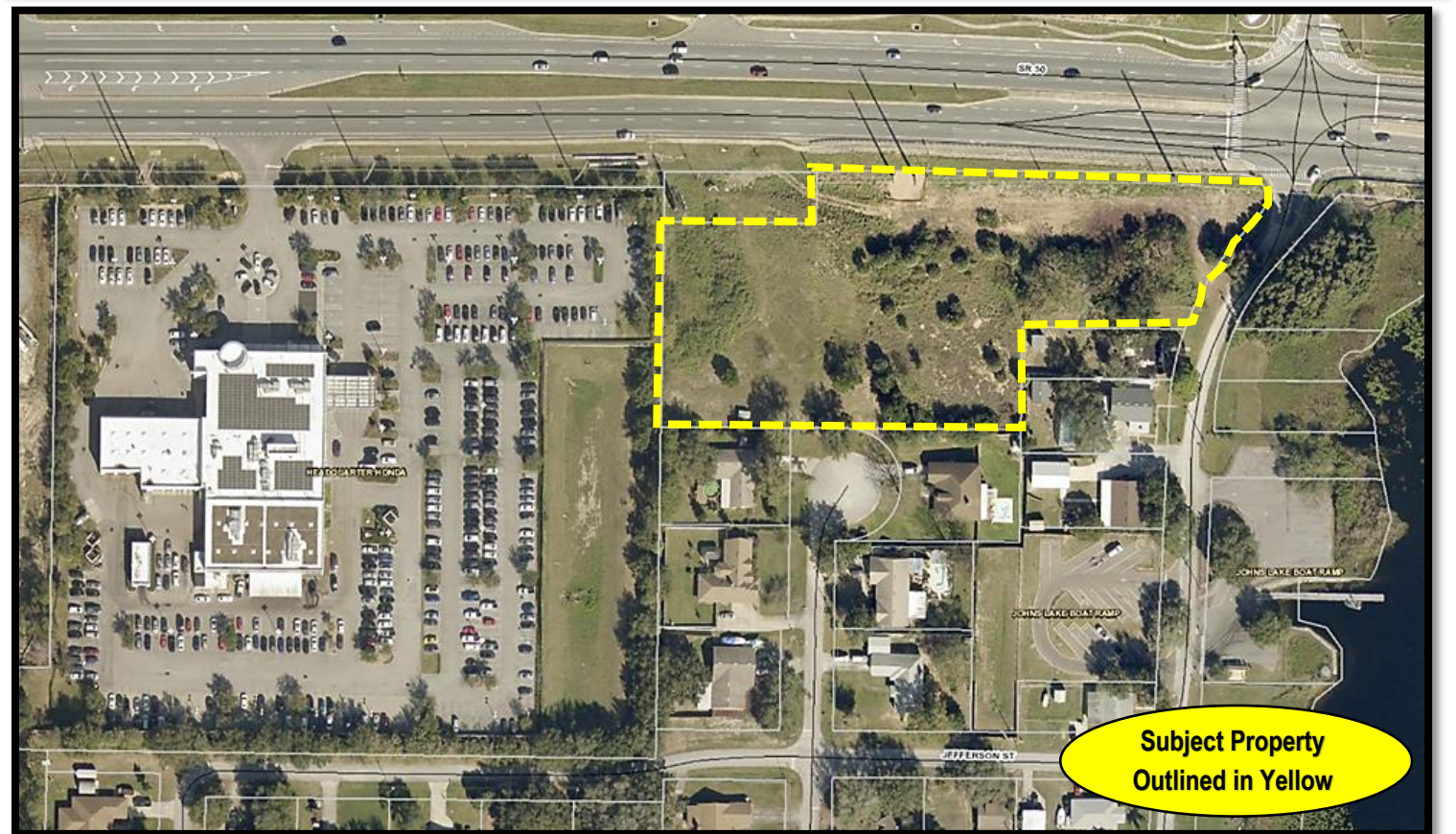
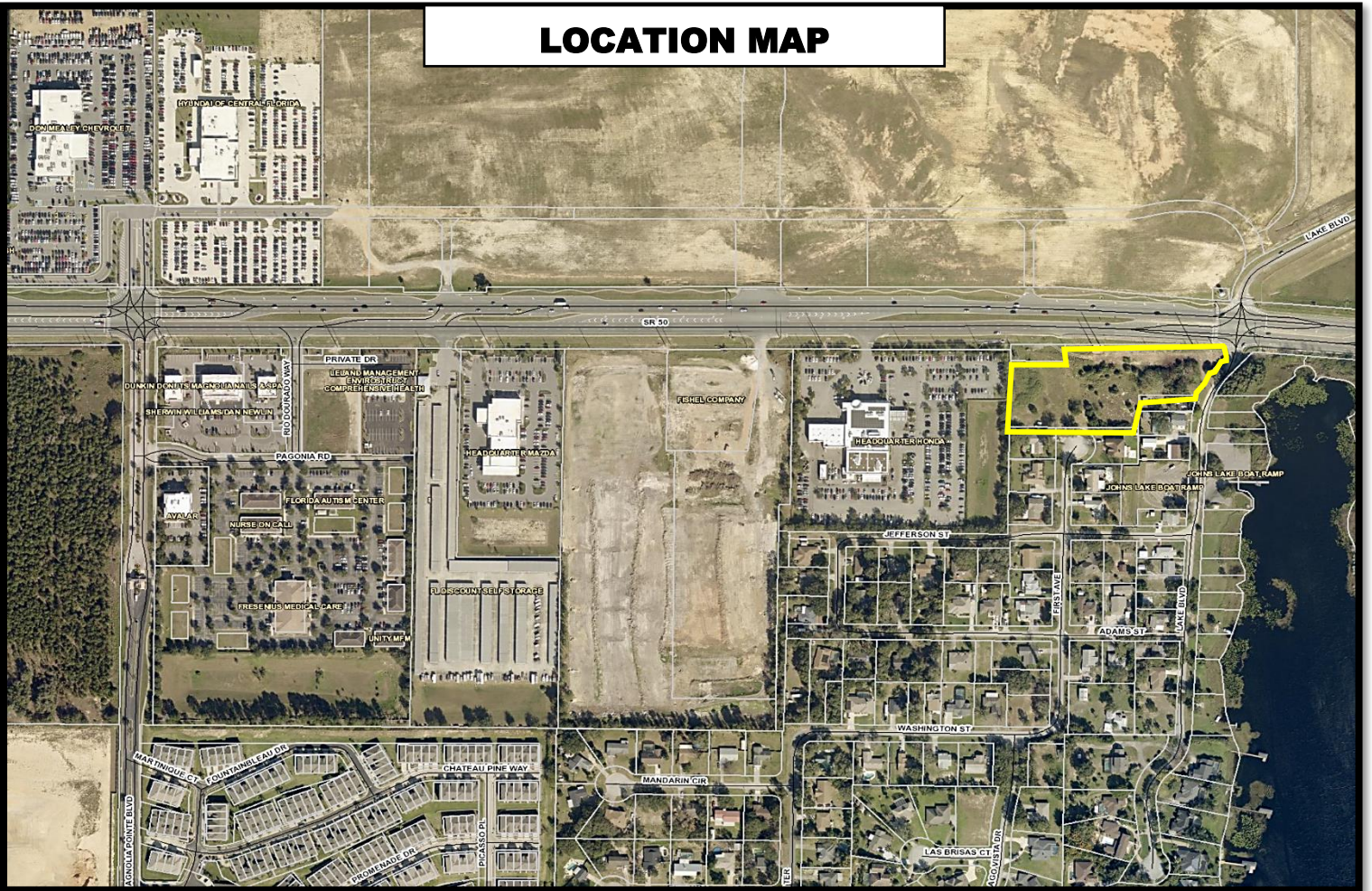
ATTEST:

Tracy Ackroyd Howe, MMC
City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

LOCATION MAP



SITE DATA:

PROPERTY LOCATION:

PARCEL ID:

ALTERNATIVE KEY:

CURRENT LOCAL MUNICIPALITY:

PROPOSED LOCAL MUNICIPALITY:

EXISTING FUTURE LAND USE:

PROPOSED FUTURE LAND USE:

CURRENT ZONING:

PROPOSED ZONING"

CURRENT USE:

PROPOSED USE:

TOTAL OVERALL PARCEL AREA:

SR 50 & LAKE BLVD

25-22-26-0001-000-02600

3306686

LAKE COUNTY

CITY OF CLERMONT

URBAN LOW

COMMERCIAL

COMMERCIAL PLANNED (CP)

GENERAL COMMERCIAL (C-2)

VACANT COMMERCIAL LAND

CAR DEALERSHIP

3.12 AC

CITY SETBACKS:

50' ALONG SR50

25' REAR

12' SIDE

BUFFERS:

20' ALONG SR 50

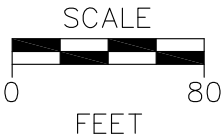
15' ALONG LAKE BLVD

10' SIDE

BUILDING MAX HEIGHT: 55'

MIN. INTERIOR LANDSCAPE ISLAND AREA: 300SF

SR 50



FLU: COMMERCIAL
ZONING: C-2
USE: CAR DEALERSHIP
(CITY OF CLERMONT)

FLU: URBAN LOW
ZONING: C-1
USE: BILLBOARD SIGN
(LAKE COUNTY)

4-STORY
PARKING GARAGE

SWALE

PARKING AREA

STORMWATER POND

FLU: URBAN LOW
ZONING: A
USE: RESIDENTIAL
(LAKE COUNTY)

FLU: URBAN LOW
ZONING: A
USE: RESIDENTIAL
(LAKE COUNTY)

FLU: URBAN LOW
ZONING: A
USE: RESIDENTIAL
(LAKE COUNTY)

FLU: URBAN LOW
ZONING: A
USE: RESIDENTIAL
(LAKE COUNTY)

FLU: URBAN LOW
ZONING: A
USE: RESIDENTIAL
(LAKE COUNTY)

FIRST AVE

LAKE BLVD

OWNER:

GARY A. BODZIN, TRUSTEE
18205 BISCAYNE BLVD, STE 2201
AVENTURA, FL 33160

APPLICANT:

HEADQUARTER ORLANDO REAL ESTATE LLC
5895 NW 167TH ST
HIALEAH, FL 33015

PROPOSED DEVELOPMENT:

THE DEVELOPMENT WILL BE AN EXPANSION OF THE ADJACENT HEADQUARTER HONDA FACILITIES TO PROVIDE ADDITIONAL CAR DISPLAY AREA ALONG WITH THE NECESSARY STORMWATER MANAGEMENT FOR THE PROPOSED AREA.

THE PROPERTY IS CURRENTLY IN UNINCORPORATED LAKE COUNTY AND IS BEING ANNEXED INTO THE CITY OF CLERMONT. THE DESIRED ZONING IS C-2 GENERAL COMMERCIAL TO MATCH THE EXISTING ZONING OF THE CONTIGUOUS PROPERTY OWNED BY HEADQUARTER HONDA.

SCALE: 1"=80'

PROJECT: 060-003

DATE: 05/07/21

DRAWN BY: SCP

Plot Plan
Headquarter Honda
SR 50 & Lake Blvd
Clermont, Florida

Tannath Design, Inc.
2494 Rose Springs Drive
Orlando, Florida 32825
407-982-9878
www.tannathdesign.com



EXHIBIT

2



Small Scale CPA
2021 - 018

Before

Legend

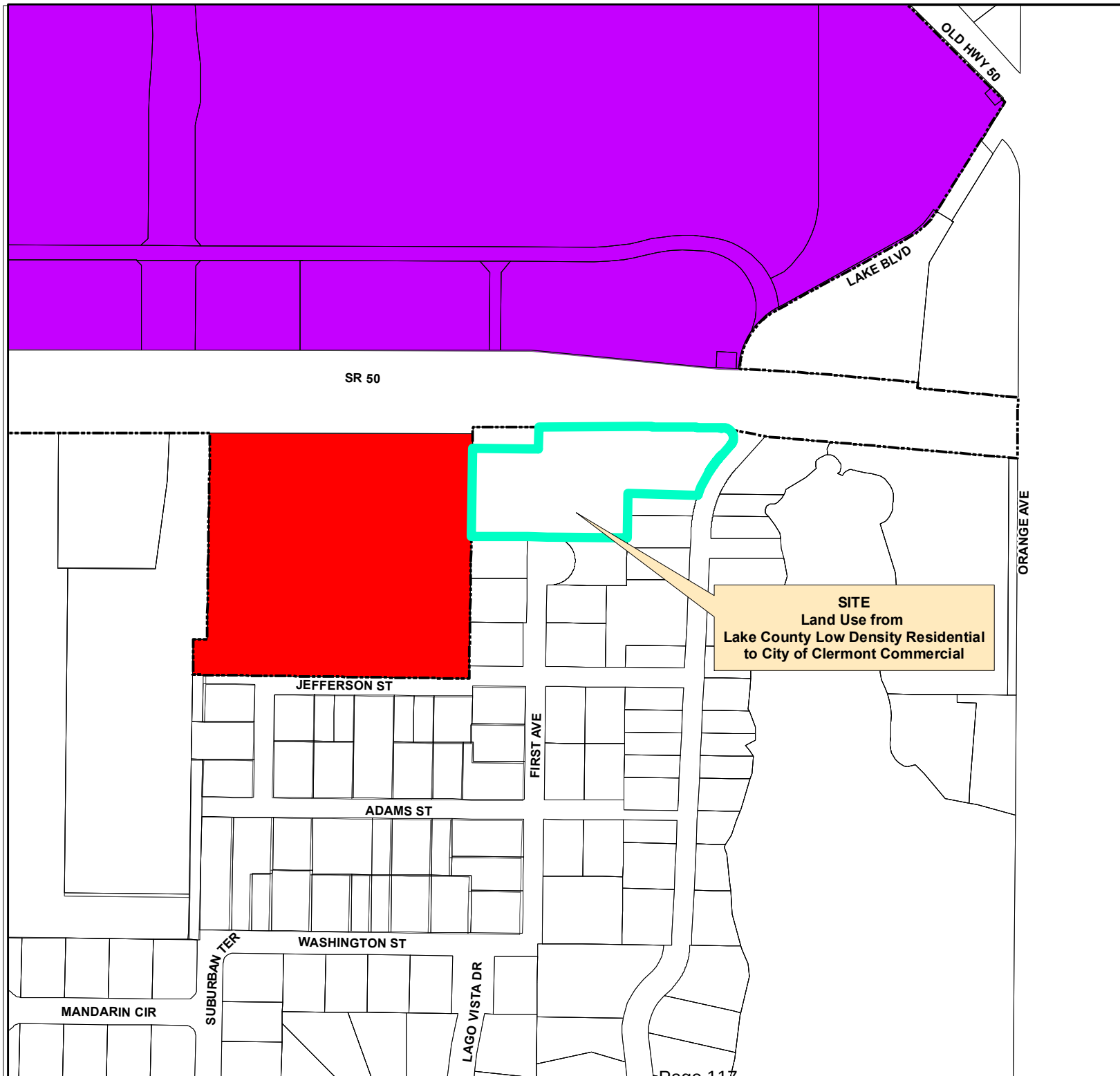


City Limits

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





Small Scale CPA
2021 - 018

After

Legend

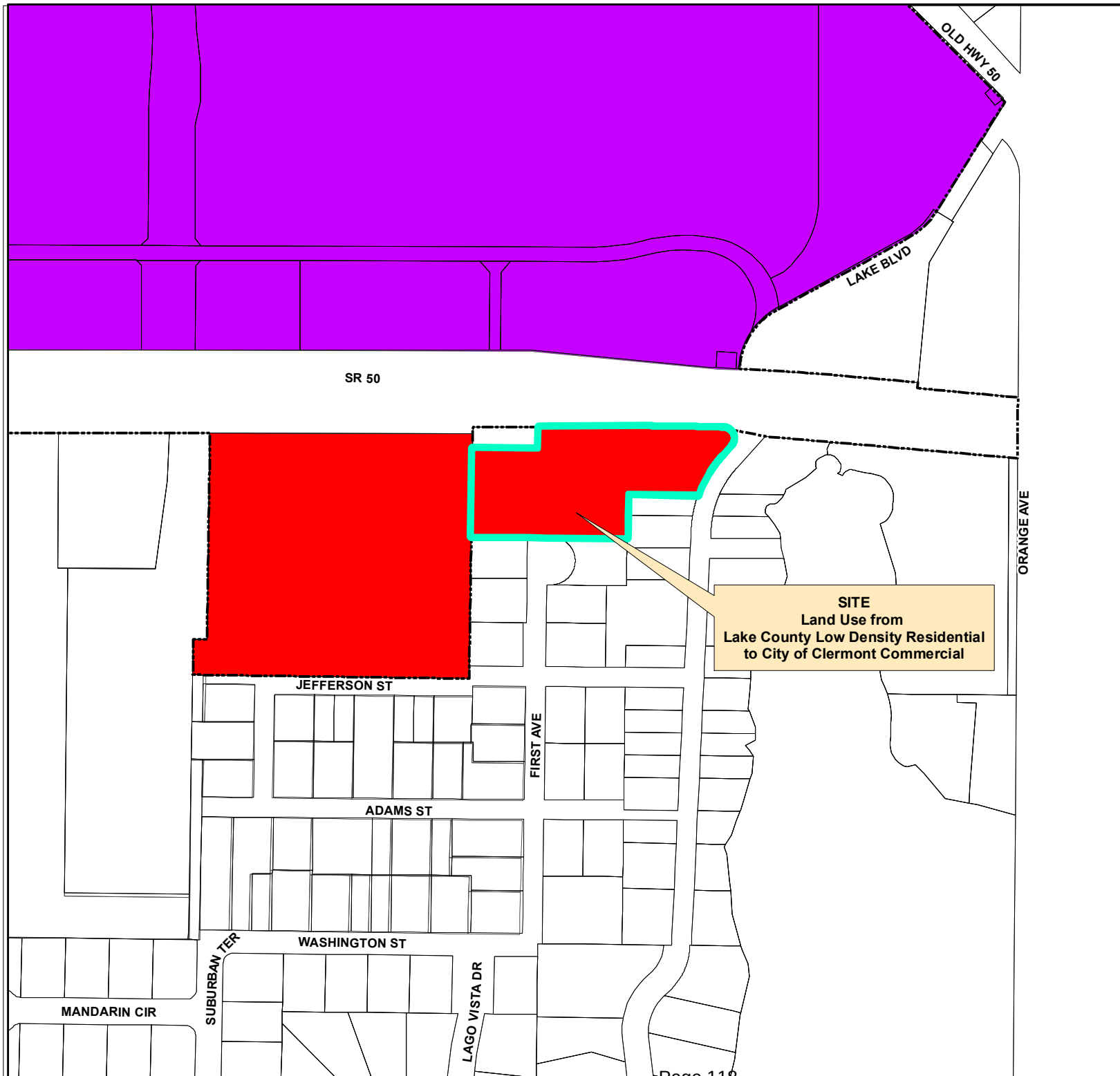


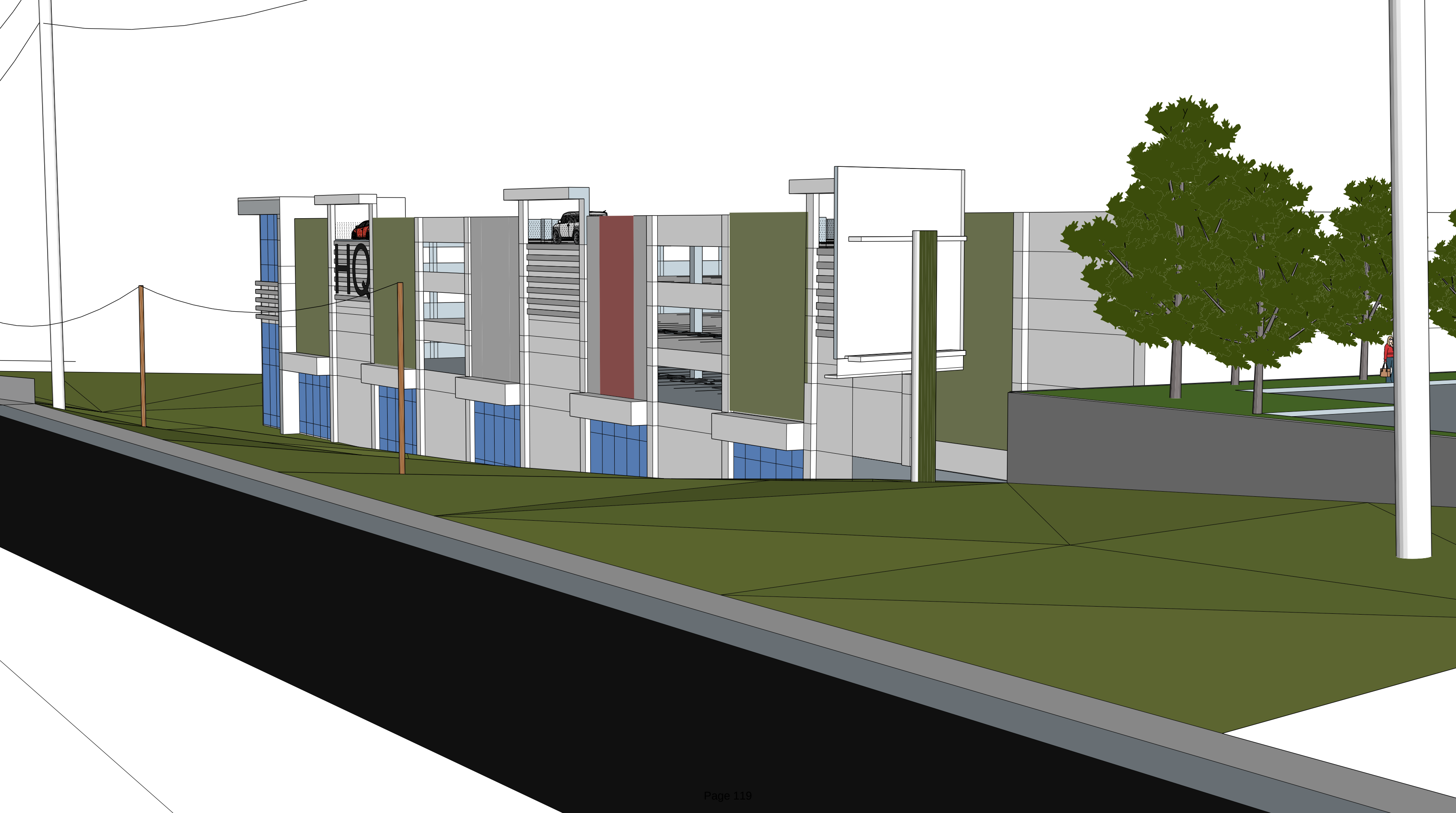
City Limits

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-  Master Planned Development
-  Medium Density Residential
-  Office
-  Parks
-  Public Fac/Institutional
-  Residential/Office











CITY OF CLERMONT
COMPREHENSIVE PLAN AMENDMENT
Application Instructions

APPLICATION FEE:

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

APPLICATION PROCESS:

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

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

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

AMENDMENT TIME FRAME:

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



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

Application Information Required

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

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

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



CITY OF CLERMONT
COMPREHENSIVE PLAN AMENDMENT
Application

DATE: _____

FEE: _____

Project Name (if applicable): Headquarter Honda

Applicant: Headquarter Orlando Real Estate LLC

Contact Person: _____

Address: 5895 NW 167th ST

City: Hialeah State: FL Zip: 33015

Phone: _____ Fax: _____

E-Mail: _____

OWNER: Gary A. Bodzin, Trustee UTD 7/29/2009

Address: 18205 Biscayne Blvd, Ste 2201

City: Aventura State: FL Zip: 33160

Phone: _____ Fax: _____

E-Mail: _____

General Location: Lake Blvd & SR 50, Clermont, FL

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

Property size (in acres or square feet): 3.12 AC

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

Existing (Actual) Land Use: Vacant Commercial

Existing Zoning: CP-Commercial Planned - County

Existing Future Land Use: Urban Low - County

Proposed Future Land Use: Commercial

Type of development proposed: Additional car display area and stormwater as
assemblage with developed property to the west owned by the applicant.



Proposed density (dwelling units/acre) or intensity: 0.25 FAR

Proposed Zoning District: C-2 General Commercial

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).

This application is being submitted concurrently with an annexation petition and a rezoning application. The applicant owns the adjacent property to the west and it is improved with a Headquarter Honda dealership. The subject property is being purchased for an assemblage with the existing development to allow for additional vehicle display area and stormwater. The subject property however is within the jurisdiction of Lake County and the adjacent , existing development lies within the City of Clermont. This Comp. Plan Amendment follows the concurrently filed annexation petition to assign a City of Clermont FLU designation to the property.

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



STATE OF FLORIDA
COUNTY OF LAKE:

Before me, the undersigned authority personally appeared

Bryan Potts, who being

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

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

Bryan Potts
Affiant - Applicant Name (print)

X Bryan Potts
Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

or personally known by me this 25th day of May, 2021.



X Charlotte Michelle Ferguson
Notary Public, State of Florida at Large

My Commission Expires: 7/12/25



OWNER'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE:

Before me, the undersigned authority personally appeared

Gary A. Bodzin, as Trustee UTD 7/29/09, who being

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

1. That he (she) is the fee-simple owner of the property legally described on the attachment of this application.
2. That he (she) desires a Future Land Use Amendment from Urban Low - (County) to Commercial - (City) for the property legally described on the attachment of this application.
3. That the owner of said property has appointed Bryan Potts, P.E. 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.

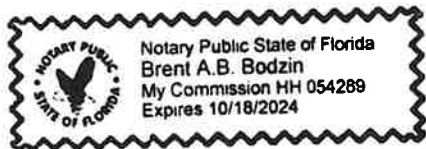
Gary A. Bodzin, as Trustee UTD 7/29/09 X

Affiant - Applicant Name (print)

[Signature]
Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

or personally known by me this 20th day of May, 2021.



X

[Signature]
Notary Public, State of Florida at Large

My Commission Expires: _____

CITY OF CLERMONT

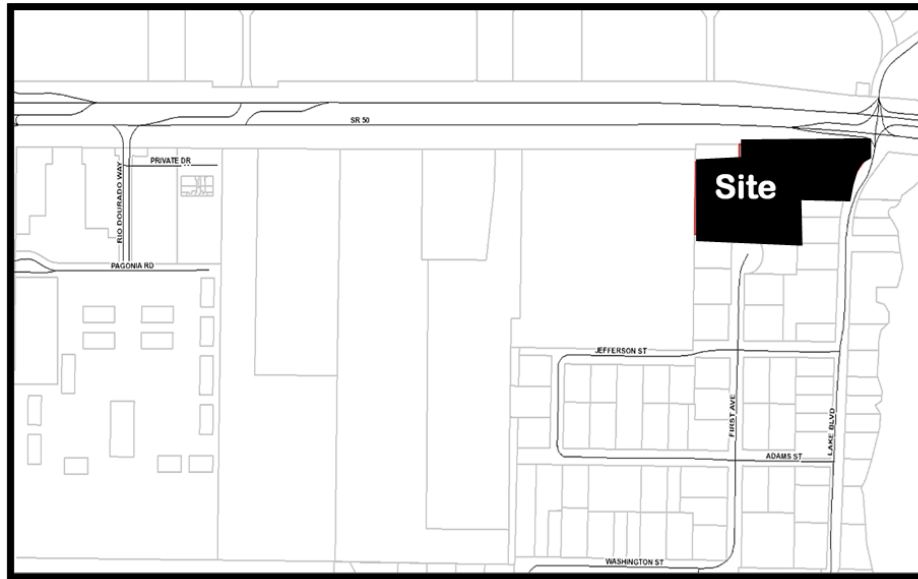
NOTICE OF PROPOSED LAND USE CHANGE

Small Scale Comprehensive Plan Amendment

ORDINANCE NO. 2021-018

The Clermont Planning and Zoning Commission will hold a public meeting on Tuesday, July 6, 2021 at 6:30 p. m., and a public meeting will be held before the Clermont City Council on Tuesday, July 27, 2021 at 6:30 p.m. for the (final reading of the adoption ordinance) to consider a proposed change to the City's Future Land Use Map. The map amendment would change the Future Land Use designation for the 3.12 +/- acre parcel below from Lake County Urban Low to Clermont Commercial Land Use Designation. (Parcel Alternate Key #3306686).

b



Location:

Vacant parcel located on State Road 50,
and the corner of Lake Boulevard
Alternate Key 3306686
3.12+/- Acres

Ordinance 2021-018

An ordinance 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 large-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 for conflict, severability, administrative correction of scriveners error, publication and effective date.

The public hearings are held in the Council Chambers of City Hall, located at 685 W. Montrose Street, and are open to public comment. The proposed amendment may be inspected at the City's Development Services Department (1st floor, City Hall) between 8 a.m. and 5 p.m. Monday-Friday.

Please be advised that under state law, any person deciding to appeal a decision made at the public hearings will need a record of the proceedings and may need to ensure a verbatim record is made. Persons with disabilities who need assistance should contact the City Clerk's office, (352) 241-7331, at least 48 hours prior to the public meetings.

Tracy Ackroyd Howe, MMC
City Clerk

Daily Commercial

June 22, 2021 and July 13, 2021.



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 2

Meeting Date	
Tuesday, August 10, 2021	
Agenda Item Name	
Ordinance No. 2021-019 <i>Final</i> <i>Headquarter Honda Garage</i>	
Requested Action	
Recommend approval of Ordinance No. 2021-019.	
Staff Report	
The applicant is requesting an annexation, small-scale comprehensive plan amendment, rezoning, and a Conditional Use Permit (CUP) for the 3.12 acre+/- vacant parcel located on State Road 50 and the southwest corner of Lake Boulevard. The requested Conditional Use Permit (CUP) will allow for the construction of a four-story garage structure to be used in conjunction with the existing Headquarter Honda Dealership. The conceptual site plan prepared by Tannath Design Group Inc, shows the layout of the proposed structure and parking for the site. With the annexation petition to the City; a request was also included to change the future land use from Lake County Urban Low Density to Clermont Commercial designation. The proposed rezoning from Lake County "C-P" Commercial Planned to Clermont "C-2" General Commercial is being requested. In addition, a Conditional Use Permit (CUP) is needed to allow for any automotive sales and services, such as the inventory garage, located in the "C-2" General Commercial zoning district, as required by the Land Development Code, Section 122-224. The subject property is contiguous to Clermont Boundaries and meet the requirements of Florida Statutes, Chapter 171 for Annexation. The project will connect to City water and sewer services, if applicable, which has adequate capacity to service the development. The applicant indicates the proposed development will allow the existing Honda dealership the ability to use the garage structure for the expansion of vehicle inventory, storage and display of new and used vehicles at this location. The project will be required to provide cross access from the existing Honda dealership, which shall be used as the primary access point for the public and any customers that utilize the garage structure. The secondary access point on Lake Boulevard will be gated for the use of Emergency Vehicles only. The proposed development will be required to comply with Clermont Land Development Regulations and Architectural Design Standards to allow for construction of the garage structure. The applicant has not requested any variances to the code for construction of the garage. The adjacent parcel located to the west is within Clermont boundaries and zoned C-2 General Commercial, the Honda Dealership use, and the parcel located to the south and southeast of subject property is located in Lake County, with an Urban Low zoning category. <u>STAFF RECOMMENDATION:</u> Staff has reviewed the application and proposed project in regards to compliance with the Clermont Codes of Ordinances and Comprehensive Plan. The proposed use is consistent with the goals, objectives and policies of the comprehensive plan and intent of the land development regulations for commercial zoning. Staff recommends approval of Ordinance No. 2021-017 annexation and Ordinance No. 2021-018, changing the future land use to Clermont Commercial and approval of Ordinance No. 2021-019, rezoning the subject parcel to C-2 General Commercial zoning category. Staff also recommends approval of the Conditional Use Permit (CUP), with the provisions and conditions contained in Resolution No. 2021-037R, to allow a garage structure to be used ancillary to an existing automobile dealership located in the "C-2" General Commercial zoning district. <i>The Planning and Zoning Commission at their meeting voted 6-1 to recommend approval of Ordinance No.</i>	

2021-019.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Staff Analysis Report	Staff Analysis Report.pdf	
2. Ord 2021-019 - Headquarter Honda Rezoning (07.28.2021 V3) RF BL	Ord 2021-019 - Headquarter Honda Rezoning (07.28.2021 V3) RF BL.pdf	
3. Location Map	Location Map.pdf	
4. New Conceptual Plan-7-13-21	New Conceptual Plan-7-13-21.pdf	
5. 2021-19 Before Zoning	2021-19 Before Zoning.pdf	
6. 2021-19 After Zoning	2021-19 After Zoning.pdf	
7. HondaDeck-Roadview1	HondaDeck-Roadview1.pdf	
8. HondaDeck-Roadview2	HondaDeck-Roadview2.pdf	
9. HondaDeck-Roadview3	HondaDeck-Roadview3.pdf	
10. Signed Rezoning App	Signed Rezoning App.pdf	
11. Headquarter Honda REZONING AD	Headquarter Honda REZONING AD.docx	



CITY OF CLERMONT Staff Analysis Report

OWNER: Gary A. Bodzin, Trustee UTD

APPLICANT: Headquarter Honda Orlando Real Estate, LLC

PROJECT NAME: Headquarter Honda Garage

REQUESTED ACTION: A request for annexation, small-scale comprehensive plan amendment, rezoning and Conditional Use Permit (CUP) to allow for construction of a vehicle storage/display garage structure to be used ancillary to the existing Headquarter Honda dealership.

SIZE OF PARCEL: 3.12 acres +/- Alternate Key 3306686

LOCATION: Vacant parcel located on State Road 50 and the southwest corner of Lake Boulevard.

EXISTING ZONING: **FROM:** Lake County "CP" Commercial Planned
TO: Clermont "C-2" General Commercial

EXISTING LAND USE: Vacant property

FUTURE LAND USE CATEGORY: **FROM:** Lake County Urban Low
TO: Clermont Commercial

SITE UTILITIES: City of Clermont Water and Sewer

ANALYSIS:

The applicant is requesting an annexation, small-scale comprehensive plan amendment, rezoning, and a Conditional Use Permit (CUP) for the 3.12 acre +/- vacant parcel located on State Road 50 and the southwest corner of Lake Boulevard. The requested Conditional Use Permit (CUP) will allow for the construction of a four-story garage structure to be used in conjunction with the existing Headquarter Honda Dealership. The conceptual site plan prepared by Tannath Design Group Inc, shows the layout of the proposed structure and parking for the site.

The annexation petition to the City; also included a request to change the future land use from Lake County Urban Low Density to Clermont Commercial designation. The proposed rezoning from Lake County "C-P" Commercial Planned to Clermont "C-2" General Commercial, which requires a Conditional Use Permit (CUP) to allow for any automotive sales, services, garages, dealerships, carwash, boats, trucks, auto paint and body shops located in the "C-2" General Commercial zoning district, as required by the

Land Development Code, Section 122-224. The subject property is contiguous to Clermont Boundaries and meet the requirements of Florida Statutes, Chapter 171 for Annexation.

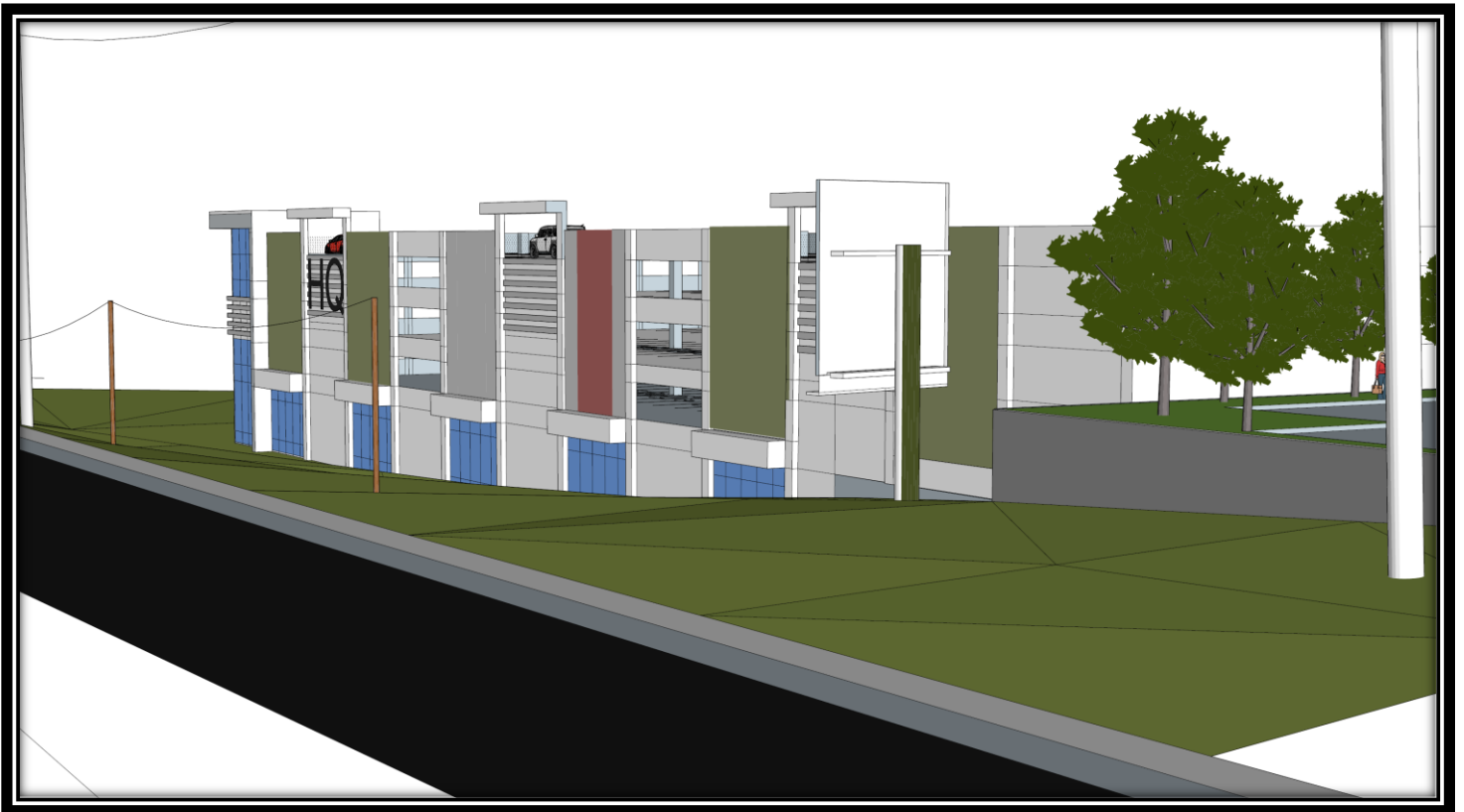
The applicant indicates the proposed development will allow the existing Honda dealership the ability to use the garage structure for the expansion of vehicle inventory, storage and display of new and used vehicles at this location. The project will be required to provide cross access from the existing Honda dealership, which shall be used as the primary access point for the public and any customers that utilize the garage structure. The secondary emergency access point on Lake Boulevard will have a private and gated access point, to restrict and limit public use and to minimize any traffic impacts on Lake Boulevard.

The proposed development will be required to comply with Clermont Land Development Regulations and Architectural Design Standards to allow for construction of the garage structure. The applicant has not requested any variances to the code for construction of the garage. The adjacent parcel located to the west is within Clermont boundaries and zoned C-2 General Commercial, as the Honda Headquarter Dealership, and the parcel located to the south and east of subject property is located in Lake County, with Urban Low zoning designation.

STAFF RECOMMENDATION:

Staff has reviewed the application and proposed project in regards to compliance with the Clermont Codes of Ordinances and Comprehensive Plan. The proposed use is consistent with the goals, objectives and policies of the comprehensive plan and intent of the land development regulations for commercial zoning.

Staff recommends approval of Ordinance No. 2021-017 annexation and Ordinance No. 2021-018, changing the future land use to Clermont Commercial and approval of Ordinance No. 2021-019, rezoning the subject parcel to C-2 General Commercial zoning category. Staff also recommends approval of the Conditional Use Permit (CUP), with the provisions and conditions contained in Resolution No. 2021-037R, to allow a garage structure to be used ancillary to an existing automobile dealership located in the "C-2" General Commercial zoning district.





CITY OF CLERMONT
ORDINANCE NO. 2021-019

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, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND AN EFFECTIVE DATE.

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

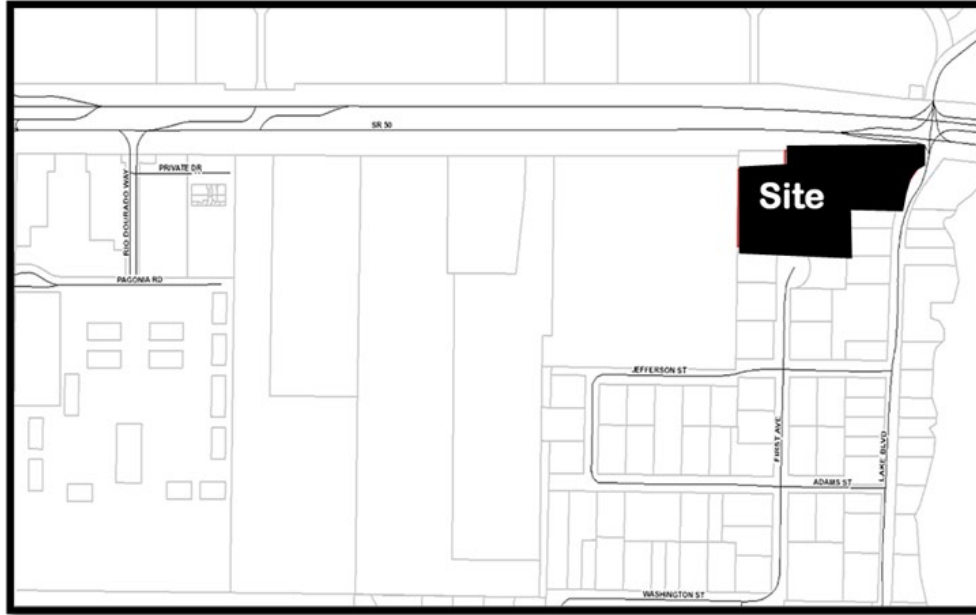
Lots 2, 3, 4 and 5, Block “H”, according to the Plat of EDGEWATER BEACH, a Subdivision in Section 25, Township 22 South, Range 26 East, Lake County, Florida, recorded in Plat Book 8, Page 84, Public Records of Lake County, Florida.

Lots 1 through 20, inclusive, and Lot 23, Block “A”, according to the Plat of EDGEWATER BEACH, a Subdivision in Section 25, Township 22 South, Range 26 East, Lake County, Florida, recorded in Plat Book 8, Page 84, Public Records of Lake County, Florida.

That part of First Avenue according to said EDGEWATER BEACH SUBDIVISION lying South of the Southerly Right of Way line of State Road 50; lying North of the Westerly extension of the South line of Lot 17, Block “A”, lying West of Block “A”, and lying East of Block “A”, less and except the Westerly 1/2 lying North of the Easterly extension of the South line of Lot 1, Block “H”; and an unnamed alley according to said EDGEWATER BEACH SUBDIVISION lying North of Lots 17 through 20, inclusive, Block :A:; lying South of Lots 9 through 16, inclusive, Block “A”; and an unnamed alley according to said EDGEWATER BEACH SUBDIVISION lying South of Lots 1 through 7, Block “A”, North of Lot 23, Block “A”, lying Westerly of the Westerly right of way line of Lake Blvd. #3-1370, and the extension thereof, less and except any portion of the vacated street known as Madison Street.

LOCATION:

Vacant parcel located on State Road 50 and the
Corner of Lake Boulevard
Alternate Key 3306686
3.12 +/- acres



REZONING OF PROPERTY:

**FROM: LAKE COUNTY “CP” COMMERCIAL PLANNED
TO: CLERMONT “C-2” GENERAL COMMERCIAL DISTRICT**

SECTION 3: SEVERABILITY

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

SECTION 4: ADMINISTRATIVE CORRECTION

This 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 5: PUBLICATION AND EFFECTIVE DATE

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



CITY OF CLERMONT
ORDINANCE NO. 2021-019

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 10th day of August, 2021.

CITY OF CLERMONT

Tim Murry, Mayor

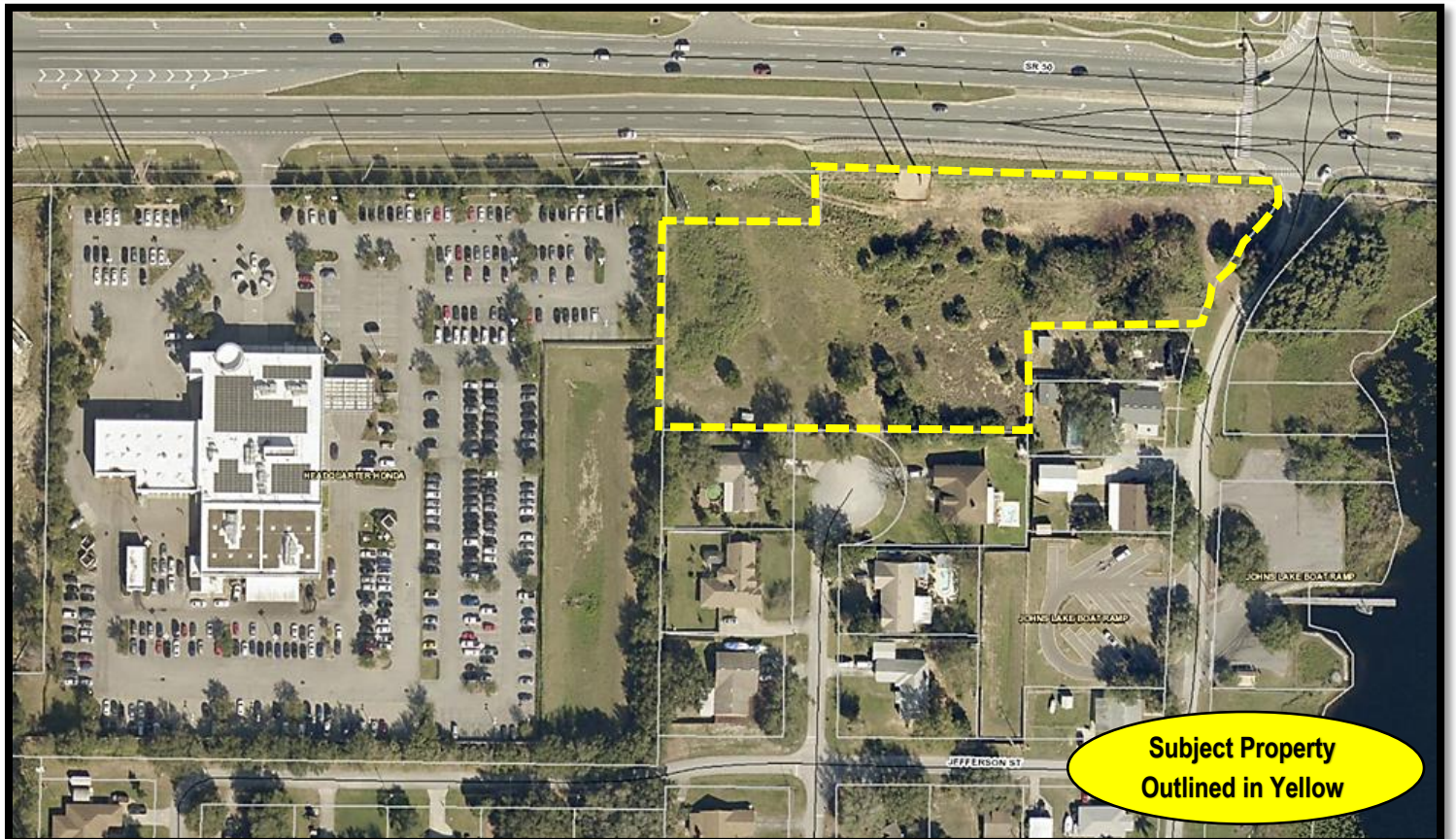
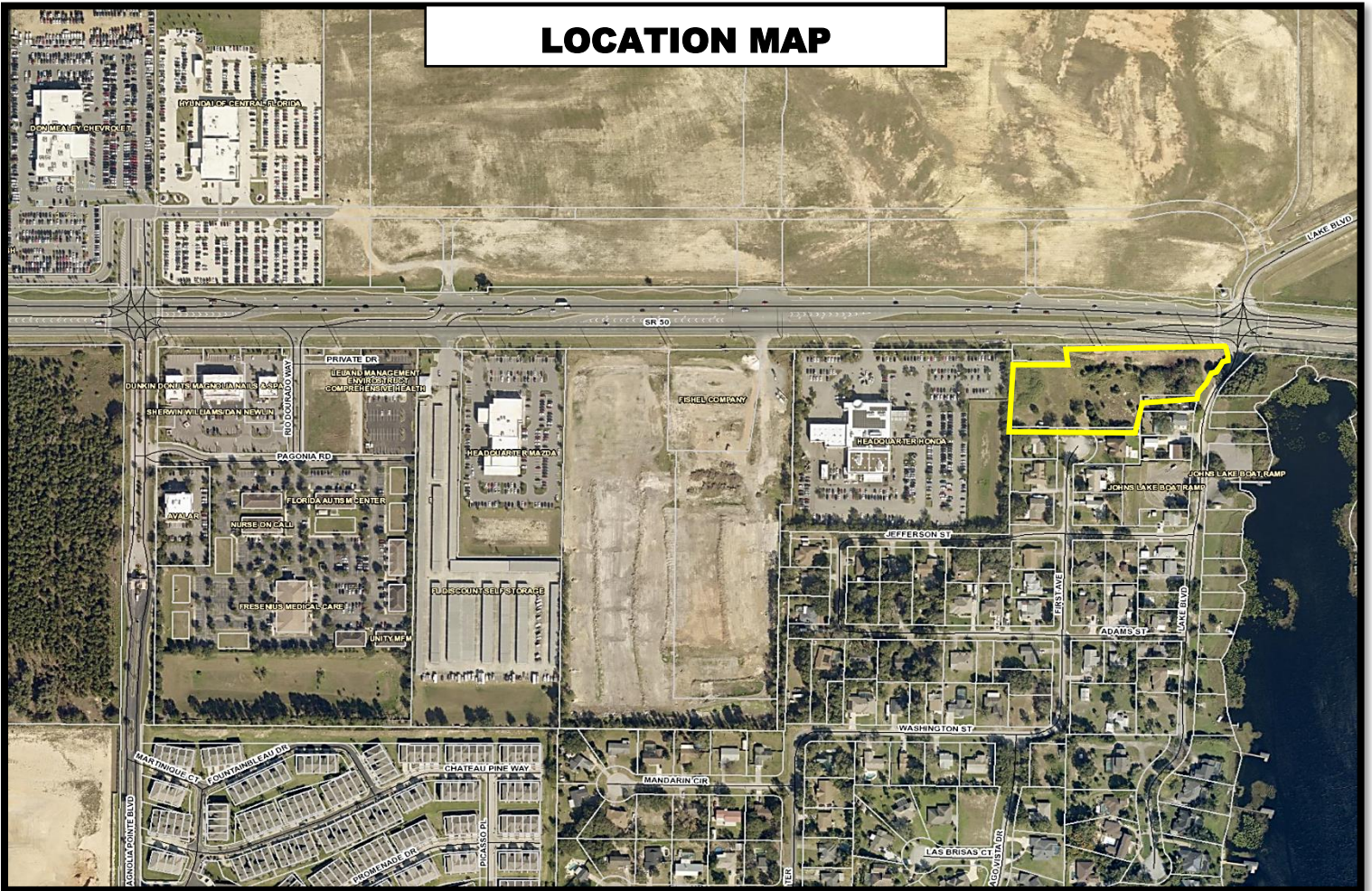
ATTEST:

Tracy Ackroyd Howe, MMC
City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

LOCATION MAP



SITE DATA:

PROPERTY LOCATION:

PARCEL ID:

ALTERNATIVE KEY:

CURRENT LOCAL MUNICIPALITY:

PROPOSED LOCAL MUNICIPALITY:

EXISTING FUTURE LAND USE:

PROPOSED FUTURE LAND USE:

CURRENT ZONING:

PROPOSED ZONING"

CURRENT USE:

PROPOSED USE:

TOTAL OVERALL PARCEL AREA:

SR 50 & LAKE BLVD

25-22-26-0001-000-02600

3306686

LAKE COUNTY

CITY OF CLERMONT

URBAN LOW

COMMERCIAL

COMMERCIAL PLANNED (CP)

GENERAL COMMERCIAL (C-2)

VACANT COMMERCIAL LAND

CAR DEALERSHIP

3.12 AC

CITY SETBACKS:

50' ALONG SR50

25' REAR

12' SIDE

BUFFERS:

20' ALONG SR 50

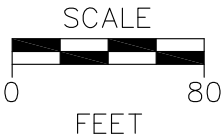
15' ALONG LAKE BLVD

10' SIDE

BUILDING MAX HEIGHT: 55'

MIN. INTERIOR LANDSCAPE ISLAND AREA: 300SF

SR 50



FLU: COMMERCIAL
ZONING: C-2
USE: CAR DEALERSHIP
(CITY OF CLERMONT)

FLU: URBAN LOW
ZONING: C-1
USE: BILLBOARD SIGN
(LAKE COUNTY)

4-STORY
PARKING GARAGE

SWALE

PARKING AREA

STORMWATER POND

FLU: URBAN LOW
ZONING: A
USE: RESIDENTIAL
(LAKE COUNTY)

FLU: URBAN LOW
ZONING: A
USE: RESIDENTIAL
(LAKE COUNTY)

FLU: URBAN LOW
ZONING: A
USE: RESIDENTIAL
(LAKE COUNTY)

FLU: URBAN LOW
ZONING: A
USE: RESIDENTIAL
(LAKE COUNTY)

FLU: URBAN LOW
ZONING: A
USE: RESIDENTIAL
(LAKE COUNTY)

FIRST AVE

LAKE BLVD

OWNER:

GARY A. BODZIN, TRUSTEE
18205 BISCAYNE BLVD, STE 2201
AVENTURA, FL 33160

APPLICANT:

HEADQUARTER ORLANDO REAL ESTATE LLC
5895 NW 167TH ST
HIALEAH, FL 33015

PROPOSED DEVELOPMENT:

THE DEVELOPMENT WILL BE AN EXPANSION OF THE ADJACENT HEADQUARTER HONDA FACILITIES TO PROVIDE ADDITIONAL CAR DISPLAY AREA ALONG WITH THE NECESSARY STORMWATER MANAGEMENT FOR THE PROPOSED AREA.

THE PROPERTY IS CURRENTLY IN UNINCORPORATED LAKE COUNTY AND IS BEING ANNEXED INTO THE CITY OF CLERMONT. THE DESIRED ZONING IS C-2 GENERAL COMMERCIAL TO MATCH THE EXISTING ZONING OF THE CONTIGUOUS PROPERTY OWNED BY HEADQUARTER HONDA.

SCALE: 1"=80'

PROJECT: 060-003

DATE: 05/07/21

DRAWN BY: SCP

Plot Plan
Headquarter Honda
SR 50 & Lake Blvd
Clermont, Florida

Tannath Design, Inc.
2494 Rose Springs Drive
Orlando, Florida 32825
407-982-9878
www.tannathdesign.com



EXHIBIT

2

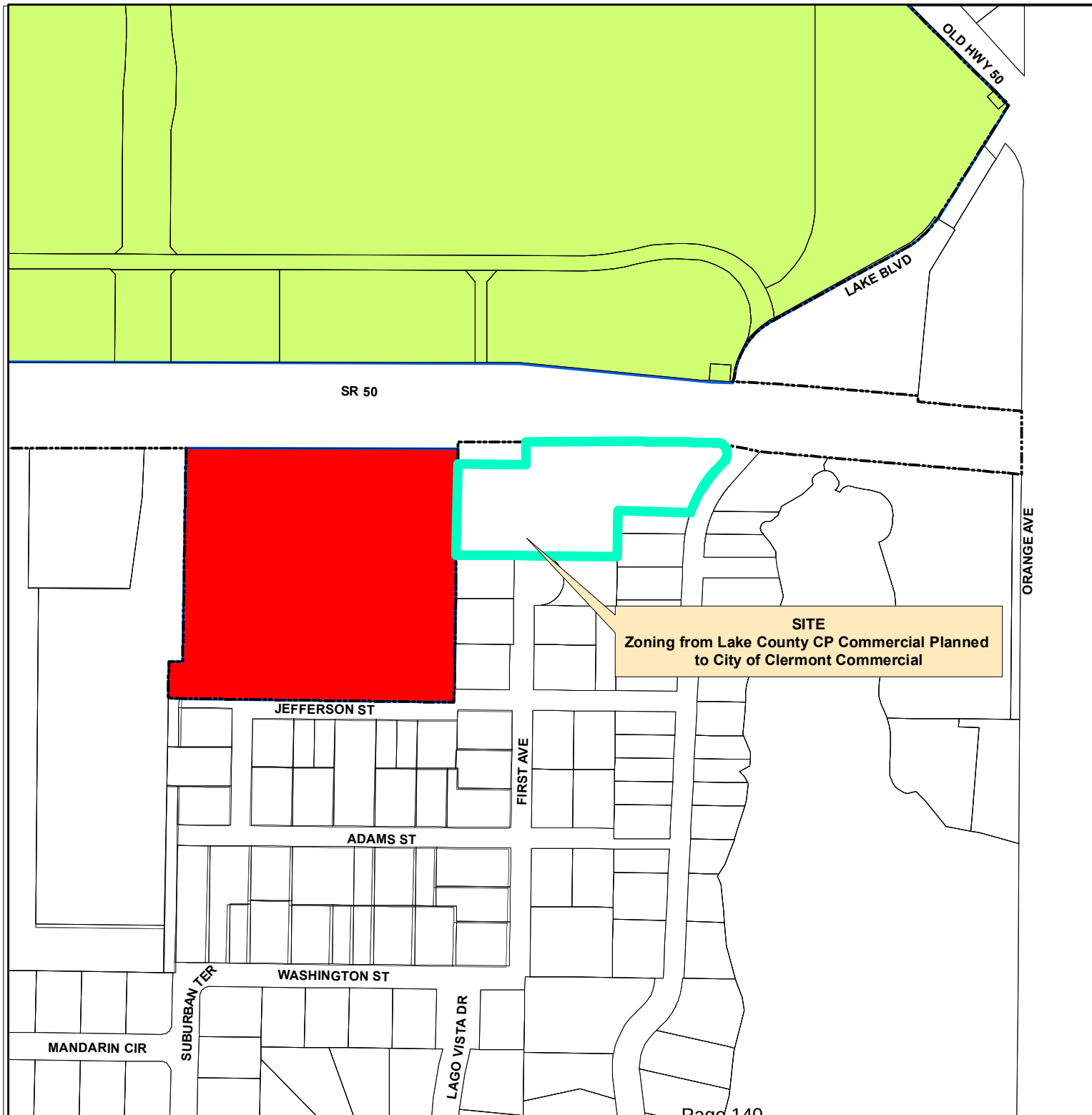


Zoning
2021 - 019

Before

Legend

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



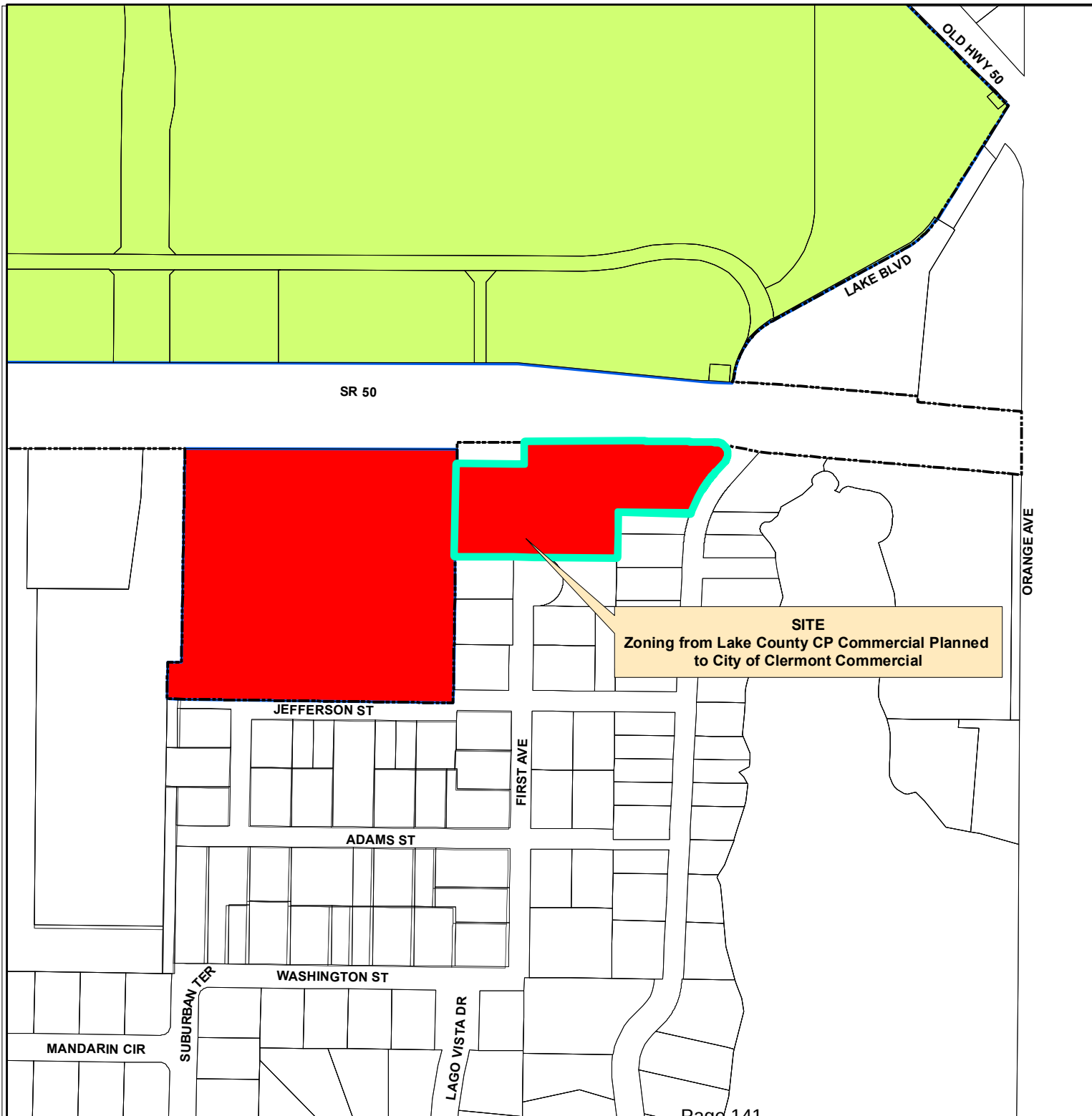


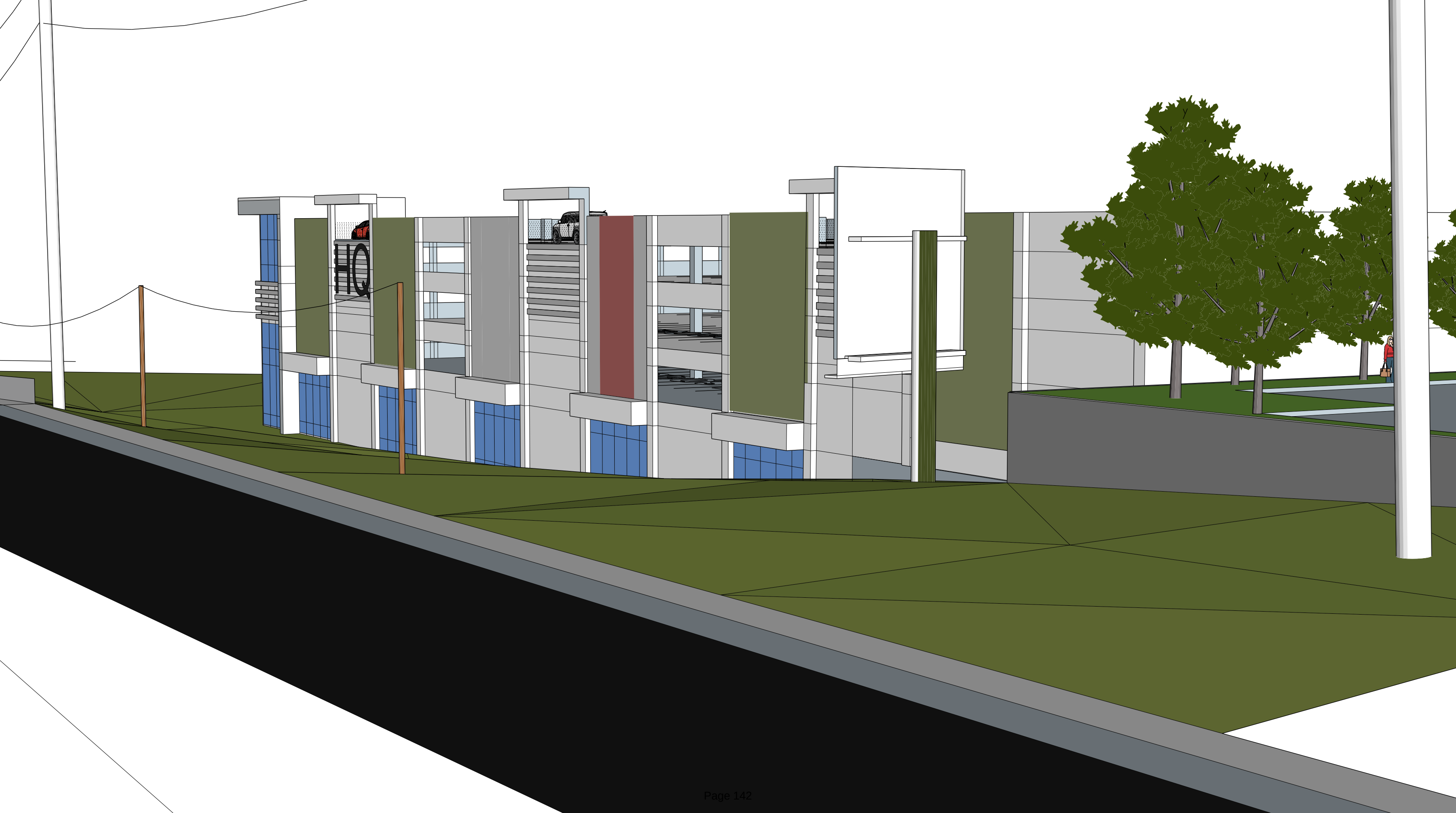
Zoning
2021 - 019

After

Legend

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











CITY OF CLERMONT REZONING FILING INSTRUCTIONS

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

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

The Applicant shall provide the following information with this application in a PDF format on a CD or electronically via email to planning@clermontfl.org:

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



CITY OF CLERMONT REZONING APPLICATION

DATE		FEE: \$542.00 + cost of advertisement + cost of traffic review, if necessary	
Project Name (if applicable) Headquarter Honda			
Applicant Headquarter Orlando Real Estate LLC			
Contact Person			
Address 5895 NW 167th ST		City Hialeah	State FL Zip 33015
Telephone		Fax	
Email			
OWNER INFORMATION			
Owner's Name Gary A. Bodzin, Trustee UTD 7/29/2009			
Owner Address 18205 Biscayne Blvd, Ste 2201		City Aventura	State FL Zip 33160
Telephone		Email	
PROPERTY INFORMATION			
Address of Subject Property Lake Blvd & SR 50		City Clermont	State FL Zip
Legal Description (include copy of survey) See attached copy of Deed			
Acreage 3.12		Land Use (City verification required) Commercial	
Present Zoning (City verification required) CP-Commerical Planned (County)		Proposed Zoning C-2 General Commercial	



CITY OF CLERMONT
REZONING
APPLICATION

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

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

Check box to indicate additional materials are provided via attachment. ☒

Bryan Potts
Applicant Name (print)

x Bryan Potts
Applicant Name (signature)

Gary A. Bodzin, as Trustee UTD 7/29/09
Owner Name (print)

x [Signature]
Owner Name (signature)

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

5/22/2020

Before me, the undersigned authority personally appeared

GARY A. BODZIN, TRUSTEE UTD 7-29-09 _____, who being

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

1. That he ^{/ as trustee of said trust} (she) is the fee-simple owner of the property legally described on the attachment of this application.
2. That he (she) desires Rezoning from CP-Commercial Planned (County) to C-2 General Commercial (City) 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 APPICANT'S AFFIDAVIT of this application if no agent is appointed to act in his (her) stead.

Gary A. Bodzin, as Trustee UTD 7-29-09 X _____

Affiant - Applicant Name (print)

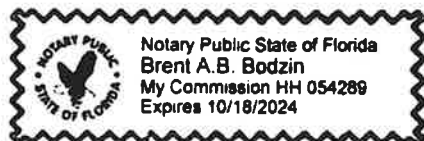
Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

or personally known by me this 20th day of May, 20 21.

X

Notary Public, State of Florida at Large



My Commission Expires: _____

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. 2021-019

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, administrative correction of scrivener's error, publication and effective date.

LOCATION:

Vacant parcel located on State Road 50
and the corner of Lake Boulevard
Alternate Key 3306686
3.12 +/- Acres

LEGAL DESCRIPTION

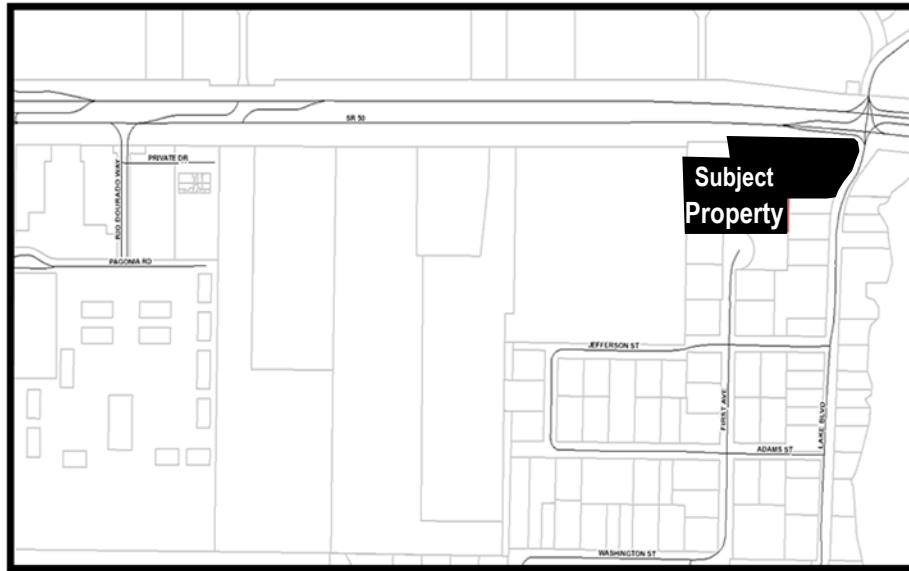
Lots 2, 3, 4 and 5, Block "H", according to the Plat of EDGEWATER BEACH, a Subdivision in Section 25, Township 22 South, Range 26 East, Lake County, Florida, recorded in Plat Book 8, Page 84, Public Records of Lake County, Florida.

Lots 1 through 20, inclusive, and Lot 23, Block "A", according to the Plat of EDGEWATER BEACH, a Subdivision in Section 25, Township 22 South, Range 26 East, Lake County, Florida, recorded in Plat Book 8, Page 84, Public Records of Lake County, Florida.

That part of First Avenue according to said EDGEWATER BEACH SUBDIVISION lying South of the Southerly Right of Way line of State Road 50; lying North of the Westerly extension of the South line of Lot 17, Block "A", lying West of Block "A", and lying East of Block "A", less and except the Westerly 1/2 lying North of the Easterly extension of the South line of Lot 1, Block "H"; and an unnamed alley according to said EDGEWATER BEACH SUBDIVISION lying North of Lots 17 through 20, inclusive, Block "A"; lying South of Lots 9 through 16, inclusive, Block "A"; and an unnamed alley according to said EDGEWATER BEACH SUBDIVISION lying South of Lots 1 through 7, Block "A", North of Lot 23, Block "A", lying Westerly of the Westerly right of way line of Lake Blvd. #3-1370, and the extension thereof, less and except any portion of the vacated street known as Madison Street.

From: Lake County "CP" Commercial Planned
To: City of Clermont "C-2" General Commercial

LOCATION MAP



The Planning & Zoning Commission will consider the request on Tuesday, July 6, 2021 at 6:30 p.m. and a public meeting to consider the request will be held before the Clermont City Council on Tuesday, July 27, 2021 at 6:30 p.m. for final enactment.

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

Please be advised that, under State law, if you should decide to appeal a decision made with respect to this matter, you may need to ensure that a verbatim record is made. Persons with disabilities who need assistance should contact the City Clerk's office, (352) 241-7330, at least 48 hours prior to the public hearings.

Daily Commercial
June 22, 2021 and July 13, 2021

Tracy Ackroyd Howe, MMC
City Clerk



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 2

Meeting Date	
Tuesday, August 10, 2021	
Agenda Item Name	
Resolution No. 2021-037R <i>Headquarter Honda Garage</i>	
Requested Action	
Recommend approval of Resolution No. 2021-037R.	
Staff Report	
The applicant is requesting an annexation, small-scale comprehensive plan amendment, rezoning, and a Conditional Use Permit (CUP) for the 3.12 acre+/- vacant parcel located on State Road 50 and the southwest corner of Lake Boulevard. The requested Conditional Use Permit (CUP) will allow for the construction of a four-story garage structure to be used in conjunction with the existing Headquarter Honda Dealership. The conceptual site plan prepared by Tannath Design Group Inc, shows the layout of the proposed structure and parking for the site. With the annexation petition to the City; a request was also included to change the future land use from Lake County Urban Low Density to Clermont Commercial designation. The proposed rezoning from Lake County "C-P" Commercial Planned to Clermont "C-2" General Commercial is being requested. In addition, a Conditional Use Permit (CUP) is needed to allow for any automotive sales and services, such as the inventory garage, located in the "C-2" General Commercial zoning district, as required by the Land Development Code, Section 122-224. The subject property is contiguous to Clermont Boundaries and meet the requirements of Florida Statutes, Chapter 171 for Annexation. The project will connect to City water and sewer services, if applicable, which has adequate capacity to service the development. The applicant indicates the proposed development will allow the existing Honda dealership the ability to use the garage structure for the expansion of vehicle inventory, storage and display of new and used vehicles at this location. The project will be required to provide cross access from the existing Honda dealership, which shall be used as the primary access point for the public and any customers that utilize the garage structure. The secondary access point on Lake Boulevard will be gated and used for Emergency Vehicles only. The proposed development will be required to comply with Clermont Land Development Regulations and Architectural Design Standards to allow for construction of the garage structure. The applicant has not requested any variances to the code for construction of the garage. The adjacent parcel located to the west is within Clermont boundaries and zoned C-2 General Commercial, the Honda Dealership use, and the parcel located to the south and southeast of subject property is located in Lake County, with an Urban Low zoning category. <u>STAFF RECOMMENDATION:</u> Staff has reviewed the application and proposed project in regards to compliance with the Clermont Codes of Ordinances and Comprehensive Plan. The proposed use is consistent with the goals, objectives and policies of the comprehensive plan and intent of the land development regulations for commercial zoning. Staff recommends approval of Ordinance No. 2021-017 annexation and Ordinance No. 2021-018, changing the future land use to Clermont Commercial and approval of Ordinance No. 2021-019, rezoning the subject parcel to C-2 General Commercial zoning category. Staff also recommends approval of the Conditional Use Permit (CUP), with the provisions and conditions contained in Resolution No. 2021-037R, to allow a garage structure to be used ancillary to an existing automobile dealership located in the "C-2" General Commercial zoning district. <i>The Planning and Zoning Commission at their meeting voted 6-1 to recommend approval of Resolution No.</i>	

2021-037R.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1.	Staff Analysis Report	Staff Analysis Report.pdf
2.	2021-037R - Headquarter Honda CUP (07.28.2021 V9) - RF BL	2021-037R - Headquarter Honda CUP (07.28.2021 V9) - RF BL.pdf
3.	Location Map	Location Map.pdf
4.	New Conceptual Plan-7-13-21	New Conceptual Plan-7-13-21.pdf
5.	Conditional Use Justification6-25-21	Conditional Use Justification6-25-21.pdf
6.	HondaDeck-Roadview1	HondaDeck-Roadview1.pdf
7.	HondaDeck-Roadview2	HondaDeck-Roadview2.pdf
8.	HondaDeck-Roadview3	HondaDeck-Roadview3.pdf
9.	Signed CUP App	Signed CUP App.pdf
10.	Headquarter Honda Vehicle Garage CUP- Legal Ad	Headquarter Honda Vehicle Garage CUP- Legal Ad.docx



CITY OF CLERMONT Staff Analysis Report

OWNER: Gary A. Bodzin, Trustee UTD

APPLICANT: Headquarter Honda Orlando Real Estate, LLC

PROJECT NAME: Headquarter Honda Garage

REQUESTED ACTION: A request for annexation, small-scale comprehensive plan amendment, rezoning and Conditional Use Permit (CUP) to allow for construction of a vehicle storage/display garage structure to be used ancillary to the existing Headquarter Honda dealership.

SIZE OF PARCEL: 3.12 acres +/- Alternate Key 3306686

LOCATION: Vacant parcel located on State Road 50 and the southwest corner of Lake Boulevard.

EXISTING ZONING: **FROM:** Lake County "CP" Commercial Planned
TO: Clermont "C-2" General Commercial

EXISTING LAND USE: Vacant property

FUTURE LAND USE CATEGORY: **FROM:** Lake County Urban Low
TO: Clermont Commercial

SITE UTILITIES: City of Clermont Water and Sewer

ANALYSIS:

The applicant is requesting an annexation, small-scale comprehensive plan amendment, rezoning, and a Conditional Use Permit (CUP) for the 3.12 acre +/- vacant parcel located on State Road 50 and the southwest corner of Lake Boulevard. The requested Conditional Use Permit (CUP) will allow for the construction of a four-story garage structure to be used in conjunction with the existing Headquarter Honda Dealership. The conceptual site plan prepared by Tannath Design Group Inc, shows the layout of the proposed structure and parking for the site.

The annexation petition to the City; also included a request to change the future land use from Lake County Urban Low Density to Clermont Commercial designation. The proposed rezoning from Lake County "C-P" Commercial Planned to Clermont "C-2" General Commercial, which requires a Conditional Use Permit (CUP) to allow for any automotive sales, services, garages, dealerships, carwash, boats, trucks, auto paint and body shops located in the "C-2" General Commercial zoning district, as required by the

Land Development Code, Section 122-224. The subject property is contiguous to Clermont Boundaries and meet the requirements of Florida Statutes, Chapter 171 for Annexation.

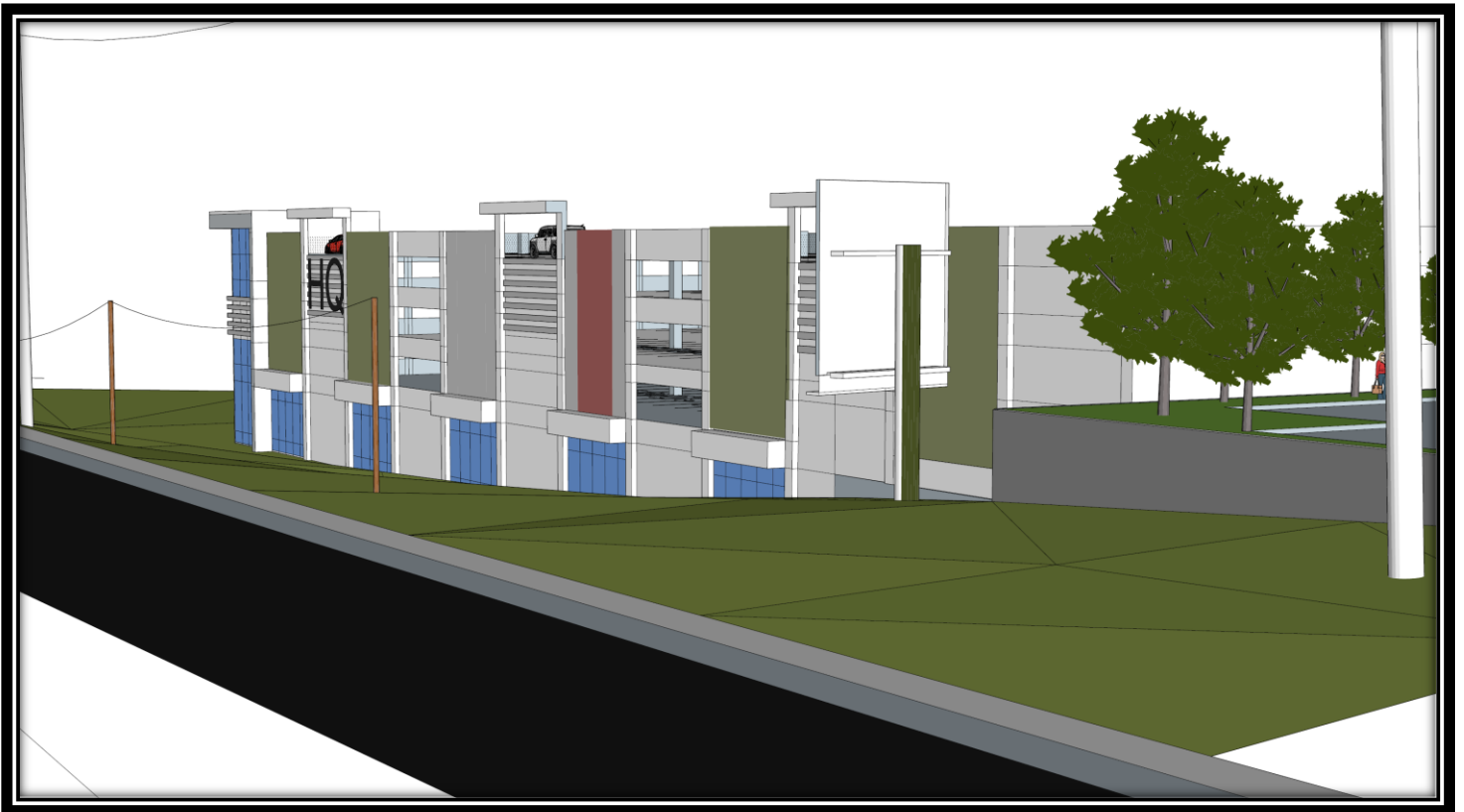
The applicant indicates the proposed development will allow the existing Honda dealership the ability to use the garage structure for the expansion of vehicle inventory, storage and display of new and used vehicles at this location. The project will be required to provide cross access from the existing Honda dealership, which shall be used as the primary access point for the public and any customers that utilize the garage structure. The secondary emergency access point on Lake Boulevard will have a private and gated access point, to restrict and limit public use and to minimize any traffic impacts on Lake Boulevard.

The proposed development will be required to comply with Clermont Land Development Regulations and Architectural Design Standards to allow for construction of the garage structure. The applicant has not requested any variances to the code for construction of the garage. The adjacent parcel located to the west is within Clermont boundaries and zoned C-2 General Commercial, as the Honda Headquarter Dealership, and the parcel located to the south and east of subject property is located in Lake County, with Urban Low zoning designation.

STAFF RECOMMENDATION:

Staff has reviewed the application and proposed project in regards to compliance with the Clermont Codes of Ordinances and Comprehensive Plan. The proposed use is consistent with the goals, objectives and policies of the comprehensive plan and intent of the land development regulations for commercial zoning.

Staff recommends approval of Ordinance No. 2021-017 annexation and Ordinance No. 2021-018, changing the future land use to Clermont Commercial and approval of Ordinance No. 2021-019, rezoning the subject parcel to C-2 General Commercial zoning category. Staff also recommends approval of the Conditional Use Permit (CUP), with the provisions and conditions contained in Resolution No. 2021-037R, to allow a garage structure to be used ancillary to an existing automobile dealership located in the "C-2" General Commercial zoning district.





CITY OF CLERMONT
RESOLUTION NO. 2021-037R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR A VEHICLE STORAGE AND INVENTORY GARAGE STRUCTURE IN THE C-2 GENERAL COMMERCIAL ZONING DISTRICT; PROVIDING FOR CONFLICT, SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held July 6, 2021 recommended approval of this Conditional Use Permit to allow for an automotive dealership inventory and storage garage, at the following location:

LOCATION:

Vacant property located on State Road 50 and the
Southwest corner of Lake Boulevard
(Alternate Key #3306686)
3.12 Acres +/-

WHEREAS, from the evidence presented at the public hearing and after consideration of the factors set forth in Sec. 86-144 (d) of the Land Development Code, the city council finds, that: (1) granting the conditional use permit will not adversely affect the officially adopted comprehensive plan of the city; (2) Such use will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity; (3) The proposed use will comply with the regulations and conditions specified in the codes for such use; and (4) The proposed use may be considered desirable at the particular location

WHEREAS, the City Council determines that the application for a conditional use permit meets the criteria set forth in the Land Development Code and otherwise it is in the interest of the general welfare of the City of Clermont, Lake County, Florida to grant this Conditional Use Permit.

WHEREAS, the property owner requested annexation, small scale comprehensive plan amendment, and rezoning with the City of Clermont concurrently with this Conditional Use Permit (CUP) to allow for a vehicle inventory garage structure in the C-2 General Commercial zoning district; and

WHEREAS, 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 based on the findings stated above and incorporated herein:

1. This application for a Conditional Use Permit to allow for a vehicle inventory and storage garage structure in the C-2 General Commercial zoning district shall be granted subject to the following conditions:



CITY OF CLERMONT
RESOLUTION NO. 2021-037R

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. The Conditional Use Permit must be executed and processed through the Office of the Clermont City Clerk within 90 days of the date of approval by the City Council or the permit shall become null and void.
4. 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.
5. The Fire Marshal shall inspect all building and structures to ensure all life safety requirements and fire safety codes are in compliance to the code prior to the issuance of any Certificate of Occupancy.
6. The City Building Inspector shall inspect all structures and buildings for compliance with the Florida Building Codes and all code violations must be corrected prior to the issuance of the Certificate of Occupancy.
7. Prior to the issuance of any permits, the applicant shall be required to submit Formal Site Plans for review and approval by the Clermont Site Review Committee. The site plans shall show location of all proposed buildings, structures, picnic areas, and outdoor recreation areas as indicated in the Conditional Use Permit application. The site plans shall meet all submittal requirements and comply with the conditions of this Resolution, applicable City Codes, Regulations, Ordinances, and provide compliance with the adopted City Comprehensive Plan, as amended.
8. No expansion of the use or additions to the facility shall be permitted except as approved by another Conditional Use Permit.
9. 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 after a public hearing.
10. This permit shall become null and void if substantial construction work has not begun



CITY OF CLERMONT
RESOLUTION NO. 2021-037R

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.

SECTION 2: LAND USES AND SPECIFIC CONDITIONS

1. This Conditional Use Permit will allow for the construction of a four-story vehicle storage and display garage structure that will be used in conjunction and ancillary to the operation of the existing Headquarter Honda Automobile Dealership.
2. The site may also be used for any other permitted uses in the C-2 General Commercial zoning district.
3. The property shall be developed in substantial accordance with the Conceptual Site Plan (Exhibit A) prepared by Tannath Design Inc, submitted with the CUP application. All new development and/or changes to the subject property must submit for site plan approval by the Site Review Committee prior to the issuance of a zoning clearance or other development permits. The conceptual site plans submitted with the Conditional Use Permit application are not the approved and final construction plans. The conceptual site plan does not grant any development entitlements or uses and is only used for conceptual purposes.
4. The site shall be developed in accordance to the Clermont Land Development Regulations and the provision of the C-2 General Commercial zoning district in the Codes of Ordinances. All landscape buffers and required screening must be in accordance to the codes. All buildings and structures must comply with Clermont Architectural Design Standards.
5. The site shall provide a cross access driveway from the existing Headquarter Honda Dealership, which shall be used as the primary point of access for the public and any customers that may utilize the garage structure.
6. The secondary access point off Lake Boulevard shall be private and gated for the use of Emergency Vehicles only. Lake County Public Works must approve any required driveway permits for Lake Boulevard.
7. Sidewalks are required adjacent to any streets-right-of way for the entire length of the subject property; any required sidewalk installation shall be coordinated with the appropriate City, County or State Agency prior to construction.
8. No outside speaker systems shall be permitted.
9. Site lighting shall be installed and operated to reflect downward onto the site and shall not spill over onto the adjacent properties.



CITY OF CLERMONT
RESOLUTION NO. 2021-037R

10. The garage structure shall be gated and secured from the General Public. All fencing shall be ornamental metal or decorative PVC/Vinyl. Any fences and walls shall provide aesthetically pleasing design features adjacent to residential development and public streets.
11. Any signage must comply with Clermont Sign Code, Section 102-Signs.
12. The project shall be required to provide an enhanced landscape buffer that is consistent with the existing buffer for the Headquarter Honda Dealership. The landscape buffer shall also provide a 6-foot solid masonry wall with enhanced plant materials to create an opaque screening at the time of planting for the property boundaries that abuts any single-family development and properties with residential zoning.
13. Any inventory vehicles parked or stored on the fourth (4th) level of the garage structure must be completely screened and enclosed from public view. The garage structure shall be designed in a manner that provides façade treatments and building elements to screen the inventory vehicles from adjacent properties and any public streets.
14. The clearing of any land shall require conformance to the requirements of the Endangered Species Protection Act.

SECTION 3: CONFLICT

All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 4: SEVERABILITY

If any portion of this Resolution is declared invalid, the invalidated portion shall be severed from the remainder of the Resolution, and the remainder of the Resolution 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 Resolution as a whole.

SECTION 5: ADMINISTRATIVE CORRECTION

This Resolution may be re-numbered or re-lettered, and/or corrected for typographical and/or scrivener's errors which do not affect the intent of said resolution, as authorized by the City Manager or designee, without need of public hearing, by filing a corrected copy of same with the City Clerk.

SECTION 6: PUBLICATION AND EFFECTIVE DATE

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



CITY OF CLERMONT
RESOLUTION NO. 2021-037R

DONE AND RESOLVED by the Mayor of the City Council of the City of Clermont, Lake County, Florida, this 10th day of August, 2021.

CITY OF CLERMONT

Tim Murry, Mayor

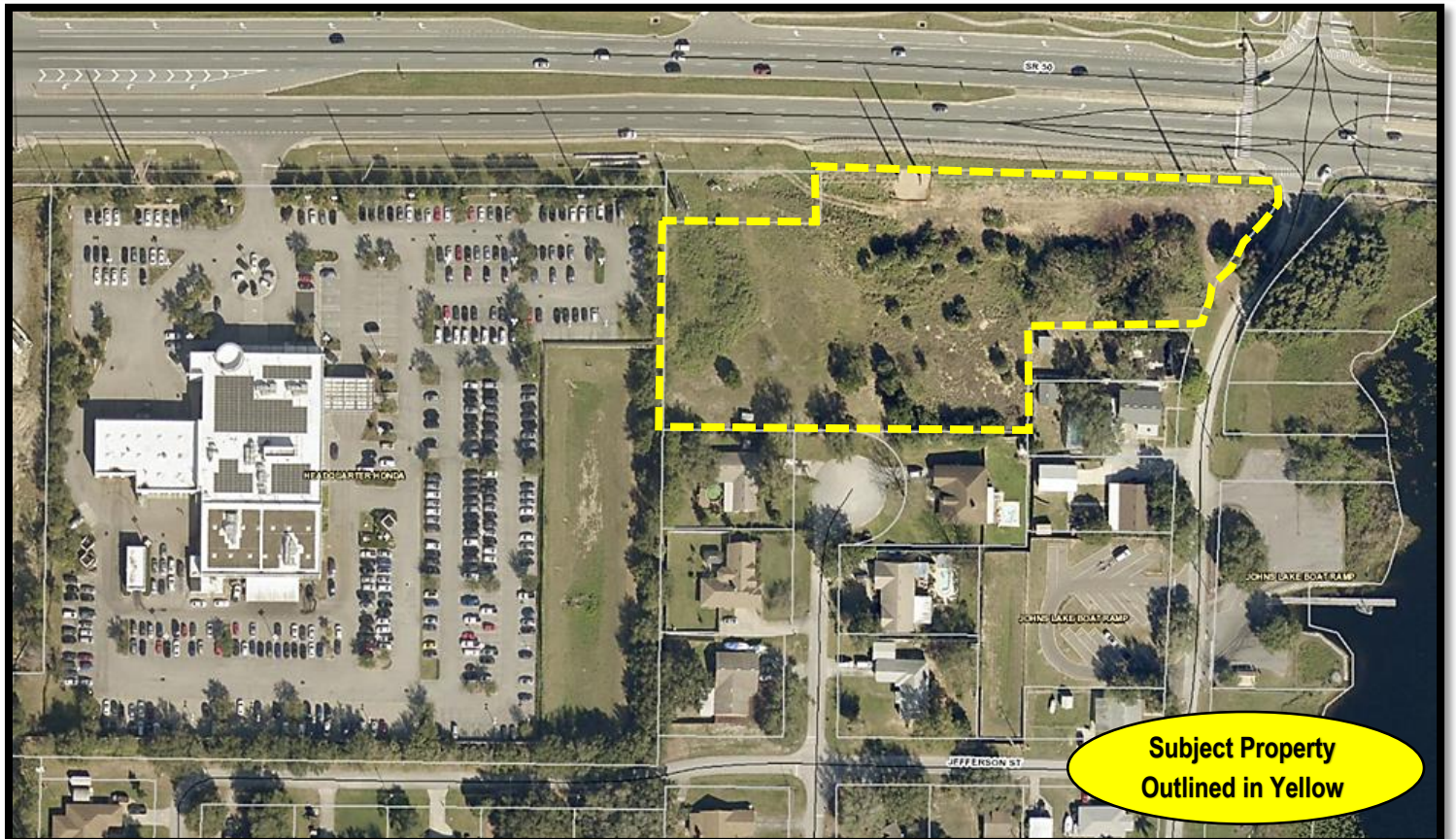
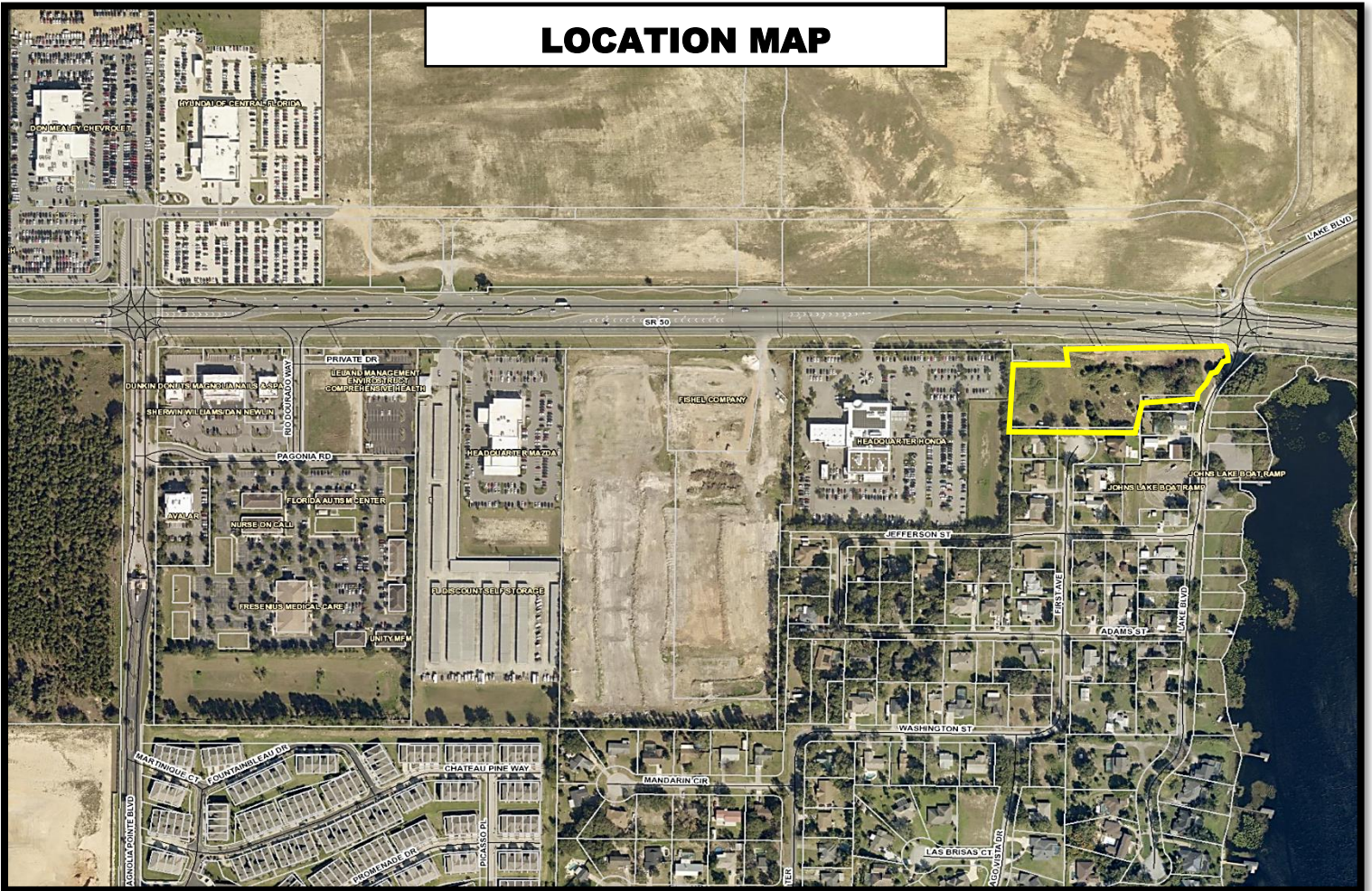
ATTEST:

Tracy Ackroyd Howe, MMC
City Clerk

Approved as to Form and Legality:

Daniel F. Mantzaris, City Attorney

LOCATION MAP



SITE DATA:

PROPERTY LOCATION:

PARCEL ID:

ALTERNATIVE KEY:

CURRENT LOCAL MUNICIPALITY:

PROPOSED LOCAL MUNICIPALITY:

EXISTING FUTURE LAND USE:

PROPOSED FUTURE LAND USE:

CURRENT ZONING:

PROPOSED ZONING"

CURRENT USE:

PROPOSED USE:

TOTAL OVERALL PARCEL AREA:

SR 50 & LAKE BLVD

25-22-26-0001-000-02600

3306686

LAKE COUNTY

CITY OF CLERMONT

URBAN LOW

COMMERCIAL

COMMERCIAL PLANNED (CP)

GENERAL COMMERCIAL (C-2)

VACANT COMMERCIAL LAND

CAR DEALERSHIP

3.12 AC

CITY SETBACKS:

50' ALONG SR50

25' REAR

12' SIDE

BUFFERS:

20' ALONG SR 50

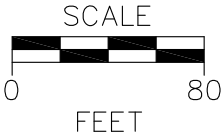
15' ALONG LAKE BLVD

10' SIDE

BUILDING MAX HEIGHT: 55'

MIN. INTERIOR LANDSCAPE ISLAND AREA: 300SF

SR 50



FLU: COMMERCIAL
ZONING: C-2
USE: CAR DEALERSHIP
(CITY OF CLERMONT)

FLU: URBAN LOW
ZONING: C-1
USE: BILLBOARD SIGN
(LAKE COUNTY)

4-STORY
PARKING GARAGE

SWALE

PARKING AREA

STORMWATER POND

FLU: URBAN LOW
ZONING: A
USE: RESIDENTIAL
(LAKE COUNTY)

FLU: URBAN LOW
ZONING: A
USE: RESIDENTIAL
(LAKE COUNTY)

FLU: URBAN LOW
ZONING: A
USE: RESIDENTIAL
(LAKE COUNTY)

FLU: URBAN LOW
ZONING: A
USE: RESIDENTIAL
(LAKE COUNTY)

FLU: URBAN LOW
ZONING: A
USE: RESIDENTIAL
(LAKE COUNTY)

FIRST AVE

LAKE BLVD

OWNER:

GARY A. BODZIN, TRUSTEE
18205 BISCAYNE BLVD, STE 2201
AVENTURA, FL 33160

APPLICANT:

HEADQUARTER ORLANDO REAL ESTATE LLC
5895 NW 167TH ST
HIALEAH, FL 33015

PROPOSED DEVELOPMENT:

THE DEVELOPMENT WILL BE AN EXPANSION OF THE ADJACENT HEADQUARTER HONDA FACILITIES TO PROVIDE ADDITIONAL CAR DISPLAY AREA ALONG WITH THE NECESSARY STORMWATER MANAGEMENT FOR THE PROPOSED AREA.

THE PROPERTY IS CURRENTLY IN UNINCORPORATED LAKE COUNTY AND IS BEING ANNEXED INTO THE CITY OF CLERMONT. THE DESIRED ZONING IS C-2 GENERAL COMMERCIAL TO MATCH THE EXISTING ZONING OF THE CONTIGUOUS PROPERTY OWNED BY HEADQUARTER HONDA.

SCALE: 1"=80'

PROJECT: 060-003

DATE: 05/07/21

DRAWN BY: SCP

Plot Plan
Headquarter Honda
SR 50 & Lake Blvd
Clermont, Florida

Tannath Design, Inc.
2494 Rose Springs Drive
Orlando, Florida 32825
407-982-9878
www.tannathdesign.com



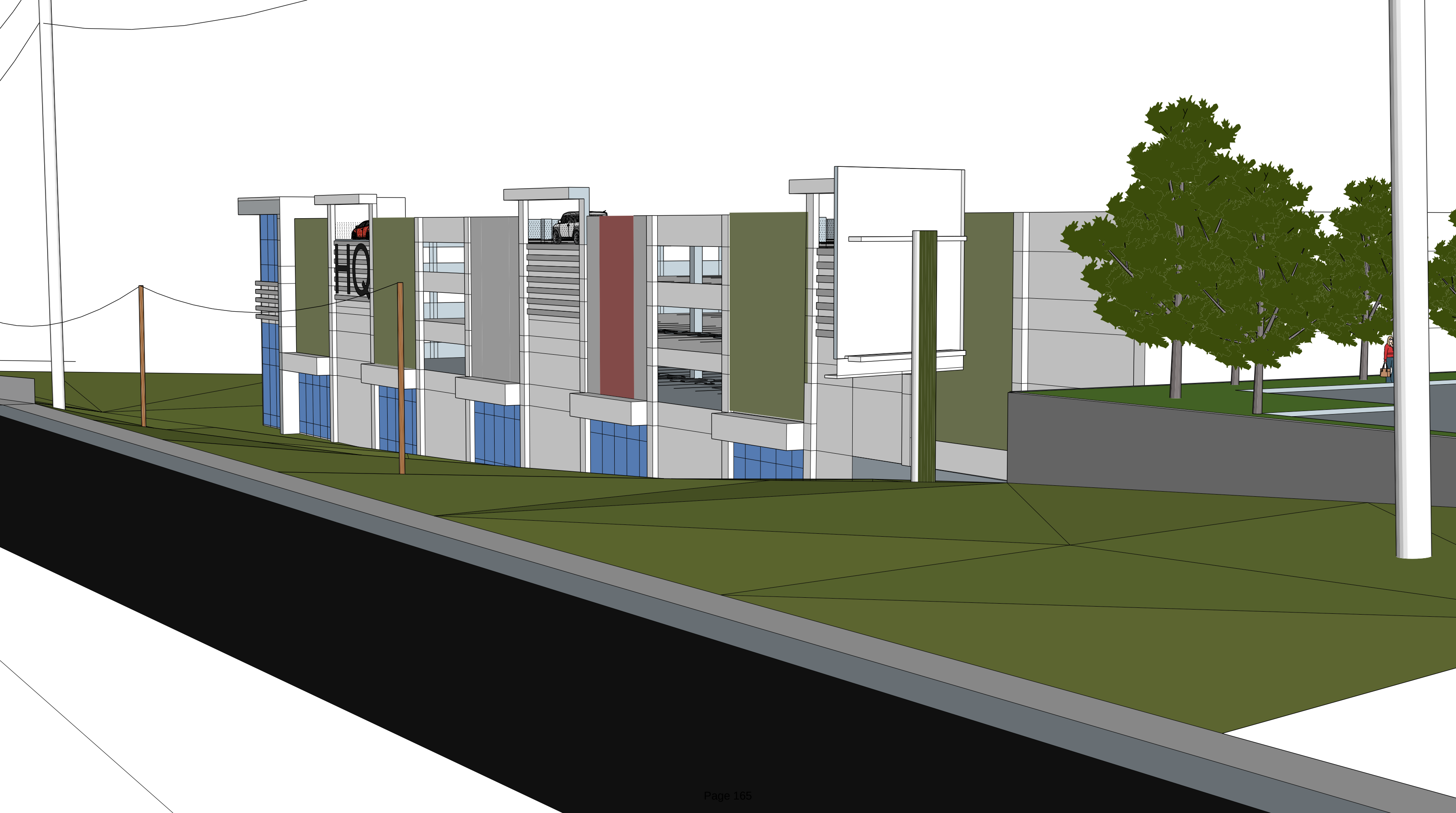
EXHIBIT

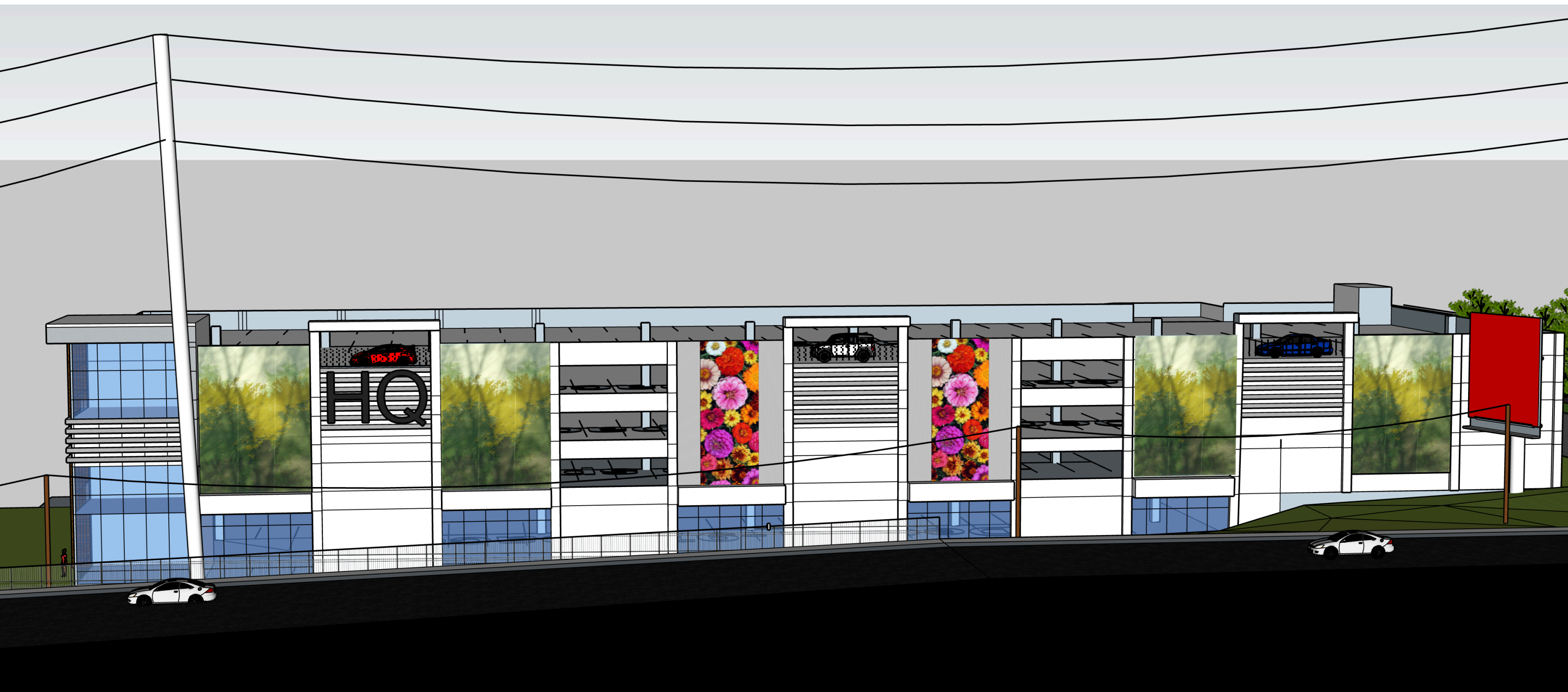
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Applicant Justification Statement:

This CUP application is being submitted concurrently with an annexation petition, comprehensive plan amendment to apply a City FLU designation; and a rezoning to apply a City zoning to property currently within the jurisdiction of Lake County. The rezoning application seeks to assign the City zoning category of C-2 to the subject property which is consistent with the proposed FLU designation of Commercial. The Applicant owns the adjacent property to the west and it is improved with a Headquarter Honda dealership. The subject property is being purchased for an assemblage with the existing development for the proposed uses of additional vehicle display and associated stormwater management. Pursuant to Section 122.224 automobile sales are allowed as a conditional use in C-2 Zoning.

The Headquarter Honda dealership currently operating on the adjacent property to the west is in need of additional vehicle display areas and employee parking. Proposed for the subject property is a 4 level plus a roof deck parking garage and a surface parking lot on the east side of the subject property. These parking facilities will provide 456 parking spaces. The total height of the parking garage structure is proposed at 50' from the lowest grade elevation on the subject property to the corner rooftop. The subject property is marked by a significant grade change from the SR50 right-of-way to the south. The change in grade from SR50 to the building is 15' so the actual structure view from the ROW will only be approximately 35'. A stormwater management facility located on the south side of the subject property separates the parking structure from the existing residential development to the south. Primary access to the subject property will be from SR50 through the adjacent development. Access to the subject property from Lake Boulevard will be used only by Headquarter Honda employees and will be limited to ingress only.









CITY OF CLERMONT CONDITIONAL USE PERMIT FILING INSTRUCTIONS

1. Prior to submitting an application, a meeting with the Development Services Director or appointed designee, is required. Call 352-394-4083 to schedule a meeting.
2. After meeting with the Development Services Director or appointed designee, the applicant shall prepare and submit one set of preliminary site plans and one PDF on CD for review by the Site Review Committee (SRC) (if required). The material can also be emailed to planning@clermontfl.org. The preliminary site plan shall clearly depict the proposed project, showing the location and dimension of the site, topographic features including floodplains and wetlands, all existing and proposed structures, architectural elevations (all sides), signs, driveways, parking areas and landscaping, etc.
3. After the preliminary site plans are reviewed by the Site Review Committee (SRC), a list of review comments will be forwarded to the applicant. The applicant will then revise the preliminary site plan, addressing the comments from the SRC. The revised plans must be approved by the SRC prior to submitting the Conditional Use Permit (CUP) application.
4. Upon preliminary site plan approval, the applicant will submit a complete CUP application, including the revised preliminary site plan. The revised preliminary site plan is for purposes of the conditional use permit only, **and is not an approved site plan for construction.**
5. Complete CUP applications that are submitted to and accepted by the Development Services Director on or before the 1st of the month will be tentatively scheduled for public hearing the following month, pending City Manager approval. Public hearings are scheduled for the 1st and 4th Tuesdays of the following month for the Planning and Zoning Commission and the City Council respectively.
6. Your presence at the Public Hearings is strongly recommended. Staff will present the application, but it is the applicant's responsibility to make a case for their request.

**The site plan submitted with the CUP application is not the final site plan approved for construction. After the CUP is approved by the Council, site plans and the site review application shall be submitted to the Site Review Committee for review and approval, pursuant to Chapter 86 of the City of Clermont's Land Development Regulations. Construction can commence only after the final site plans have been approved and a zoning clearance has been issued.*



CITY OF CLERMONT **CONDITIONAL USE PERMIT FILING INSTRUCTIONS**

In addition to the attached application, the applicant shall provide the following information:

1. Proof of ownership, i.e. tax receipt, deed, or Lake County Property record card.
2. A complete legal description and survey of the subject property provided in a word document to be used for the legal advertising and in the CUP. It may be included on the CD as a word document or emailed to planning@clermontfl.org
3. A preliminary site plan clearly depicting the proposed project, showing the location and dimensions of the site, topographic features including floodplains and wetlands, all existing and proposed structures, architectural elevations (all sides), signs, driveways, parking areas and landscaping, etc. Maximum size for plans is 11" x 17" (if provided electronically, applicant does not need to provide paper copies)
4. One PDF copy of the Site Plan on disk, as directed by City staff. This will depend if the project borders a Lake County right-of-way.
5. Plans for the provision of services and infrastructure, and if required, traffic studies, Transportation Proportionate Fair Share information, or School Concurrency information.
6. Landscape plans in conformance with Chapter 118 of the Code. (see #3 above)
7. Original signature application

APPLICATION FEE: \$845.00 plus the cost of advertisement, plus the cost of traffic review fee*, if necessary.

*If the conditional use impacts traffic, a third party review through the City's traffic consultant will be necessary. The cost of review will be the responsibility of the applicant.



CITY OF CLERMONT

CONDITIONAL USE PERMIT

APPLICATION

Date		FEE: \$845 + cost of advertisement + cost of traffic review (if necessary)	
Project Name (if applicable) Headquarter Honda			
Applicant Headquarter Orlando Real Estate LLC			
Contact Person			
Address 5895 NW 167th ST		City Hialeah	State FL Zip 33015
Telephone		Fax	
Email			
OWNER INFORMATION ☐ (Check box if owner information is same as applicant)			
Owner's Name Gary A. Bodzin, Trustee UTD 7/29/2009			
Owner Address 18205 Biscayne Blvd, Ste 2201		City Aventura	State FL Zip 33160
Telephone		Fax	
PROPERTY INFORMATION			
Address of Subject Property		City Clermont	State FL Zip
General Location Lake Blvd & SR 50			
Legal Description & Alternate Key (include copy of survey) Alternate Key-3306686 See attached copy of Deed for Legal Description			
Land Use (City verification required) Commercial			
Zoning (City verification required) C-2 General Commercial			



CITY OF CLERMONT
**CONDITIONAL USE PERMIT
APPLICATION**

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

See Justification

Bryan Potts

Applicant Name (print)

x Bryan Potts
Applicant Name (signature)

Gary A. Bodzin, as Trustee UTD 7/29/09

Owner Name (print)

x [Signature]
Owner Name (signature)

*****NOTICE*****

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

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

5/26/2020

LEGAL NOTICE

Notice is hereby given that the Clermont City Council will consider a request for a Conditional Use Permit (CUP) to allow a Vehicle Storage and Inventory Garage in the C-2 General Commercial zoning district, bfor the existing Headquarter Honda Auto Dealership at the following location:

LOCATION:

Vacant parcel located on State Road 50
and the corner of Lake Boulevard
(Alternate Key 3306686)
3.12+/- Acres

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

The Clermont Planning & Zoning Commission will consider this request at a public meeting on Tuesday, July 6, 2021 at 6:30pm; and

The Clermont City Council will consider this request at a public meeting on Tuesday, July 27, 2021 at 6:30pm.

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

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

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

Tracy Ackroyd Howe, MMC
City Clerk

Daily Commercial
June 28, 2021 and July 20, 2021



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, August 10, 2021		
Agenda Item Name		
Ordinance No. 2021-026 <i>Final</i> <i>Golf Carts</i>		
Requested Action		
Recommend approval of Ordinance 2021-026		
Staff Report		
Staff has held meetings with community stakeholders who have requested golf carts be permitted in downtown as a tool to provide relief to downtown parking concerns. This ordinance creates a permitted zone within the downtown area. Golf carts must provide proof of insurance and be inspected annually by the Clermont Police Department where they will receive an inspection sticker that must be displayed on the golf cart at all times. Golf carts can only be driven by an individual with a valid driver's license, are required to have safety equipment and a maximum attainable speed of 20 miles per hour. The ordinance is similar to other jurisdictions who have implemented specific golf cart zones successfully.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Ord 2021-026 - Golf Cart Ordinance	Ord 2021-026 - Golf Cart Ordinance.pdf	



CITY OF CLERMONT
ORDINANCE NO. 2021-026

1 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF**
2 **CLERMONT, FLORIDA, AMENDING CHAPTER 62 “TRAFFIC AND**
3 **VEHICLES” CREATING ARTICLE IV, “GOLF CARTS” SECTIONS 62-**
4 **45 THROUGH 62-55 OF THE CITY CODES OF THE CITY OF**
5 **CLERMONT AUTHORIZING THE USE OF GOLF CARTS UPON**
6 **DESIGNATED STREETS; PROVIDING THAT STATE AND COUNTY**
7 **ROADS ARE NOT AUTHORIZED; PROVIDING FOR A REVOCABLE**
8 **LICENSE; PROVIDING FOR WAIVER OF CLAIMS; PROVIDING FOR**
9 **PARKING REGULATIONS; PROVIDING THAT A DRIVER’S LICENSE**
10 **IS REQUIRED; PROVIDING FOR REGISTRATION; PROVIDING FOR**
11 **REQUIRED EQUIPMENT; DESIGNATING A GOLF CART BOUNDARY**
12 **AREA AUTHORIZING USE ON CERTAIN STREETS; PROVIDING FOR**
13 **NUMBER OF OCCUPANTS, SPEED AND REQUIRED INSURANCE;**
14 **PROVIDING FOR ENFORCEMENT; PROVIDING FOR CONFLICT,**
15 **SEVERABILITY, CODIFICATION, ADMINISTRATIVE CORRECTION**
16 **OF SCRIVENERS ERROR, PUBLICATION AND AN EFFECTIVE DATE.**

17
18 **WHEREAS,** the City Council has the authority to authorize the operation of golf carts and
19 regulate such operation within its jurisdictional boundaries pursuant to Article VIII, § 2(b) of the
20 Florida Constitution and §§ 166.221; 316.212, Florida Statutes;

21
22 **WHEREAS,** citizens of the city have expressed an interest in allowing golf carts to be
23 driven upon streets located within the city;

24
25 **WHEREAS,** the operation of golf carts upon public roads is ordinarily prohibited unless
26 otherwise authorized by the city pursuant to § 316.212, Fla. Stat.;

27
28 **WHEREAS,** to protect the health, safety, and welfare of its citizens, the City Council
29 desires to prohibit the operation of golf carts along roads and thoroughfares incompatible with
30 such operation and regulate the manner and times of the operation of golf carts upon city streets
31 where such operation is authorized;

32
33 **WHEREAS,** the City Council has found based on factors including the speed, volume,
34 and character of motor vehicle traffic that golf carts may safely travel on or across the public roads
35 or streets designated and set forth in the body hereof.

36
37 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF**
38 **CLERMONT, FLORIDA:**

39
40 **SECTION 1:**

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

43
44 **SECTION 2:**

45 Chapter 62, “Traffic and Vehicles”, Article IV “Golf Carts” of the Code of the City of Clermont,
46 Florida, is hereby created to read as follows:



CITY OF CLERMONT
ORDINANCE NO. 2021-026

Sec. 62-45. Use of golf carts upon designated streets.

It shall be lawful for a person holding and in possession of a valid driver license to operate a golf cart, as defined by F.S. § 320.01(22), upon certain designated streets within the boundaries of the city. No such golf cart shall be operated on any other portion of the right-of-way of city, county or state roads except the paved portion of the right-of-way of said street, and there shall be no operation of golf carts on sidewalks, parks, trails or other portions of city lands, right-of-ways, or city streets except as specifically designated herein, and private lands allowing such use. All use of golf carts on designated city streets shall be in strict accordance with F.S. § 316.212 or any amendments thereto or any other provisions of Florida Statutes regulating the use of golf carts on public streets. All persons operating a golf cart on city streets must comply with all other applicable traffic laws regarding the operation of such a vehicle. Nothing herein shall relieve the operator of a golf cart from compliance with all laws and ordinances otherwise pertaining to the operation of a vehicle.

Sec. 62-46. State and county roads not authorized.

Nothing herein shall be deemed to authorize the operation of a golf cart on a state or county road or right-of-way or to allow the crossing of a state or county road other than at such crossings and in such locations as shall be permitted and specified by the F.S. § 316.212 or by specific authorization from the state, or an administrative agency thereof, or by the county.

Sec. 62-47. Licensed use; revocable.

(a) The operation of a golf cart on designated city streets shall be deemed to be a licensed use of those streets and to be revocable upon the will of the city council in its legislative capacity based on its consideration of the health, safety and welfare of the public arising from such use.

(b) The issuance of a license or other permission for the operation of golf carts on city streets shall not limit or otherwise preclude the city council from the amendment of this article, revocation of this article, contracting or expanding the streets or roads on which golf cars can be operated, or the designation of crossing points for state and county roads. All persons operating golf carts on city streets under this license from the city shall do so on the condition that there shall be no claim for any monetary loss or other claim for the loss of allowed golf cart operation on such streets or any monetary claim therefore based on a claim for action in reliance on the provisions of this article. The city council retains the unlimited legal authority to revoke, amend or to otherwise legislate as to the operation of golf carts on city streets without liability of any kind arising from its legislative decisions.

Sec. 62-48. Waiver of claim.

Any person operating a golf cart enjoying a license hereunder for such purpose and all persons who are passengers in such golf cart shall be deemed to have waived any claim against the city for its legislative decision to allow the operation of such golf carts on designated city



CITY OF CLERMONT
ORDINANCE NO. 2021-026

streets in compliance with this article, and this article is declared by the city commission to be a legislative act of the city pursuant to the authority granted by state statute.

Sec. 62-49. Parking.

Golf carts operated on designated city streets, when parked in public parking spaces, such golf carts shall be parked in a manner within such space side by side or in another fashion that allows either golf cart to leave the space when desired. It shall be the obligation of each golf cart operator to park the golf cart in a manner that will allow the use of the public parking space by another golf cart. This section shall be applicable to such areas as are specifically designated for vehicle parking use either on city streets or off the right-of-way of city streets, in parking lots owned and controlled by the city, or in such other areas as are designated by signage or ground marking for such usage, and on public lands specifically allowing such use. Identified handicapped parking spaces may be used by golf carts complying with the law for use of these spaces by vehicles.

Sec. 62-50. Driver license.

All persons operating a golf cart on designated city streets shall, upon request of a law enforcement officer, be in possession of a valid driver license; it shall be unlawful for a golf cart to be operated on designated city streets by any person who is not the owner of and in possession of a valid driver license. No person may operate a golf cart on city streets who has a suspended driver's license or whose driver's license has been revoked.

Sec. 62-51. Registration of golf carts.

All golf carts operating on city streets, prior to such operation, shall be registered with the city on an annual basis by such persons and in such a manner as is administratively determined by the city manager. The registration process shall include the payment of an annual registration fee in an amount to be determined by resolution of the city council. An inspection to verify road worthiness, and the presence of required equipment may be instituted by the city as a condition of registration and operation of a golf cart on city designated streets. Decals reflecting a valid registration must be visibly affixed to each registered golf cart on the back driver's side of said golf cart in a location that is easily visible to law enforcement personnel. Such registration and decal must be current at all times the golf cart is operated on city streets. No registration is required for golf carts which are not operated on city streets.

Sec. 62-52. Required equipment.

All golf carts operated on designated streets must be equipped with efficient brakes, reliable steering, a horn meeting the standards of F.S. § 316.271, safe tires, a rearview mirror, and red reflectorized warning devices in both the front and rear of such golf cart, at all times while the golf cart is operated on designated city streets. All golf carts operated between sunset and sunrise on designated city streets shall also be properly equipped with headlights, brake lights, turn signals and a windshield. The provisions of this article may be enforced by law enforcement officers and



CITY OF CLERMONT
ORDINANCE NO. 2021-026

as to such matters not requiring action only by a law enforcement officer, by both city code enforcement officers and law enforcement officers.

Sec. 62-53. Designated streets.

The city streets within the borders delineated on the exhibit attached hereto and labeled "Golf Cart Boundary" are the designated city streets on which golf carts may be operated, and only in those designated areas. The crossings of state and county roads as depicted thereon shall be lawful for the operation of golf carts only when and if those crossings are approved by the appropriate state and county agencies having jurisdiction over that decision. It is unlawful for a golf cart to cross a state or county road at any other location.

Sec. 62-54. Number of occupants, speed and required insurance.

(a) The number of occupants in any golf cart being operated on the designated streets of the city shall be restricted to the number of seats on the golf cart, not exceeding the number of persons for which the golf cart was designed and which is consistent with the number of seats provided by the golf cart manufacturer.

(b) It shall be unlawful for any occupant of a golf cart to stand at any time while the golf cart is in motion.

(c) All golf carts permitted to travel on designated city streets within the city shall have a maximum attainable speed of 20 miles per hour.

(d) It is unlawful for a person to drive a golf cart at such a slow speed as to impede or block the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation or in compliance with law. It is the duty of the operator of a golf cart to leave the paved surface of a designated street to allow other motor vehicles to proceed at the lawful speed on such street as an exception to this Article and subparagraph (e) below.

(e) It is unlawful for a golf cart to be operated on city sidewalks, rights-of-way and other locations on which a motor vehicle cannot be operated, and as proscribed by state statute or city ordinance, except for compliance with subparagraph (d) above.

(f) It shall be unlawful for any golf cart to be operated on the designated streets of the city unless and until the owner(s) thereof has purchased liability insurance insuring against personal injury and damage to property relative to the operation of golf carts on said designated city streets. The said insurance must be in full force and effect at all times the golf cart is operated on designated city streets. Proof of insurance must be presented to the city upon registration and licensing of the golf cart to operate on designated city streets, and to a law enforcement officer or code enforcement officer upon request.

Sec. 62-55. Enforcement.

Violations of this article shall be enforced pursuant to the provisions of F.S. § 316.212(8) and city ordinances by a law enforcement officer or city code enforcement officer as such officer's legal authority and jurisdiction allows. Code enforcement officers shall have the right to enforce all matters having to do with golf cart required equipment, the streets upon which golf carts may be operated, the lawful parking of golf carts and all other matters not exclusively within the jurisdiction of and lawful authority of law enforcement officers. In addition, other avenues for the



CITY OF CLERMONT
ORDINANCE NO. 2021-026

enforcement of violations of this article may be enforced by city code enforcement officers and the city code enforcement board or special magistrate as their jurisdiction and legal authority allows.

Sec. 62-56 – 62 -60. Reserved

SECTION 3: 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 4: SEVERABILITY

Should any provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part declared to be invalid.

SECTION 5: CODIFICATION

The text of Section 2 of this ordinance shall be codified as a part of the Clermont City Code The codifier is authorized to make editorial changes not effecting the substance of this ordinance by the substitution of "article" for "ordinance", "section" for "paragraph", or otherwise to take such editorial license.

SECTION 6: ADMINISTRATIVE CORRECTION

Regardless of whether such inclusion in the Code as described in Section 5 is accomplished, Section 2 of the Ordinance may be re-numbered or re-lettered and the correction of typographical and/or scrivener's errors which do not affect the intent may be authorized by the City Manager or designee, without need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

SECTION 7: PUBLICATION AND EFFECTIVE DATE

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

First Reading this 27th day of July, 2021.

Second Reading this 10th day of August, 2021.



CITY OF CLERMONT
ORDINANCE NO. 2021-026

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 10th day of August, 2021.

CITY OF CLERMONT

Tim Murry, 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 10, 2021		
Agenda Item Name		
Resolution No. 2021-047R <i>Comprehensive Fee Schedule Amendment</i>		
Requested Action		
Recommend approval of Resolution 2021-047R		
Staff Report		
Consider establishing a fee of \$25.00 for an annual golf cart registration as required by City Code.		
Additional Analysis		
Fiscal Impact Summary		
Estimate issuing 25 permits annually generating approximately \$625.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. 2021-047R - Fee Schedule Amendment - Golf Cart Registration (07.29.2021 V1) -R&F BL	2021-047R - Fee Schedule Amendment - Golf Cart Registration (07.29.2021 V1) -R&F BL.pdf	



CITY OF CLERMONT
RESOLUTION NO. 2021-047R

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING
THE POLICE FEE SCHEDULE; PROVIDING FOR
CONFLICT, PUBLIC ACCESS, THE ADMINISTRATIVE
CORRECTION OF SCRIVENERS ERROR, AND AN
EFFECTIVE DATE.**

WHEREAS, the City of Clermont, pursuant to its authority as a municipal corporation, under the laws of the State of Florida, has the authority to establish and collect fees for planning and zoning, building services, fire review and inspection services, parks and recreation use, police, city clerk and utility billing; and

WHEREAS, the adoption of fees as set forth herein, is consistent with the Clermont City Code Section 86.112, and is the best interests of the citizens of the City of Clermont and the cost effective, efficient, and appropriate operation of the City.

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

SECTION 1:

The City Council does hereby amend Section 5 – Police Fees of the Comprehensive Fee Schedule as follows:

Section 5 – Police Fees

6. Golf Cart Annual Registration	\$25.00
----------------------------------	---------

SECTION 2: CONFLICT

Any resolution previously adopted by the City Council and in conflict herewith is hereby repealed to the extent of the conflict.

SECTION 3: PUBLIC ACCESS

A copy of this Resolution and the Comprehensive Fee Schedule shall be kept on file in the City Clerk's office and made available to the public upon request.

SECTION 4: ADMINISTRATIVE CORRECTION

This Resolution may be re-numbered or re-lettered, and/or corrected for typographical and/or scrivener's errors which do not affect the intent of said resolution, as authorized by the City Manager or designee, without need of public hearing, by filing a corrected copy of same with the City Clerk.

SECTION 5: EFFECTIVE DATE

This Resolution shall take effect immediately upon its adoption.



CITY OF CLERMONT
RESOLUTION NO. 2021-047R

DONE AND RESOLVED by the Mayor of the City Council of the City of Clermont, Lake County, Florida, this 10th day of August, 2021.

CITY OF CLERMONT

Tim Murry, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC
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 10, 2021		
Agenda Item Name		
Traffic Concerns		
Requested Action		
Staff Report		
Staff will present a traffic study and recommendations for two locations: 1. W. Minneola Street and 4th Street 2. E. Desoto Street		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 2

Meeting Date	
Tuesday, August 10, 2021	
Agenda Item Name	
Ordinance No. 2021-020 <i>Introduction Realty Professionals of Florida</i>	
Requested Action	
Recommend denial of Ordinance No. 2021-020	
Staff Report	
The applicant is requesting a rezoning of the subject property from C-2 General Commercial to Planned Unit Development (PUD), to allow for the installation of barbed-wire fence materials for a commercial property instead of meeting the requirements of the Land Development Code, Section 122-343, which prohibits any barbed-wire and razor wire fence materials in residential and commercial districts. The current use is commercial office. The use of barbed-wire fencing is only permitted for M-1 Industrial uses and zoning. The code permits fences and walls up to a six (6) foot height for any commercial development. The applicant indicates the reason for the request is to prevent theft and property vandalism at this location. One of the offices is a landscaping business that parks their vehicles onsite overnight at the location. The Planned Unit Development (PUD) zoning allows flexible development of the property based upon the applicant's proposed use that is not customarily allowed by the code. Staff finds the PUD rezoning request to allow barbed-wire fencing in a commercial district is out of character with the surrounding area and existing development patterns. The proposed use of barbed-wire fencing at this location; may be considered as undesirable and unconventional for the use of commercial property. The State Road 50 Corridor is the primary east-west thoroughfare through the City and the gateway to the Clermont Downtown District. This thoroughfare is designed to create and provide an attractive and viable physical environment to retain and attract commercial businesses along the corridor. The City, along with private businesses, have invested resources and revitalization efforts in the area to promote and encourage a cohesive and aesthetically pleasing commercial gateway along Highway 50. The barbed-wire fence at this location is inconsistent with those redevelopment initiatives. Staff acknowledges the need to protect all businesses in the City from any type of theft or vandalism; but no other businesses in the area have reported any problems and have installed barbed-wire fencing. The applicant may have the option of securing items inside the buildings or a secured storage facility to prevent this type of criminal element. The use of barbed-wire fencing along the corridor is extreme and out of character with the existing business and commercial office uses in the area. The applicant does have the ability to install a wall up to six foot high to provide for additional privacy and methods of protection for the property. STAFF RECOMMENDATION: Staff has reviewed the application and proposed use in regards to the purpose and intent for Planned Unit Development (PUD) zoning and the requirements for compliance with the Clermont Codes of Ordinances and Comprehensive Plan. The proposed use is inconsistent with the goals, objectives and policies of the comprehensive plan and intent of the land development regulations for commercial zoning. Particularly, the proposed use is inconsistent with Section 122-315 (2) (c) in which the use would be considered as undesirable at this location. Therefore, staff recommends denial of Ordinance No. 2021-020, rezoning request of the subject property from C-2 General Commercial to Planned Unit Development (PUD) to allow for the use of barbed-wire fence materials for a commercial property.	

Staff recommends denial of Ordinance No. 2021-020.

Additional Analysis

Fiscal Impact Summary

Fiscal Impact

Fund Number and Description

Available Budget Amount

Exhibits Attached (copies of original agreements)

- | | | |
|-----|---|---|
| 1. | Staff Analysis Report | Staff Analysis Report.pdf |
| 2. | New Ord 2021-020 - Realty Professionals of Florida PUD_ | New Ord 2021-020 - Realty Professionals of Florida PUD_.pdf |
| 3. | LOCATION MAP | LOCATION MAP.pdf |
| 4. | Clermont Zoning Map | Clermont Zoning Map.pdf |
| 5. | Conceptual Site Plan | Site.pdf |
| 6. | Realty Pros Photo August 3 | Realty Pros Photo August 3.png |
| 7. | Realty Pros Zoomed in Photo August 3 | Realty Pros Zoomed in Photo August 3.png |
| 8. | Applicant Justification Letter | Applicant letter.pdf |
| 9. | Application | Application.pdf |
| 10. | Legal AD | Legal AD.pdf |



CITY OF CLERMONT Staff Analysis Report

OWNER: Rosenberg Family Trust

APPLICANT: Harvey Rosenberg

PROJECT NAME: Realty Pros of Florida PUD Rezoning

REQUESTED ACTION: A request for a rezoning from “C-2” General Commercial to Planned Unit Development (PUD) to allow for the installation of a bob wire fence in a commercial district.

SIZE OF PARCEL: 0.55 acres +/- Alternate Key 1626765

LOCATION: 300 East Highway 50

EXISTING ZONING: Clermont “C-2” General Commercial

EXISTING LAND USE: Commercial Office Use

FUTURE LAND USE CATEGORY: Commercial

SITE UTILITIES: City of Clermont Water and Sewer

ANALYSIS:

The applicant is requesting for rezoning of the subject property from “C-2” General Commercial to Planned Unit Development (PUD), to allow for the installation of barbed-wire fence materials for a commercial property instead of the requirements of the Land Development Code, Section 122-343, which prohibits any barbed wire and razor wire fence materials in residential and commercial districts. The current use is commercial office. The use of barbed-wire fencing is only permitted for M-1 Industrial zoning and uses. The code permits fences and walls up to a six (6) foot height for any commercial development.

The applicant indicates the reason for the request is to prevent theft and property vandalism at this location. The Planned Unit Development (PUD) zoning allows waivers and variances to the Land development regulations as part of the standards for the development plan, without the requirement of any additional public hearings.

Staff finds the PUD rezoning request to allow barbed wire fencing is out of character with the surrounding area and existing development patterns. The proposed use of barbed-wire fencing at this location; may be considered as undesirable and unconventional for the use of commercial property. The State Road 50 Corridor is the primary east-west thoroughfare through the City and the gateway to the Clermont Downtown District, which is designed to create and provide an attractive and viable physical environment to retain and attract commercial businesses along the corridor. The City, along with private development has invested resources and revitalization efforts in the area to promote and encourage a cohesive and aesthetically pleasing commercial gateway along Highway 50. The barbed-wire fence at this location is inconsistent with those redevelopment initiatives and efforts.

Staff acknowledges the need to protect all business in the City from any type of criminal activity and violations, but no other businesses in the area have reported any problems. The applicant may have the option of securing items inside the buildings or a secured storage facility to prevent this type of criminal element. The use of barbed-wire fencing along the corridor is extreme and out of character with the existing business and commercial office uses in the area. The applicant does have the ability to install a commercial wall up to six foot high to provide for additional privacy and protection for the property.

STAFF RECOMMENDATION:

Staff has reviewed the application and proposed use in regards to the purpose and intent for Planned Unit Development (PUD) zoning and the requirements for compliance with the Clermont Codes of Ordinances and Comprehensive Plan. The proposed use is consistent with the goals, objectives and policies of the comprehensive plan and intent of the land development regulations for commercial zoning. Particularly, the proposed use is inconsistent with Section 122-315 (2) (c) in which the use would be considered as undesirable at this location. Therefore, Staff recommends **denial** of Ordinance No. 2021-020, rezoning request of the subject property from "C-2" General Commercial to Planned Unit Development (PUD) to allow for the use of barbed-wire fence materials for a commercial property

Staff recommends denial of Ordinance No. 2021-020.



CITY OF CLERMONT
ORDINANCE NO. 2021-020

REZONING OF PROPERTY:
FROM: “C-2” General Commercial
TO: Planned Unit Development (PUD)

SECTION 2: GENERAL CONDITIONS

This application is for a Planned Unit Development (PUD) to allow for the installation of barbed-wire fence materials in a commercial district; shall 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. 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. This application is for a Planned Unit Development (PUD) to allow for the use of barbed-wire fence materials in a commercial district for the site.
2. The property shall be developed according to the C-2 General Commercial zoning designation in the Land Development Code, unless expressly stated above. The site may be used for any other permitted uses in the C-2 General Commercial zoning district.
3. The maximum building height shall be up to 55 feet, measured at the highest point.
4. The maximum height of any retaining walls shall not exceed 6 feet as permitted by the Land Development Regulations.
5. The project will be required to comply with Clermont Solid Waste Collection and Disposal requirements for any onsite dumpsters and refuse collection to meet the solid waste demands for the property.
6. The buildings shall be designed and constructed to meet the City of Clermont’s Architectural Design Standards.
7. The developer may be required to provide installation of fiber optic conduit and pull boxes in the utility easements to extend the City’s fiber optic network. The City’s Information Technology Director will work with the developer at the time of site plan review to determine the extent of fiber optic conduit. 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.
8. Sidewalks are required for all street rights of way for the entire length of the subject parcels.



CITY OF CLERMONT
ORDINANCE NO. 2021-020

9. Street lighting is required for commercial development. A photometric plan that includes the location and foot candle at ground level will be reviewed during final site plan approval.

SECTION 4: CONFLICT

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

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: ADMINISTRATIVE CORRECTION

This Ordinance may be re-numbered or re-lettered and the correction of typographical and/or scrivener's errors which do not affect the intent may be authorized by the City Manager or designee, without need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

SECTION 7: RECORDING

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

SECTION 8: PUBLICATION & EFFECTIVE DATE

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



CITY OF CLERMONT
ORDINANCE NO. 2021-020

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 24th day of August.

CITY OF CLERMONT

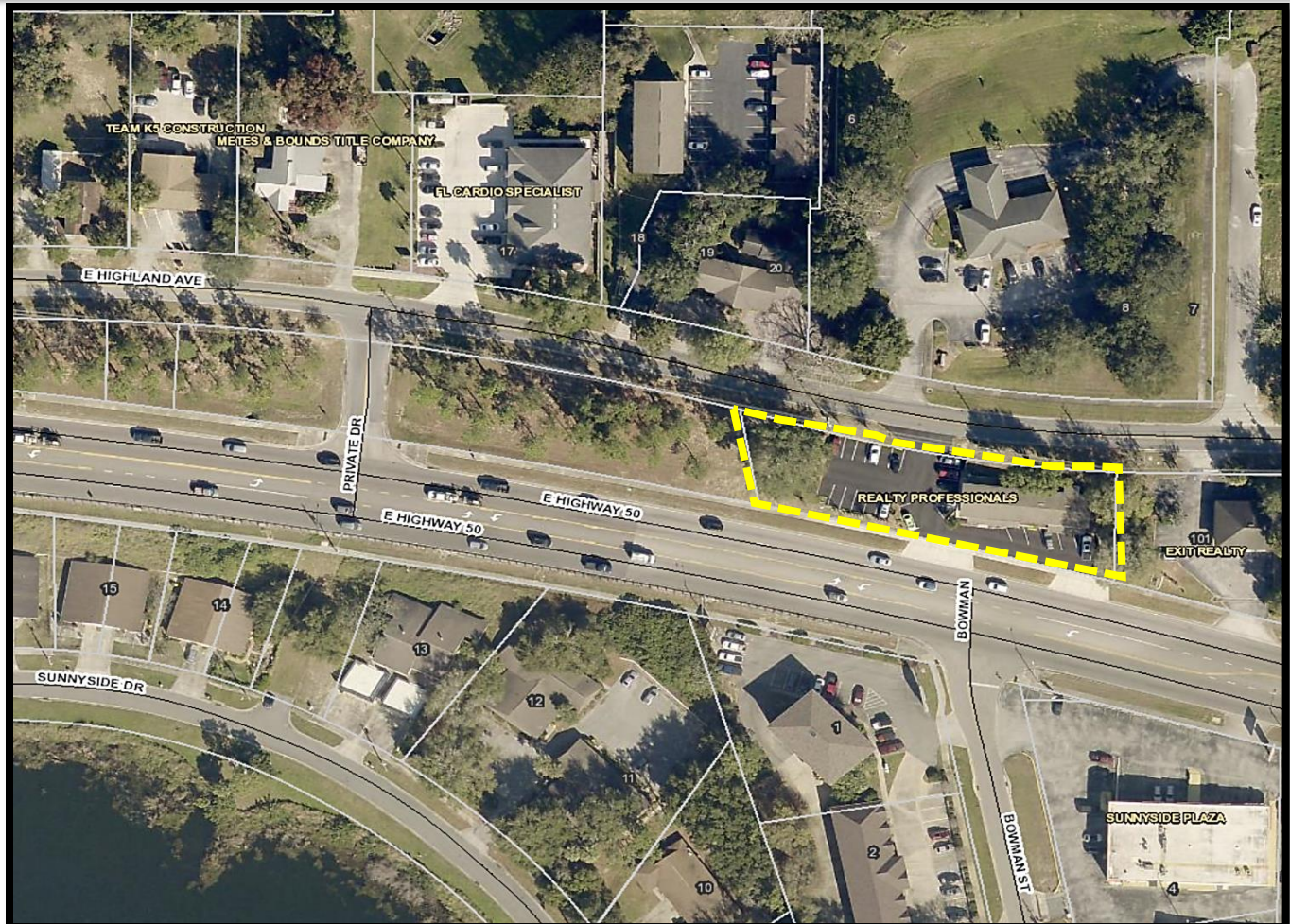
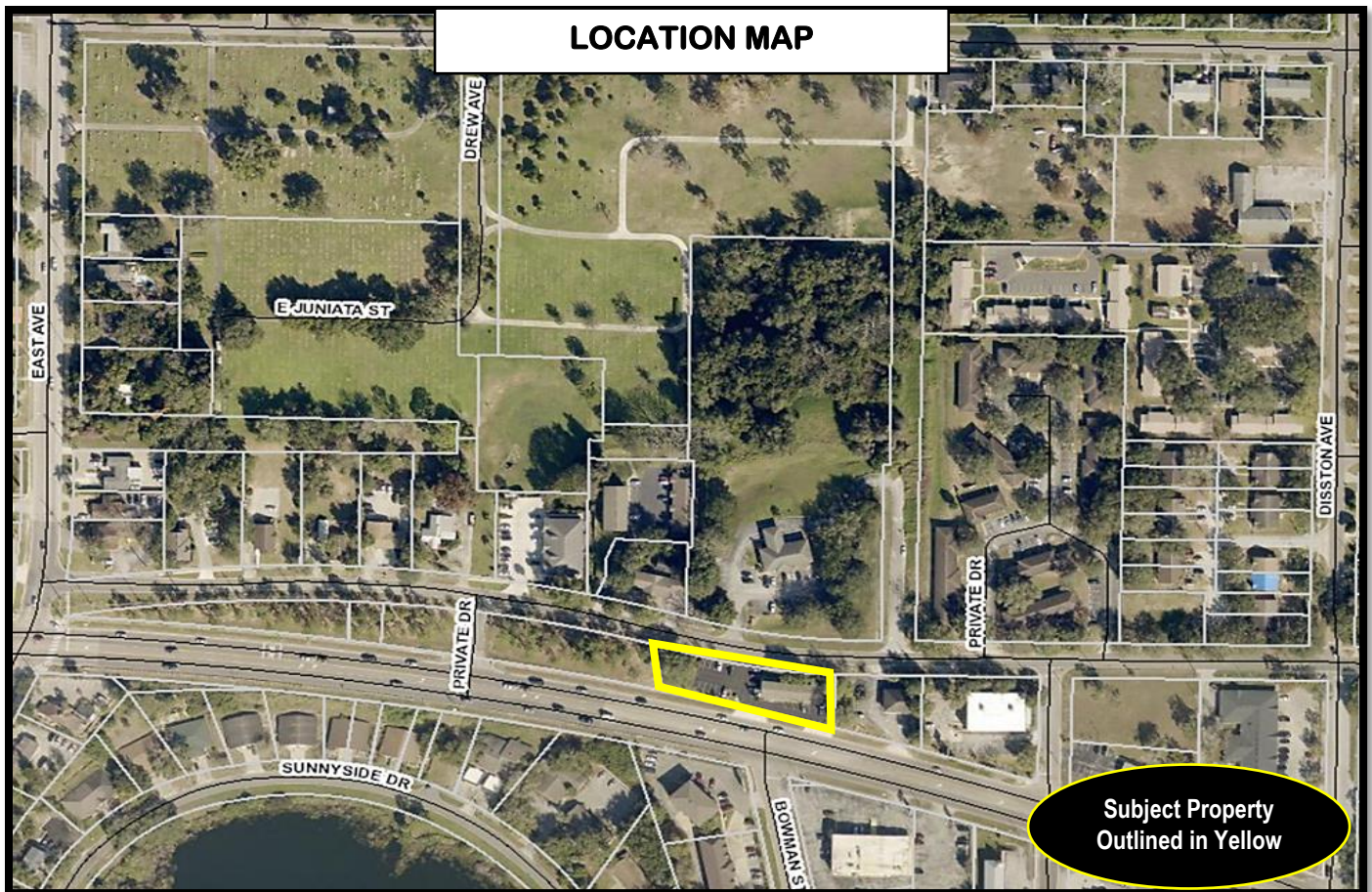
Tim Murry, Mayor

ATTEST:

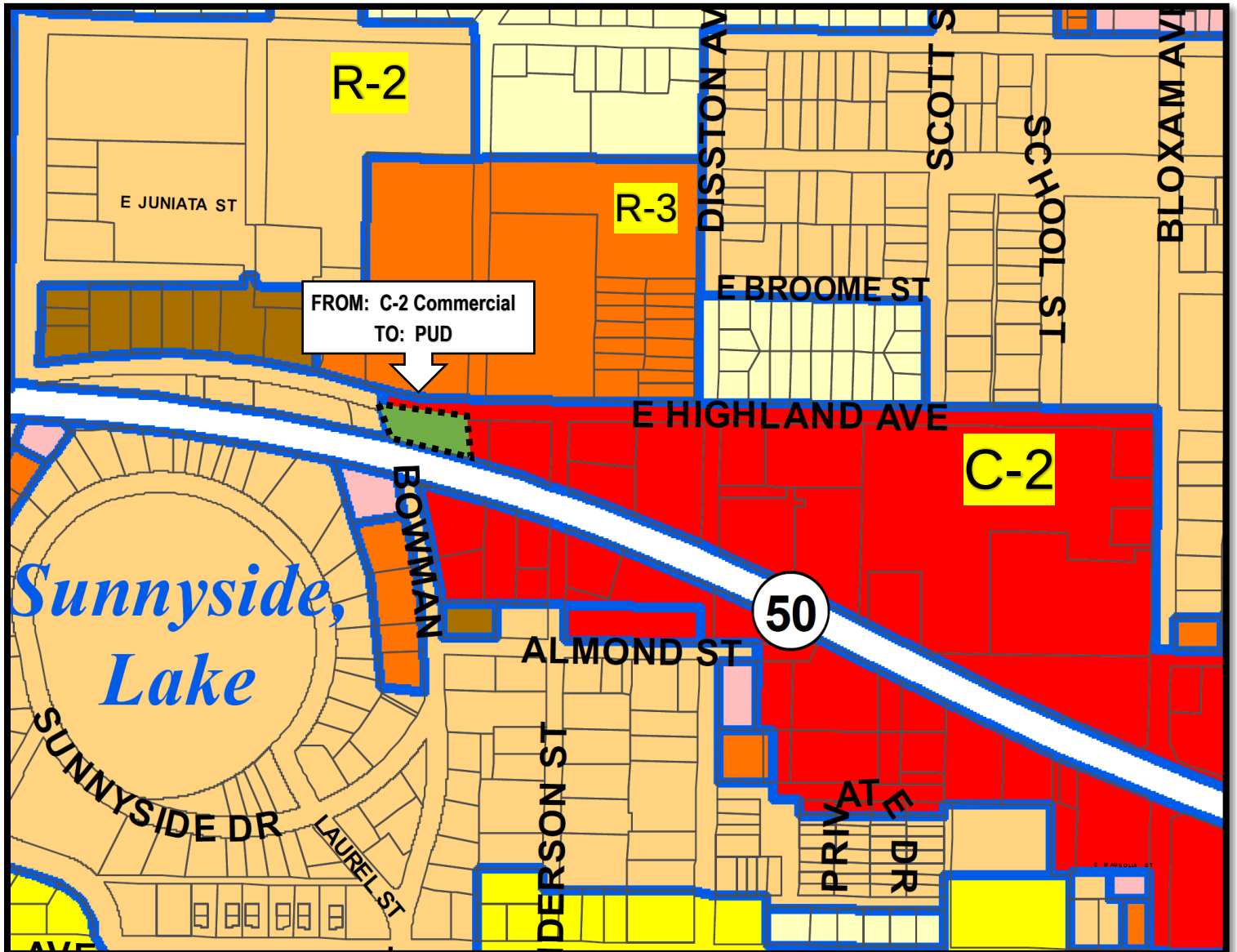
Tracy Ackroyd Howe, MMC, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney



CLERMONT ZONING MAP



Legend

City Limits

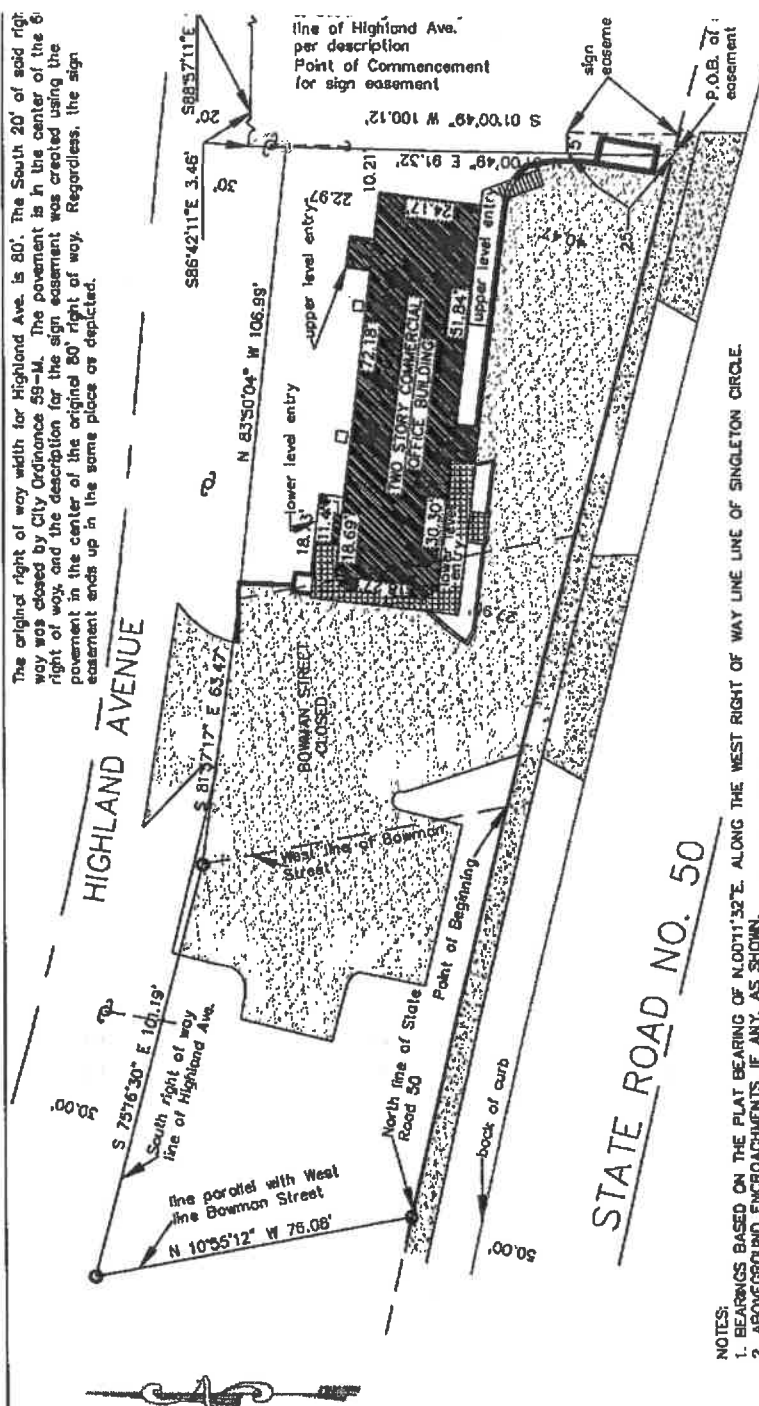
Zoning Designations

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

DESCRIPTION (O.R. 800 1676 PAGE 1395)
 LOT 1, BLOCK 2, SUNNYSIDE UNIT, CLERMONT, FLORIDA,
 PLAT BOOK 8, PAGE 66, 67, NORTH OF STATE ROAD
 #50, AND THAT PART OF THE EAST 1/2 OF BOWMAN
 STREET LYING OUTSIDE OF THE RIGHT OF WAY OF
 HIGHWAY 50, NOW VACATED AND LYING ADJACENT TO SAID
 LOT.

ALSO, BEGIN AT THE INTERSECTION OF THE NORTH RIGHT
 OF WAY LINE OF STATE ROAD #50 AND THE WEST RIGHT
 OF WAY LINE OF BOWMAN STREET ACCORDING TO THE
 OFFICIAL MAP OF THE CITY OF CLERMONT, RECORDED IN
 PLAT BOOK 8, PAGES 17 TO 23, INCLUSIVE, PUBLIC
 RECORDS OF LAKE COUNTY, FLORIDA; RUN THENCE
 WESTERLY ALONG THE NORTH RIGHT OF WAY LINE OF
 STATE ROAD #50, 100 FEET; THENCE NORTHERLY
 PARALLEL TO THE SOUTH RIGHT OF WAY LINE OF BOWMAN
 STREET TO THE SOUTH RIGHT OF WAY LINE OF HIGHLAND
 AVENUE; THENCE RUN EASTERLY ALONG THE SOUTH
 RIGHT OF WAY LINE OF HIGHLAND AVENUE TO THE WEST
 RIGHT OF WAY LINE OF BOWMAN STREET; THENCE RUN
 SOUTHERLY ALONG THE WEST RIGHT OF WAY LINE OF
 BOWMAN STREET TO THE POINT OF BEGINNING AND ALL
 THAT PORTION OF THE WEST 1/2 OF BOWMAN STREET
 NOW CLOSED, BOUNDED ON THE NORTH BY THE SOUTH
 RIGHT OF WAY OF HIGHLAND AVENUE AND BOUNDED ON
 THE SOUTH BY THE NORTH RIGHT OF WAY LINE OF
 STATE ROAD #50, ACCORDING TO THE OFFICIAL MAP OF
 THE CITY OF CLERMONT, AS RECORDED IN PLAT BOOK 8,
 PAGES 17 TO 23, INCLUSIVE, PUBLIC RECORDS OF LAKE
 COUNTY, FLORIDA, TOGETHER WITH THAT CERTAIN SIGN
 EASEMENT RECORDED IN O.R. BOOK 1659 PAGE 2414,
 PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, DESCRIBED
 AS FOLLOWS: COMMENCE AT THE INTERSECTION OF THE
 WESTERLY RIGHT OF WAY LINE OF ANDERSON STREET
 AND THE SOUTHERLY RIGHT OF WAY LINE OF HIGHLAND
 AVENUE IN CLERMONT, FLORIDA, PER CITY ORDINANCE
 NUMBER 59-M, AND RUN NORTH 88°57'11" WEST ALONG
 THE SAID RIGHT OF WAY LINE OF HIGHLAND AVENUE
 203.99 FEET; THENCE RUN NORTH 88°57'11" WEST ALONG
 SAID RIGHT OF WAY LINE 74.89 FEET; THENCE CONTINUE
 ALONG SAID SOUTHERLY RIGHT OF WAY LINE NORTH
 88°27'11" WEST 35.47 FEET; THENCE RUN SOUTH
 01°00'49" WEST 100.12 FEET TO THE NORTHERLY RIGHT OF
 WAY LINE OF STATE ROAD 50 AND THE POINT OF
 BEGINNING OF THIS LEGAL DESCRIPTION. FROM THE POINT
 OF BEGINNING, RUN NORTH 01°00'49" EAST A DISTANCE
 OF 23 FEET; THENCE RUN EAST A DISTANCE OF 5 FEET;
 THENCE RUN SOUTH 01°00'49" WEST TO THE NORTHERLY
 RIGHT OF WAY LINE OF STATE ROAD 50; THENCE RUN
 NORTHWESTERLY ALONG THE NORTHERLY RIGHT OF WAY
 LINE OF STATE ROAD 50 TO THE POINT OF BEGINNING.

GRAPHIC SCALE



- NOTES:
1. BEARINGS BASED ON THE PLAT BEARING OF N.00°11'32"E. ALONG THE WEST RIGHT OF WAY LINE OF SINGLETON CIRCLE.
 2. ABOVEGROUND ENCROACHMENTS, IF ANY, AS SHOWN.
 3. UNDERGROUND ENCROACHMENTS OR IMPROVEMENTS, IF ANY, NOT LOCATED.
 4. THIS PROPERTY IS SUBJECT TO ALL EASEMENTS, RIGHT OF WAY, SETBACKS OR RESTRICTIONS.
 5. THIS SURVEY IS SUBJECT TO ANY FACTS THAT MIGHT BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH.
 6. ADDITIONS OR DELETIONS TO THE SURVEY SHOWN HEREIN BY OTHER THAN THE SIGNING PARTY OR PARTIES WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
 7. THERE HAS BEEN NO ATTEMPT TO LOCATE ANIMAL OR PLANT SPECIES THAT MAY BE ENDANGERED, THREATENED, OR PROTECTED.
 8. FENCE LINES SHOWN HEREON, IF ANY, MAY MEANDER ALONG SHOWN PATH.
 9. PROPERTY SHOWN HEREON LIES IN FLOOD ZONE "X".

Blackburn Surveying, Inc.

L.B. # 6528
 642 W. Highway 50
 Maitland, Florida 32751
 P.O. Box 121022
 Clermont, Florida 34712
 (352) 394-4417
 Fax (352) 394-7058

CERTIFIED TO:
 THE ROSENBERG FAMILY TRUST
 NORTH AMERICAN TITLE COMPANY
 BRIDGE TRUST TITLE
 OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

BOUNDARY SURVEY FOR:
 The Rosenberg Family Trust

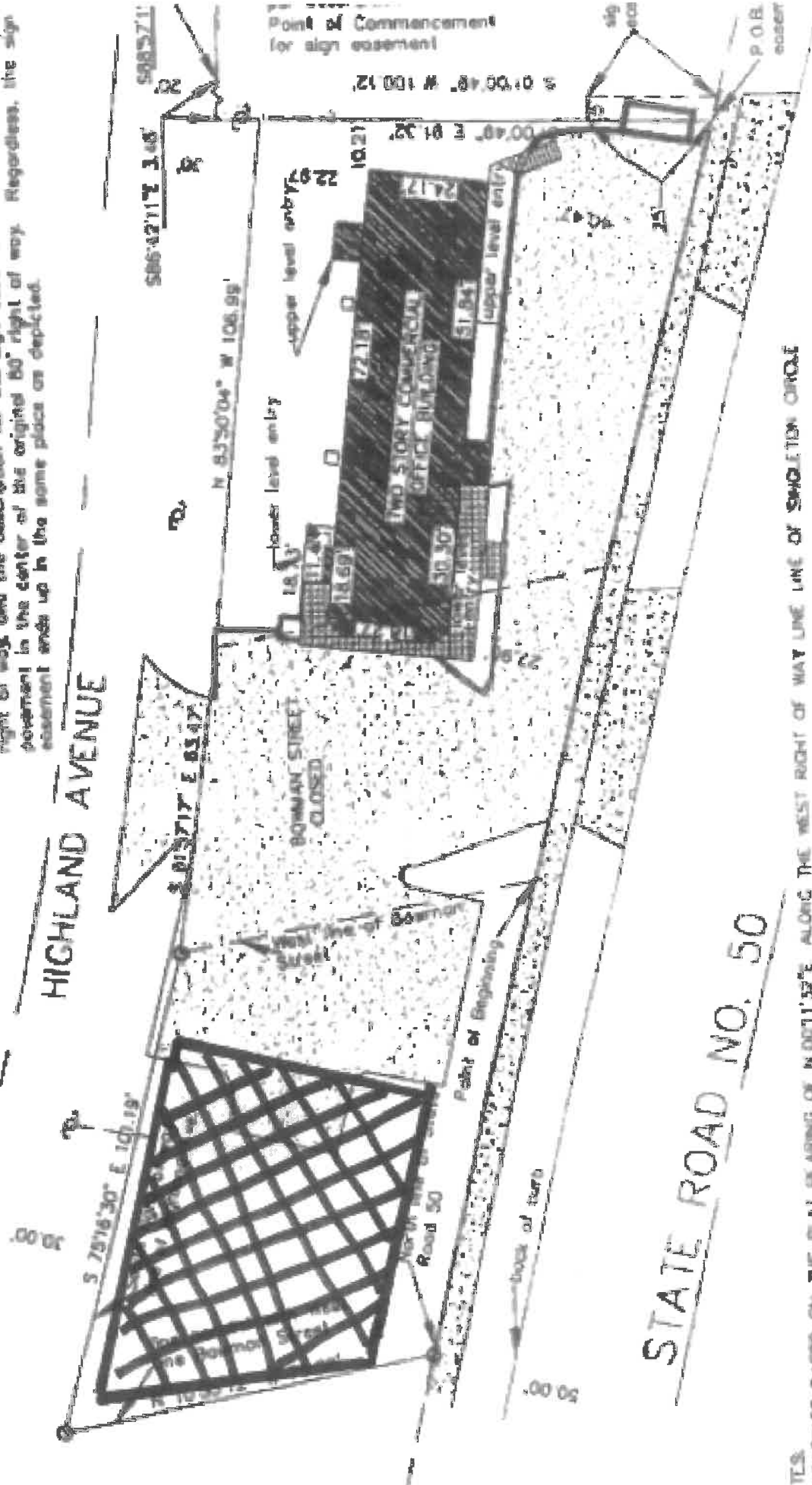
SCALE: 1" = 30'
 DATE: 1/10/2011
 APPROVED BY: DRAWN BY
 PMK PMK
 FB/PAGE: 348/3

300 East Hwy 50

LAKE COUNTY, FLORIDA

The original right of way width for Highland Ave. is 80'. The South 20' of said way was closed by City Ordinance 58-14. The pavement is in the center of the right of way and the description for the sign easement was created using the pavement in the center of the original 80' right of way. Regardless, the sign easement ends up in the same place as depicted.

HIGHLAND AVENUE



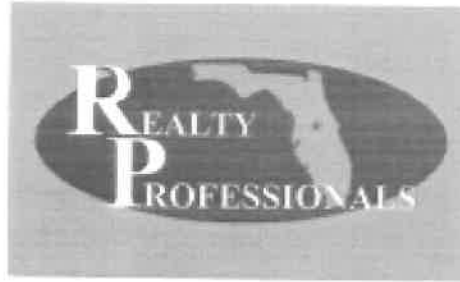
NOTES: 1. BEARINGS BASED ON THE PLAT BEARING OF N 00°11'52"E ALONG THE WEST RIGHT OF WAY LINE OF SINGLETON CIRCLE

2. ABOVEGROUND ENCROACHMENTS, IF ANY, AS SHOWN.
3. UNDERGROUND ENCROACHMENTS OR IMPROVEMENTS, IF ANY, NOT LOCATED
4. THIS PROPERTY IS SUBJECT TO ALL EASEMENTS, RIGHT OF WAY, SETBACKS OR RESTRICTIONS
5. THIS SURVEY IS SUBJECT TO ANY FACTS THAT MIGHT BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH
6. ADDITIONS OR DELETIONS TO THE SURVEY SHOWN HEREIN BY OTHER THAN THE SIGNING PARTY OR PARTIES WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES
7. THERE HAS BEEN NO ATTEMPT TO LOCATE ANIMAL OR PLANT SPECIES THAT MAY BE ENDANGERED, THREATENED, OR PROTECTED
8. FENCE LINES SHOWN HEREON, IF ANY, MAY MEASURE ALONG SHOWN PATH
9. PROPERTY SHOWN HEREON LIES IN FLOOD ZONE "X"

Blackburn Surveying, Inc. BOUNDARY SURVEY FOR







September 25th, 2020

RE: Secure Parking area for Realty Professionals

To Whom It May Concern:

Please consider this letter as my formal request to secure a parking area at my office location of 300 E. Highway 50 in Clermont.

I need a safe place to park my office landscape company's trucks and trailers overnight. Due to past events, the equipment has been robbed, vandalized and damaged on numerous occasions. Our hope is that a secure, fenced area will deter any further financial loss or damage.

Please see the attached diagram, outlining where the fenced, secured area will be located.

If you should have any questions, feel free to contact me at (352) 404-5942.

Regards,

Harvey Rosenberg

Harvey Rosenberg

Broker/Owner

Realty Professionals of Florida, LLC

300 E. Highway 50 Clermont, Florida 34711



CITY OF CLERMONT REZONING APPLICATION

DATE		FEE: \$542.00 + cost of advertisement + cost of traffic review, if necessary	
Project Name (if applicable)			
Applicant <u>Harvey Rosenberg</u>			
Contact Person <u>Harvey Rosenberg</u>			
Address <u>300 E Hwy 50</u>		City <u>Clermont</u>	State <u>FL</u> Zip <u>34711</u>
Telephone <u>352-404-5942</u>		Fax	
Email <u>Harvey@RealtyProsFL.com</u>			
OWNER INFORMATION			
Owner's Name <u>Rosenberg Family Trust</u>			
Owner Address <u>7365 Potomac Falls Dr</u>		City <u>Boynton Beach</u>	State <u>FL</u> Zip <u>33437</u>
Telephone <u>407-948-4069</u>		Email <u>Harvey@RealtyProsFL.com</u>	
PROPERTY INFORMATION			
Address of Subject Property <u>300 E. Hwy 50</u>		City <u>Clermont</u>	State <u>FL</u> Zip <u>34711</u>
Legal Description (include copy of survey) <u>SEE Attached</u>			
Acreage <u>.5487</u>		Land Use (City verification required) <u>Commercial</u>	
Present Zoning (City verification required) <u>Commercial</u>		Proposed Zoning <u>PUD</u>	



CITY OF CLERMONT
REZONING
APPLICATION

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

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

I Need Barbed Wire to protect my Property
as we have been robbed many times already!!

Check box to indicate additional materials are provided via attachment. ☒

Harvey Rosenberg
Applicant Name (print)

Harvey Rosenberg
Owner Name (print)

x 
Applicant Name (signature)

x 
Owner Name (signature)

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

5/22/2020

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. 2021-020

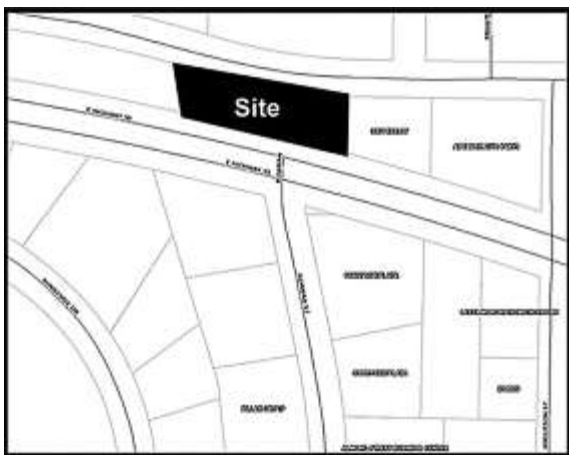
AN ORDINANCE UNDER THE CODE OF ORDINANCES OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CLERMONT, REFERRED TO IN CHAPTER 122 OF ORDINANCE NO. 289-C, CODE OF ORDINANCES; REZONING THE REAL PROPERTIES DESCRIBED HEREIN AS SHOWN BELOW, PROVIDING FOR CONFLICT,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

LOCATION:

300 East Highway 50, AK 1626765

LEGAL DESCRIPTION

CLERMONT SUNNYSIDE UNIT LOT 1 NORTH OF HIGHWAY, BLOCK 2, CLOSED STREET LYING WEST OF LOT 1, BLOCK 2 NORTH OF HIGHWAY, BEGINNING AT INTERSECTION OF NORTH RIGHT-OF-WAY LINE OF SR 50 WITH WEST RIGHT-OF-WAY LINE OF BOWMAN STREET, RUN WESTERLY ALONG NORTH RIGHT-OF-WAY LINE OF SR 50 A DISTANCE OF 100 FEET, NORTHERLY PARALLEL TO WEST RIGHT-OF-WAY LINE OF BOWMAN STREET TO SOUTH RIGHT-OF-WAY LINE OF HIGHLAND AVENUE, EASTERLY TO WEST RIGHT-OF-WAY LINE OF BOWMAN STREET, SOUTHERLY TO POINT OF BEGINNING, BEING A PART OF BLOCK 7 PB 8 PG 66, ORB 3997 PG 1932



FROM: C-2 General Commercial

TO: Planned Unit Development (PUD)

The Planning and Zoning Commission will consider the request on Tuesday, August 3, 2021 at 6:30 P.M.

The Clermont City Council will hold a public hearing to consider this request on Tuesday, August 24, 2021 for final adoption.

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

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

Please be advised that under State law, if you should decide to appeal a decision made with respect to this matter, you may need to ensure that a verbatim record is made. Persons with disabilities who need assistance should contact the City Clerk's office, (352) 241-7330, at least 48 hours prior to the public hearings.

Daily Commercial

July 19, 2021 and August 9, 2021

Tracy Ackroyd Howe, MMC
City Clerk



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 2

Meeting Date	
Tuesday, August 10, 2021	
Agenda Item Name	
Ordinance No. 2021-023 <i>Introduction Disston Duplexes Rezoning</i>	
Requested Action	
Recommend approval of Ordinance No. 2021-023	
Staff Report	
The applicant is requesting a rezoning to a Planned Unit Development (PUD) to allow up to six (6) two-family duplex styled housing units, with a maximum, not to exceed 12 units for the entire site. The current property zoning is R-3 Residential Professional, C-1 Light Commercial and C-2 General Commercial with a Commercial Future Land Use designation. The 1.39 acres consist of several lots, which will be combined to create one entire lot for the project. The Commercial Future Land Use requires densities greater than eight units to obtain a Conditional Use Permit or certain housing types shall be permitted with a PUD consistent with the Land Development Regulations. The applicant has submitted a Conceptual Site Plan prepared by Germana Engineering, showing the proposed buildings, parking, landscape areas and access points for the property. The City Council on June 8, 2021 denied a Planned Unit Development (PUD) rezoning request to allow for up to 12 two-family duplex style-housing units for the subject property. The applicant has redesigned and made substantial changes to the conceptual plan layout for the proposed development. The concept plan identifies that each unit will be two bedrooms with an attached single car garage and provide approximately 1,200 square feet of living space. The Land Development Code, Section 98-14, requires two parking spaces for each two-bedroom residential unit. The applicant has identified the garages and a driveway to meet the parking requirements. The project, as designed, shows two additional onsite guest/visitor parking spaces for the development. The application and proposed project layout as submitted, does not request any variances or waivers to code, and will be required to comply with the Land Development Regulations along with any fire and building safety codes for development. The project will also be required to meet Clermont Architectural Design Standards for the proposed buildings. The project has provided an onsite dumpster with enclosure to meet the refuse and collection needs of the proposed housing development. The applicant will be responsible for the coordination and associated cost for any refuse and collection services needed for the housing community. In addition, the development concept plan has proposed the internal access streets and curbs with a width of 24 feet wide, which complies with the requirements of the code. The code requirements for the minimum 24 feet streets width provides a safe traffic flow pattern, that allows emergency vehicles and pedestrians the ability to safely maneuver and exit the property. The project will be required to meet any fire safety and emergency vehicle accessibility requirements, which may include additional fire hydrants, sprinkling of buildings and other safety measures for compliance to the codes. <u>STAFF RECOMMENDATION:</u> Staff has reviewed the application and proposed project in regards to Section 122-315 Review Criteria for a Planned Unit Development. The proposed project does meet the requirements of the Land Development Regulations and general provisions for granting a Planned Unit Development (PUD). The Code requires all PUD Site Development Plans shall be designed in a manner that provides a complete living environment, with the intent to enhance and creates a uniform development patterns, which complies with the general requirements and regulatory process for approval of the project. The proposed development is not in conflict to the Clermont Comprehensive Plan goals, objectives and policies for commercial land use. Staff recommends approval of Ordinance No. 2021-023.	

Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1.	Staff Analysis Disston Duplexes PUD -2021-023	Staff Analysis Disston Duplexes PUD -2021-023.pdf
2.	Ord 2021-023 - Disston Duplexes Rezoning (07.29.2021 V1) -R&F BL	Ord 2021-023 - Disston Duplexes Rezoning (07.29.2021 V1) -R&F BL.pdf
3.	Disston Duplexes Maps	Disston Duplexes Maps.pptx
4.	Zoning Map	Zoning Map.pdf
5.	Disston Duplex- Concept Plan 06-29-2021	Disston Duplex- Concept Plan 06-29-2021.pdf
6.	Disston Duplex- Color Rendering 06-29-2021	Disston Duplex- Color Rendering 06-29-2021.pdf
7.	Application July 1 2021	Application July 1 2021.pdf
8.	Legal AD	LF-25385996.pdf



CITY OF CLERMONT Staff Analysis Report

OWNER: Lake Acquisitions Inc.

APPLICANT: Robert Thompson

PROJECT NAME: Disston Duplexes PUD

REQUESTED ACTION: Consider a request for a rezoning to Planned Unit Development (PUD) for up to six (6) two-family duplex-style housing units, not to exceed the maximum of 12 units for the site.

SIZE OF PARCEL: 1.39 +/- acres

LOCATION: Vacant parcel located at the corner of Disston and Almond Street, adjacent to the Suntrust Bank Building.

EXISTING ZONING: R-3 Residential/Professional, C-1 Light Commercial and C-2 General Commercial.

EXISTING LAND USE: Vacant property

FUTURE LAND USE CATEGORY: Commercial

ANALYSIS:

The applicant is requesting a rezoning to a Planned Unit Development (PUD) to allow up to six (6) two-family duplex styled housing units, with a maximum, not to exceed 12 units for the entire site. The current property zoning is R-3 Residential Professional, C-1 Light Commercial and C-2 General Commercial with a Commercial Land Use designation. The 1.39 acres consist of several lots, which will be combine to create one developable lot for the project. The Commercial Land Use requires densities higher than eight units shall require a Conditional Use Permit or certain housing types shall be allowed with a PUD consistent with the Land Development Regulations. The applicant has submitted a Conceptual Site Plan prepared by Germana Engineering, showing the proposed buildings, parking, landscape areas and access points for the property. The City Council on June 8, 2021, denied (Ordinance No 2021-013) a Planned Unit Development (PUD) rezoning request to allow up to 12 two-family duplex style-housing units with several waivers and variances to the land development codes.

The applicant has redesigned and made substantial changes to the conceptual layout for the proposed development. The concept plan identifies that each unit will be two bedrooms with an attached single car garage and provide approximately 1,200 square feet of living space. The Land Development Code, Section 98-14 requires two parking spaces for each two-bedroom residential unit. The plan has identified the garages and driveway parking for compliance of the parking requirements. The project as designed shows two additional onsite guest or visitor parking spaces for the development. The proposed project layout as submitted, does not request any variances or waivers to code, and will be required to comply with the Land Development Regulations, and any fire and building safety codes for development. The project will also be required to meet Clermont Architectural Design Standards for any buildings. The project as designed has provided an onsite dumpsters with enclosures to meet the refuse and collection needs of the proposed housing development. The applicant will be responsible for the coordination and associated cost for any refuse and collection services needed for the community.

In addition, the development conceptual plan has proposed the internal access streets and curbs are 24 feet wide, which complies with the requirements of the code. The code requirements for the minimum 24 feet streets width provides a safe traffic flow pattern, that allows emergency vehicles and pedestrians the ability to safely maneuver and exit the property. The project will be required to meet any fire safety and emergency vehicle accessibility requirements, which may include additional fire hydrants, sprinkling of buildings and other safety measures for compliance to the codes.

STAFF RECOMMENDATION:

Staff has reviewed the application and proposed project in regards to Section 122-315 Review Criteria for a Planned Unit Development. The proposed project does meet the requirements of the Land Development Regulations and general provisions for granting a Planned Unit Development (PUD). The Code requires all PUD Site Development Plans shall be designed in a manner that provides a complete living environment, with the intent to enhance and creates uniform development patterns, which complies with the general requirements and regulatory process for approval of the project. The proposed development is not in conflict to the Clermont Comprehensive Plan goals, objectives and policies for commercial land use.

Staff recommends approval of Ordinance No. 2021-023.

CITY OF CLERMONT
ORDINANCE NO. 2021-023

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, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, RECORDING, PUBLICATION AND AN EFFECTIVE DATE.

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

Lots 127 and 128, CLERMONT HEIGHTS, according to the plat thereof, as recorded in Plat Book 4, Page 1, Public Records of Lake County, Florida AND

Lots 11 and 12 and the West 1/2 of Lot 10, FAIRVIEW PLACE, according to the plat thereof, as recorded in Plat Book 9, Page 6, Public Records of Lake County, Florida

LOCATION

Vacant property Southeast of Almond Street and
Disston Avenue Intersection, adjacent to SunTrust Bank
(Alternate Key 1617995, 1618002, and 2827092)
1.393+/- acres





CITY OF CLERMONT
ORDINANCE NO. 2021-023

REZONING OF PROPERTY

**FROM: “R-3” Residential /Professional, “C-1” Light Commercial
And “C-2” General Commercial**

**TO: Planned Unit Development (PUD)
To allow up to six (6) two-family style (duplex) dwelling units**

SECTION 2: GENERAL CONDITIONS

This application is for a Planned Unit Development (PUD) to allow up to six (6) two-family duplex style-housing units; that may be developed on the 1.393 +/-acre parcels, not to exceed the maximum of 12 dwelling units for the entire site; shall be granted subject to the following conditions:

1. The conditions as set forth in this Planned Unit Development shall be legally binding upon any heirs, assigns and successors in title or interest.
2. The property shall be developed in substantial accordance with the Conceptual Site Plan prepared by Germana Engineering and Associates, identified as (Exhibit A). Formal construction plans incorporating all conditions stated in this permit must be submitted for review and approved by the Site Review Committee prior to the issuance of a zoning clearance or other development permits. The Conceptual Site Plan does not grant any development entitlements or uses. The project conceptual site plan is not an approved site plan and only used for conceptual purposes.
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. This application is for a Planned Unit Development (PUD) to allow up to six (6) two-family duplex style-housing units; not to exceed the maximum permitted of 12 dwelling units for the entire site.
2. All Building setbacks shall comply with R-3-A Residential/Professional zoning Land Development Regulations.
3. The maximum building height shall be up to 35 feet, measured at the highest point.
4. The developer will be required to comply with City vehicular and pedestrian circulation requirements for the project. Internal streets and access points must meet the minimum pavement width (including curbs) of 24 feet as required in the Land Development Code, Section 110. The City Engineer will review any required driveway permits at the time of

CITY OF CLERMONT
ORDINANCE NO. 2021-023

final Engineering.

5. The maximum height of any retaining walls shall not exceed 6 feet as permitted by the Land Development Regulations. Any fences shall be decorative and meet the requirements of the code.
6. The project will be required to comply with Clermont Solid Waste Collection and Disposal requirements for any onsite dumpsters and refuse collection to meet the solid waste demands for the project. The project shall provide a minimum of one (1) onsite dumpster and enclosure that comply with the Land Development Regulations.
7. The site may be developed to allow up to six (6) two family (duplex) style housing units, not to exceed the maximum of 12 units per acre. The two family one bedroom dwelling units must provide a minimum of 700 square feet of living space per dwelling unit, exclusive of any garages, carports, and screened areas. The two bedroom units must provide a minimum of 1,000 square foot of living space for each unit, exclusive of any garages, carports, and screened areas.
8. The buildings shall be constructed to meet the City of Clermont's Architectural Design Standards.
9. The developer may be required to provide installation of fiber optic conduit and pull boxes in the utility easements to extend the City's fiber optic network. The City's Information Technology Director will work with the developer at the time of site plan review to determine the extent of fiber optic conduit. 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.
10. The residential project must meet school concurrency requirements before final site plan approval in accordance with the Comprehensive Plan and Land Development Codes for Concurrency Management.
11. The project shall be developed according to the R-3-A Residential/Professional zoning designation in the Land Development Code, unless expressly stated above. The site may be used for any other permitted uses in the R-3 A Residential/Professional zoning district.
12. Sidewalks are required for all street rights of way for the entire length of the subject parcels. Project is required to provide pedestrian crosswalks and safety features within the residential community.
13. Street lighting is required for this project to provide pedestrian safety. A photometric plan that includes the location and foot candle at ground level will be reviewed during final site plan approval.

SECTION 4: CONFLICT

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



CITY OF CLERMONT
ORDINANCE NO. 2021-023

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: ADMINISTRATIVE CORRECTION

This Ordinance may be re-numbered or re-lettered and the correction of typographical and/or scrivener's errors which do not affect the intent may be authorized by the City Manager or designee, without need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

SECTION 7: RECORDING

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

SECTION 8: PUBLICATION & EFFECTIVE DATE

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



CITY OF CLERMONT
ORDINANCE NO. 2021-023

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 24th day of August.

CITY OF CLERMONT

Tim Murry, Mayor

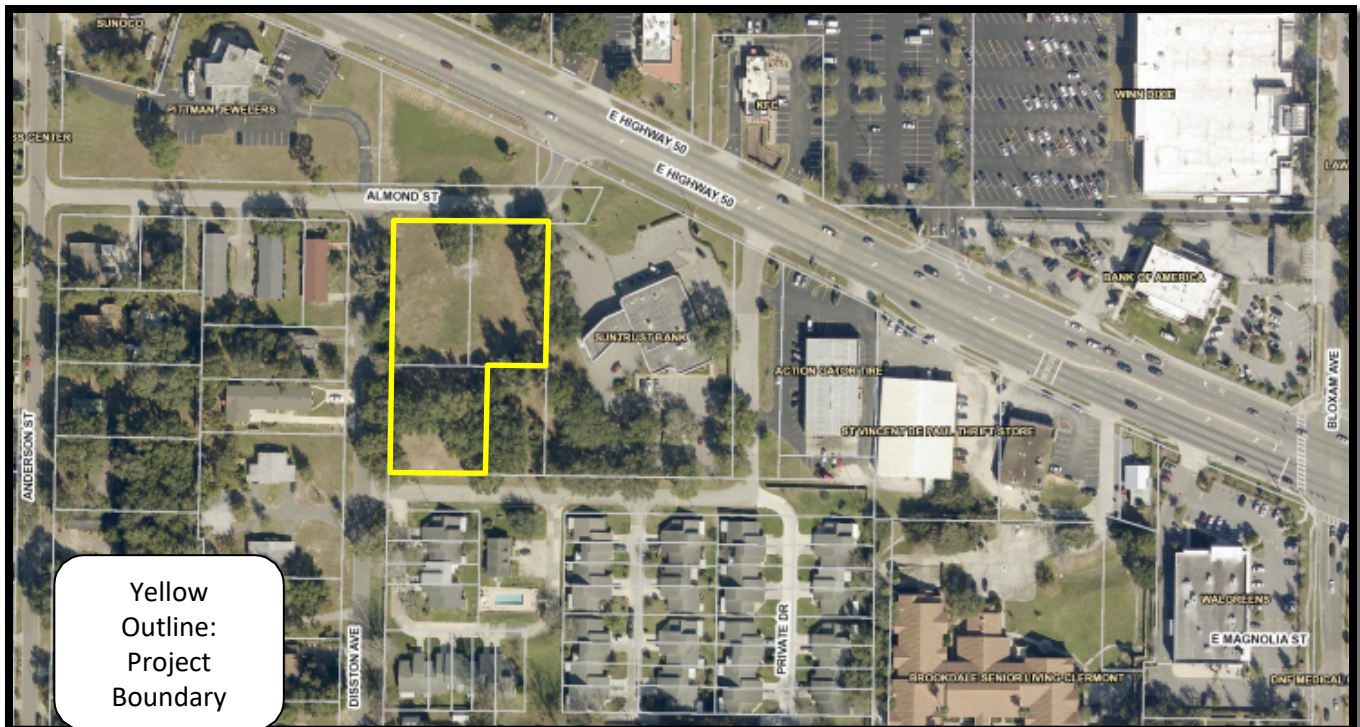
ATTEST:

Tracy Ackroyd Howe, MMC, City Clerk

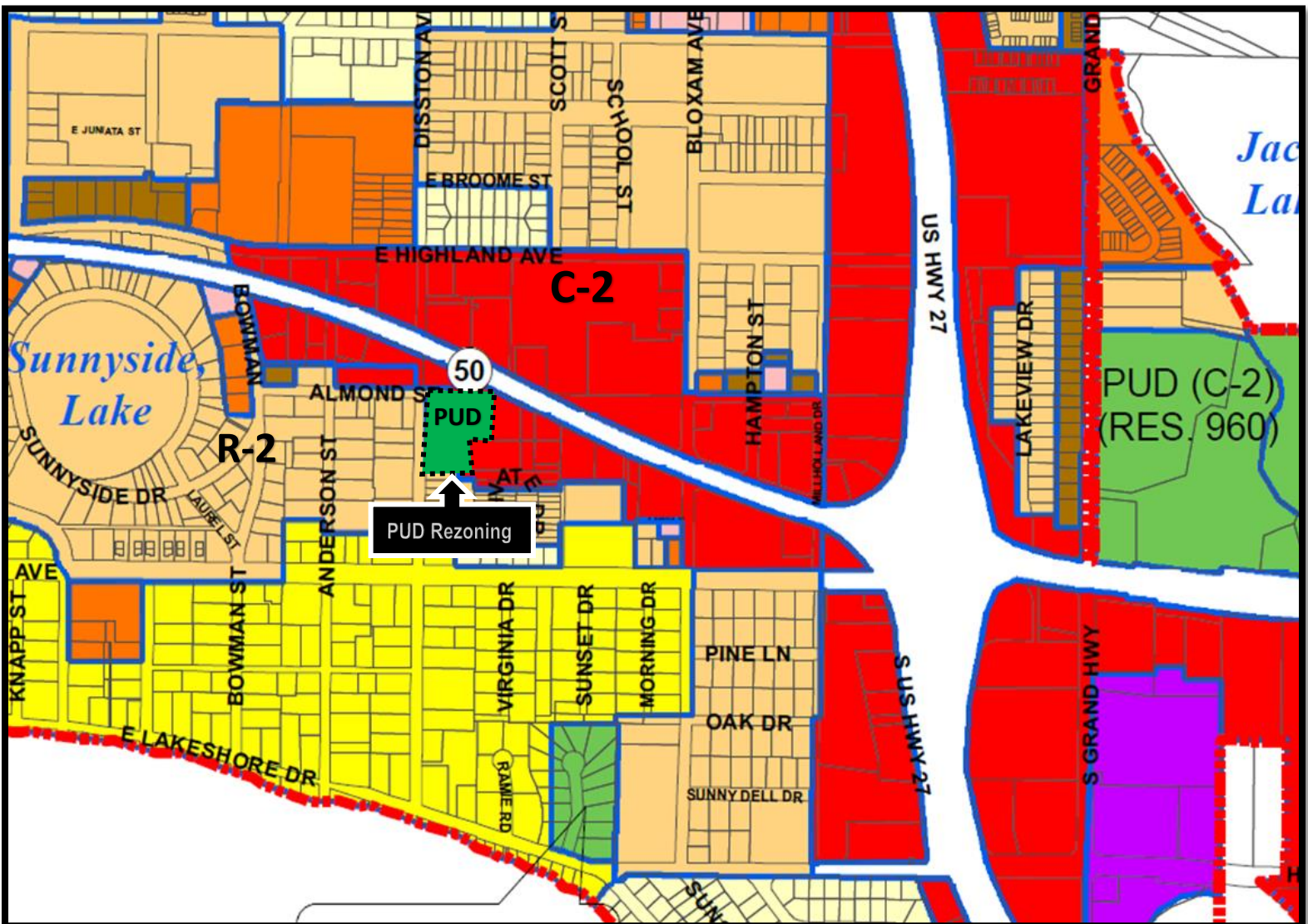
Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

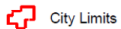
Exhibit - Location Map – Disston Duplexes



CLERMONT ZONING MAP



Legend



Zoning Designations

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

ALMOND STREET
(50' RIGHT OF WAY)



NOTES

1. THE SITE CONSTRUCTION STAKEOUT SHALL BE PERFORMED UNDER THE DIRECTION OF A FLORIDA REGISTERED SURVEYOR. AUTOCAD FILE WILL BE PROVIDED TO AID IN THE SITE CONSTRUCTION STAKEOUT. ANY DISCREPANCIES FOUND BETWEEN THE AUTOCAD FILES SHALL BE BROUGHT TO THE ENGINEERS ATTENTION FOR CLARIFICATION PRIOR TO THAT STAKEOUT.
2. PROJECT SITE SHALL COMPLY WITH THE FLORIDA ACCESSIBILITY CODE FOR BUILDING CONSTRUCTION (FBC) 2017 EDITION

SITE DATA

1. TOTAL SITE AREA = 60,683 SF (1.39 AC)
2. SITE LOCATION
501 ALMOND STREET
CLERMONT, FLORIDA 34711
TAX PARCEL: ALT KEY # 1617995 / # 1618002 / # 2827092 / # 2795425
SECTION 30, TOWNSHIP 22 SOUTH, RANGE 26 EAST
3. SITE DESCRIPTION
EXISTING ZONING: C-1 LIGHT COMM. / C-2 GENERAL COMM. / R-3 RESID./PROF.
FUTURE LAND USE: COMMERCIAL
PROPOSED ZONING: PUD
4. SITE REQUIREMENTS
MAXIMUM ISR: 80%
MAXIMUM BUILDING HEIGHT: 55 FEET

ALMOND STREET LANDSCAPE BUFFER: 15 FEET
DISSTON AVENUE (WEST) LANDSCAPE BUFFER: 15 FEET
DISSTON AVENUE (SOUTH) LANDSCAPE BUFFER: 15 FEET
EAST LANDSCAPE BUFFER: 10 FEET
SOUTH LANDSCAPE BUFFER: 10 FEET

ALMOND STREET SETBACK: 25 FEET
DISSTON AVENUE (WEST) SETBACK: 25 FEET
DISSTON AVENUE (WEST) SETBACK: 25 FEET
EAST SETBACK: 12 FEET
SOUTH SETBACK: 12 FEET
5. BUILDING DATA
USE TYPE: DUPLEX RESIDENTIAL
UNIT COUNT: 12 UNITS
CONSTRUCTION TYPE:
FINISHED FLOOR: TBD
BUILDING AREA: 1,298 SF PER UNIT
MAXIMUM HEIGHT: 25'
6. PARKING DATA
(2 SPACES PER TWO BEDROOM UNIT)
REQUIRED PARKING = 24 SPACES
PROVIDED PARKING = 26 SPACES
7. IMPERVIOUS DATA
BUILDING FOOTPRINT = 15,576 SF
ASPHALT (PARKING) = 11,433 SF
CONCRETE = 635 SF
TOTAL IMPERVIOUS = 27,644 SF (45.55% ISR)
TOTAL OPEN SPACE = 33,039 SF (54.45% ISR)

LEGEND

- PROPERTY LINE
- EXTERIOR PARCEL LINE
- - - BUILDING SETBACK
- - - - LANDSCAPE BUFFER
- PROPOSED CONCRETE

PRELIMINARY
NOT FOR CONSTRUCTION
NOT FOR PERMITTING
06-29-21

CHRISTOPHER M. GERMANA, P.E.
FLORIDA PROFESSIONAL ENGINEER # 61082
FIRM CERTIFICATE OF AUTHORIZATION # 29279

CONCEPT PLAN

DISSTON DUPLEXES

PROJECT # GE0312020

CLERMONT, FLORIDA

GERMANA ENGINEERING
AND ASSOCIATES, LLC
1120 WEST MINNEOLA AVENUE
CLERMONT, FL 34711
WWW.GERMANAENGINEERING.COM
CERTIFICATE OF AUTHORIZATION NUMBER: 29279
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SCALE: 1" = 20'

DATE:

SHEET

CONCEPT

DISSTON AVENUE
(50' RIGHT OF WAY)



CITY OF CLERMONT REZONING APPLICATION

DATE June 29,2021		FEE: \$542.00 + cost of advertisement + cost of traffic review, if necessary	
Project Name (if applicable) Disston Street Duplexs			
Applicant Robert Thompson			
Contact Person Robert Thompson			
Address 1958 Brantley Circle	City Clermont	State Florida	Zip 34711
Telephone 321-689-5785	Fax		
Email			
OWNER INFORMATION			
Owner's Name Robert Thompson			
Owner Address 1958 Brantley Circle	City Clermont	State Florida	Zip 34711
Telephone 321-689-5785	Email		
PROPERTY INFORMATION			
Address of Subject Property 501 Almond Street	City Clermont	State Florida	Zip 34711
Legal Description (include copy of survey) Tax Parcel: Alt Key # 1617995 / # 1618002 / # 2827092 / # 2795425 Section 30, Township 22 South, Range 26 East			
Acreage 1.39	Land Use (City verification required) Commercial		
Present Zoning (City verification required) C-1 Light Commercial / C-2 General Commercial / R-3 Residential/Professional	Proposed Zoning PUD		



CITY OF CLERMONT REZONING APPLICATION

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

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

1-story Duplex-Residential Homes consist of 12 Units with single car garage and driveway.
1.39 Acre Development includes on-site Stormwater and 2 entrances.
Garbage pick-up will be provided by an on-site dumpster.

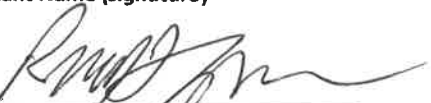
No waivers or variances are requested with this application.

Check box to indicate additional materials are provided via attachment. ☐

Robert D. Thompson
Applicant Name (print)

Robert D. Thompson
Owner Name (print)

x 
Applicant Name (signature)

x 
Owner Name (signature)

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

5/22/2020

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. 2021-023

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, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, RECORDING, EFFECTIVE DATE AND PUBLICATION.

LOCATION:

Vacant property southeast of Almond Street
and Disston Avenue Intersection,
Adjacent to Suntrust Bank
AK 1617995, 1618002, 2827092
1.39 Acres +/-

LEGAL DESCRIPTION

Lots 127 and 128, CLERMONT HEIGHTS, according to the plat thereof, as recorded in Plat Book 4, Page 1, Public Records of Lake County, Florida

AND

Lots 11 and 12 and the West 1/2 of Lot 10, FAIRVIEW PLACE, according to the plat thereof, as recorded in Plat Book 9, Page 6, Public Records of Lake County, Florida



**FROM: R-3 Residential/Professional,
C-1 Light Commercial,
and C-2 General Commercial
TO: Planned Unit Development (PUD)**

The Planning and Zoning Commission will consider the request on Tuesday, August 3, 2021 at 6:30 P.M.

The Clermont City Council will hold a public hearing to consider this request on Tuesday, August 24, 2021 for final adoption.

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

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

Please be advised that under State law, if you should decide to appeal a decision made with respect to this matter, you may need to ensure that a verbatim record is made. Persons with disabilities who need assistance should contact the City Clerk's office, (352) 241-7330, at least 48 hours prior to the public hearings.

Tracy Ackroyd Howe, MMC

City Clerk