



**CITY OF CLERMONT
PLANNING AND ZONING COMMISSION AGENDA
LOCATION: CLERMONT CITY HALL
685 WEST MONTROSE STREET
6:30 PM, Tuesday, December 5, 2023**

**CALL TO ORDER
PLEDGE OF ALLEGIANCE
MINUTES**

Approval of the November 7, 2023 Minutes

**REPORTS
NEW BUSINESS**

Item 1 - Resolution No. 2023-047R
The Learning Experience at Hammock Ridge CUP

Consider the Conditional Use Permit to allow for a 12,272 square foot childcare facility in the Tuscany Village PUD on a vacant parcel located west of US Highway 27 and Bella Lago Drive.

Item No. 2 - Ordinance No. 2023-026
Lumberyard District PUD

Consider an ordinance for a Planned Unit Development rezoning for the redevelopment of 12.3 +/- acres within the Central Business District for a mixed-use project adjacent to Victory Pointe and South Lake Trail.

**UNFINISHED BUSINESS
DISCUSSION OF NON-AGENDA ITEMS
ADJOURN**

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

In accordance with the Americans with Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, then not later than two (2) business days prior to the proceeding, he or she should contact Development Services at (352) 241-7335.

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 Committee Clerk for the City's records.

City of Clermont
MINUTES
PLANNING AND ZONING COMMISSION
November 7, 2023

CALL TO ORDER

Vice-Chair Niemiec called the meeting of the Planning and Zoning Commission to order on Tuesday, November 7, 2023 at 6:47 p.m.

MEMBERS PRESENT: Vice-Chair Niemiec, Member Grube, Member McAllister, and Member Colby

MEMBERS ABSENT: Chairman Krzyminski, Member Guerrero, Member Norton

ALSO PRESENT: City Attorney Morgeson, Development Services Director Henschel, Planning Manager Kruse, Senior Planner McGruder, and Planning Coordinator Heard

PLEDGE OF ALLEGIANCE

MINUTES

MOTION TO APPROVE the October 3, 2023 minutes of the Planning and Zoning Commission made by Commissioner Colby, seconded by Commissioner Grube. Motion passed 4-0 with Chairman Krzyminski, Commissioner Guerrero, and Commissioner Norton absent.

REPORTS FROM THE COMMISSION - None

NEW BUSINESS

Item 1 & Item 2 – Ordinance No. 2023-030 Waterbrooke Phase 7 SSCPA & Ordinance No. 2023-031 Waterbrooke Phase 7 Rezoning

Planning Manager Kruse presented as follows:

The applicant, Mattamy Orlando LLC, is requesting a Small Scale Comprehensive Plan Amendment (SSCPA) and Rezoning through a Planned Unit Development (PUD) for approximately 23.95 +/- acres adjacent to the Waterbrooke subdivision. The property is currently in Lake County with a future land use of Rural. The applicant is requesting a future land use map change from Rural to Low Density Residential once it is annexed into the City of Clermont. Low Density Residential allows up to three dwelling units per acre. The applicant is proposing an additional phase, Phase 7, to the existing Waterbrooke subdivision. The Low Density Residential future land use is consistent with the existing future land use for the entire Waterbrooke PUD. The property will be accessed from within the existing Waterbrooke development, and an amendment to the existing PUD is being sought. The development proposal for this parcel does not conflict with the Low Density Residential future land use within the City's Comprehensive Plan. Staff recommends approval of Ordinance No. 2023-030.

The applicant is also requesting to add this 23.95 +/- acres to the existing residential subdivision, Waterbrooke, through a Planned Unit Development (PUD) Amendment. The applicant is

requesting a rezoning to allow 62 additional single family homes within this parcel. The internal lots will be a minimum of 60 feet in width and 75 feet on the perimeter. The Waterbrooke subdivision was annexed by the City in 2016. The project was approved by Lake County in 2006 for a residential development consisting of 894 age-restricted single family homes. The PUD has been amended several times prior to being annexed.

With the additional acreage added to the Waterbrooke subdivision, the applicant is requesting an increase from 1100 units to 1165 units on a total of 592.7 acres, which equates to 1.97 units per acre overall. The only permitted site access will be from within the existing Phase 6, which connects to Ray Goodgame Parkway. There will be no access from Island Boulevard or any other access point. All the conditions in the existing PUD ordinance have conveyed with the exception of a change in an increase of the total number of units, an updated location map to show the additional acreage within the overall project and an updated master site plan. The applicant originally requested townhomes and higher density in this phase, but staff was unable to support the request since it was not consistent with the approved development in Phase 6.

Staff has reviewed the applicant's request for a rezoning from Urban Estate (default zoning upon annexation) to be included in the Waterbrooke PUD. Staff has also reviewed the project according to Section 125-486, Review Criteria for a PUD. The proposed parcel is adjacent to public utilities, and the access point is within the existing subdivision. The property is adjacent to the City limits, and the City is able to provide services in this area. The density is similar to what is existing within Phase 6 and larger lots (75 feet wide) are on the perimeter of this phase. Staff recommends approval of Ordinance No. 2023-031.

Alex Stringfellow, 2733 Woodside Avenue, Winter Park, Applicant, agreed with staff's presentation. He showed pictures of the existing Waterbrooke community and explained this proposed Phase 7 will be connecting directly to Phase 6A & 6B. He provided some history of the work that went into creating this phase.

The floor was opened for public comments.

Curtis Binney, 16324 Johns Lake Road, spoke in opposition due to the amount of trees that will potentially be removed in order to build out this phase. He further stated this application is inconsistent with Clermont Code, the application is defective; and therefore, this proposed application should be returned to staff.

Timothy Hart, 16211 Johns Lake Road, spoke in opposition stating there is no recreation area for the kids who will bring trash down the street to his property. He is concerned with the gopher tortoises, and would like to see the entire development fenced. He further showed a concept of ten houses that he said was proposed to them in June of 2021 wherein he gave them a five (5) foot easement for installing lines, and he is requesting that easement to be terminated. He requested the surrounding roads be cutoff to construction vehicles, because the roads are already in bad shape.

Steve Dinkin, 3372 Florigold Grove Street, stated he currently lives in Waterbrooke, and asked whether the developer is considering adding more amenities with this phase. He listed out the current amenities and further stated on many weekends they are nearing capacity on the amenities. He feels the City Council should consider requiring an amenities center to ease the burden for the rest of the community.

City Attorney Morgeson advised the commission is to hear public comments, but is not required to answer any questions. Any questions can be addressed by the applicant or city staff.

Angela Thomas, 12008 CW Harrell Road, spoke in opposition explaining the residents in the new Waterbrooke development are using Lost Lake Road and Friendship Road to Johns Lake Road attributing to a lot more traffic in her vicinity and tearing up the roads.

The floor was closed for public comments.

Alex Stringfellow, *Applicant*, stated there will be a tree survey, landscape plans, and tree protection mitigation done on this site that comes after the public hearings. He explained typically when there are large lots within a development, those homeowners build pools and playgrounds on their large lots, which will ease overcrowding at the amenities. He further explained any environmental permits for protected species will come at a later date and will be permitted at that time with the appropriate agencies.

Commissioner Colby inquired about the trees being removed and whether there could be a fence placed on the perimeter of the development. Mr. Stringfellow explained a tree survey needs to be done and calculated in order to determine how many trees are required to be replanted; and further, he stated he needs to ask Mattamy about fencing the perimeter of the development.

Planning Manager Kruse explained a tree survey is required during site plan review which lists the health, size and type of the tree. There is a calculation made based on the survey, which gives the developer the ability to remove the trees and replant; however, there is nothing that prevents developers from removing the trees for the project.

Vice-Chair Niemiec asked if the environmental and tree survey will be presented prior to going to City Council. Planning Manager Kruse indicated the environmental assessments are not done this far in advance because they expire within six months.

City Attorney Morgeson advised the issues before this commission are the small scale comprehensive plan amendment and rezoning. The environmental assessments will have to be vetted at a later date by the applicant and staff.

Commissioner Grube asked for clarification on the timeline of a site plan. Planning Manager Kruse explained the work entailed with a site plan is very costly. So a developer needs to know beforehand whether or not the City Council will allow the site to come into the city for infrastructure purposes.

Commissioner McAllister stated the vote tonight is only for a small scale comprehensive plan amendment and rezoning. The vote is not on adding 62 homes to this site.

City Attorney Morgeson announced these two items will be heard by City Council on November 14th for the first reading and November 28th for the second reading public hearing.

Vice-Chair Niemiec asked how many units the amenity center can serve, the pool occupancy and how many tennis and/or basketball courts the development has. Mr. Stringfellow answered the

amenity center can serve approximately 800 homes, but it is a complicated calculation. Discussion ensued regarding lot size and traffic impacts.

MOTION TO RECOMMEND APPROVAL of Ordinance No. 2023-030 Waterbrooke Phase 7 Small Scale Comprehensive Plan Amendment (SSCPA); Moved by Commissioner Colby, Seconded by Commissioner McAllister.

Discussion ensued regarding recommending a condition that the developer add more amenities.

After discussion, Motion passed 3-1 with Vice-Chair Niemiec opposing, and Chairman Krzyminski, Commissioner Guerrero, and Commissioner Norton absent.

MOTION TO RECOMMEND APPROVAL of Ordinance No. 2023-031 Waterbrooke Phase 7 Rezoning; Moved by Commissioner Colby, Seconded by Commissioner Grube. Motion passed 3-1 with Vice-Chair Niemiec opposing, and Chairman Krzyminski, Commissioner Guerrero, and Commissioner Norton absent.

Item 3 - Resolution No. 2023-041R Plaza Collina PUD Amendment Conditional Use Permit (CUP)

Senior Planner McGruder presented as follows:

The applicant, KPM Franklin, is requesting to amend the Plaza Collina Planned Unit Development (Resolution 2015-08) to allow for internal shared drive isles and reduced landscape buffers for parcels identified as Pods F and H within the parent parcel. The property is located on the north side of State Road 50 and east of Magnolia Pointe Boulevard, west of Lake Boulevard.

The proposed site is a vacant portion within the Plaza Collina Mixed Use project that consists of C-2 General Commercial uses. The Land Development Code requires an amendment to the Planned Unit Development for any uses or site changes not identified in the Master Development Plan or permitted by the land development regulations for the C-2 General Commercial zoning district. The site is proposing restaurants, offices and other commercial uses. The applicant indicates the shared driveways will allow interconnectivity to the maximum extent feasible and decrease the number of driveway cuts along the north frontage road.

When evaluating a request for a Conditional Use Permit, the Land Development Code, Section 101-212 requires specific development standards that are required to be met. Staff has reviewed the application as submitted in accordance with the development standards criteria and finds the proposed use can meet the general criteria for granting a Conditional Use Permit. The proposed use will not be detrimental to the health, safety and welfare of the surrounding community. Staff recommends approval of the Conditional Use Permit with the conditions contained in Resolution No. 2023-041R.

Jonathan Huels, Esq., *Lowndes Law, Applicant*, stated he is present with the development team, and they concur with staff's recommendation, and he is happy to answer any questions.

The floor was opened for public comments. With no speakers present, the floor was closed.

Commissioner McAllister stated she likes that you can drive from lot to lot without having to get onto the road.

Commissioner Grube stated he had no issues.

Commissioner Colby agreed with Commissioner McAllister stating this should make the project flow well, and he had no issues.

Vice-Chair Niemiec asked how many entrance ways there will be onto State Road 50. Mr. Huels explained the various access drives onto the site.

MOTION TO RECOMMEND APPROVAL of Resolution 2023-041R Conditional Use Permit (CUP) to the Plaza Collina PUD Amendment. Moved by Commissioner McAllister, Seconded by Commissioner Grube. Motion passed 4-0 with Chairman Krzyminski, Commissioner Guerrero, and Commissioner Norton absent.

Item 4 - Resolution No. 2023-042R 7th Street Commercial Conditional Use Permit (CUP)

Senior Planner McGruder presented as follows:

The applicant, Nexbiz LLC, is requesting a Conditional Use Permit to allow for construction of a 4,950 square foot retail and restaurant building in the Central Business District (CBD). The Land Development Code, Section 125-370, requires a Conditional Use Permit for any structure occupying more than 3,000 square feet of floor space. The total site area is 0.217+/- acres. The Land Use designation is Downtown Mixed-Use. The proposed building shall be designed to comply with Clermont Architectural Design Standards, and the site shall be developed in accordance with the provisions of the Land Development Regulations.

Staff has reviewed the application and finds that the proposed use will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, and the use will be in compliance with the regulations and conditions specified. Therefore, staff recommends approval of the Conditional Use Permit to allow for a restaurant and commercial building occupying more than 3,000 square feet to be permitted in the CBD with the conditions contained in Resolution No. 2023-042R.

Jayson Stringfellow, 1455 Lakeshore Drive, Applicant, explained the two (2) different elevations that were submitted, and specified the site is currently impervious and no impervious space will be added. He further stated he is present to answer any questions.

The floor was opened for public comments. With no speakers present, the floor was closed.

Commissioner Colby stated he thinks this is a great addition to downtown.

Commissioner Grube asked about parking, and Mr. Stringfellow answered the adjacent parking is open to anyone.

Commissioner McAllister asked if this is a shell building and whether he knows anything that may be going in, and Mr. Stringfellow stated he does not know what business may go in at this time.

Vice-Chair Niemiec stated the building will be taking over a lot of parking spaces, and inquired whether buildings are required to have handicap parking. Senior Planner McGruder explained the building official will look at that to make sure the building meets all of the ADA requirements.

Vice-Chair Niemiec asked where the garbage receptacle will be located. Mr. Stringfellow explained where the trash will be located, and containers will be utilized instead of dumpsters.

MOTION TO RECOMMEND APPROVAL of Resolution No. 2023-042R 7th Street Commercial CUP; Moved by Commissioner Colby, Seconded by Commissioner Grube. Motion passed 3-1 with Vice-Chair Niemiec opposing and Chairman Krzyminski, Commissioner Guerrero, and Commissioner Norton absent.

Item 5 – Ordinance No. 2023-032 Land Development Code Amendment (LDC) – Tree Removal & Replacement

Development Services Director Henschel presented as follows:

Staff is proposing an amendment to the landscape code, Section 123-102. Currently, the mediation plan for heavily wooded property allows the owner to pay the City for trees that are not able to be replanted on the site. The City can then use these funds to plant trees on public properties around the city. This amendment will allow the City to include landscape materials (plants, shrubs and associated materials) to these projects throughout the city.

The proposed amendment is to read as follows (note: underlined indicates added):

Sec. 123-102. - Issuance; criteria for tree removal; tree replacement standards.

- (6) Replacement trees shall, if practicable, be planted on the development site. If not practicable, ~~replacement trees may be donated,~~ or a fee in lieu of replacement may be paid to the city for purposes of planting trees and landscaping on public property. The fee in lieu of replacement shall be based on the average retail cost of purchasing the requisite size and number of replacement trees.

The floor was opened for public comments. With no speakers present, the floor was closed.

Commissioner McAllister had no comments.

Commissioner Grube asked for clarification on what the funds can be used for. Development Services Director Henschel explained currently the funds can only be used towards the City to replant trees; however, the City is attempting to change it to trees and landscaping (shrubs, mulch, etc.).

Commissioner Colby asked how this affects and replaces large trees. Development Services Director Henschel explained the code does not address heritage trees; however, a large tree has to be replaced with a larger replacement tree. There are specified calculations for tree replacements within the code.

Vice-Chair Niemiec stated he is concerned about the landscaping because of its expense, and he feels the city is losing a lot of trees. He stated if a tree is removed, a tree should replace it.

MOTION TO RECOMMEND APPROVAL of Ordinance No. 2023-032 Land Development Code Amendment (LDC) – Tree Removal & Replacement, as amended; Moved by Commissioner Colby, Seconded by Commissioner McAllister. Motion passed 4-0 with Chairman Krzyminski, Commissioner Guerrero, and Commissioner Norton absent.

UNFINISHED BUSINESS - None

DISCUSSION OF NON-AGENDA ITEMS - None

ADJOURNMENT – 7:54 pm

MOTION TO ADJOURN; Moved by Commissioner McAllister, Seconded by Commissioner Colby. Motion passed 4-0 with Chairman Krzyminski, Commissioner Guerrero, and Commissioner Norton absent.

Vincent Niemiec, Vice-Chair

ATTEST:

Kathy Heard, Planning Coordinator

AGENDA ITEM

Meeting Date	
Tuesday, December 5, 2023	
Agenda Item Name	
Resolution No. 2023-047R <i>The Learning Experience at Hammock Ridge CUP</i>	
Requested Action	
Recommend approval of Resolution 2023-047R.	
Staff Report	
The applicant, Planeng, Inc., is requesting a Conditional Use Permit to allow for a childcare center facility in a Planned Unit Development (PUD) zoning district. The vacant parcel is located west of US Highway 27 and Bella Lago Drive. The property is part of the Tuscan Village PUD (Resolution No. 1532) known as The Shoppes of Hammock Ridge. The PUD allows C-1 Light Commercial permitted uses and the Future Land Use designation is Commercial. The Land Development Code, Section 125-313(5), requires a Conditional Use Permit for any childcare center in the C-1 zoning district.	
	
The applicant is proposing a 12,272 square foot childcare center with an outdoor playground area. The childcare center will allow up to the maximum of 232 children, and the parents will be required to park their vehicles and sign their children into the center. The project is not proposing any pick-up and drop-off areas. In 2019, a Traffic Impact Study was completed and required the installation of certain traffic improvements for the overall project which has been completed. The City's traffic consultant determined the proposed childcare center trip generation does not exceed the maximum trips and no further study is required. The childcare center will be required to completely screen the playground area from public view and streets. The proposed use will not be detrimental to the health, safety and welfare of the surrounding community.	
When evaluating a request for a Conditional Use Permit, Section 101-212, the general criteria for granting a permit requires specific development standards that are required to be met. Staff has reviewed the application as submitted and finds the proposed use can meet the general criteria for granting a Conditional Use Permit. Staff recommends approval of the Conditional Use Permit with the provisions contained in Resolution No. 2023-047R.	
Additional Analysis	

Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1.	2023-047R - The Learning Experience CUP (11.29.2023)	2023-047R - The Learning Experience CUP (11.29.2023).pdf
2.	LOCATION MAP	LOCATION MAP.pdf
3.	CUP Site Plan 10-25-23	CUP Site Plan 10-25-23.pdf
4.	Survey	Survey.pdf
5.	TLE Conceptual Renderings	TLE Conceptual Renderings.pdf
6.	Application	Application.pdf
7.	Legal Ad	Legal Ad.pdf



CITY OF CLERMONT
RESOLUTION NO. 2023-047R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR A CHILDCARE FACILITY IN A PLANNED UNIT DEVELOPMENT ZONING DISTRICT; PROVIDING FOR CONFLICT, SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida, at a meeting held on December 5, 2023, recommended approval of this Conditional Use Permit to allow for a childcare facility at the following location:

LOCATION:

The Learning Experience
Vacant parcel west of the intersection of US Highway 27
and Bella Lago Drive
Alternate Key 3890913

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 applicant has applied for a Conditional Use Permit to allow for a childcare facility to be located in a Planned Unit Development Zoning District, with C-1 permitted uses, the subject parcel is part of the Tuscany Village Planned Unit Development Master Plan (Resolution No. 1532) also known as The Shoppes at Hammock Ridge Phase 3;

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.

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

This application for a Conditional Use Permit to allow for a childcare facility be located in a Planned Unit Development zoning district, be granted subject to the following conditions:

SECTION 1: GENERAL CONDITIONS

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



CITY OF CLERMONT
RESOLUTION NO. 2023-047R

2. Upon approval of the resolution the aforementioned property shall only be used for the purposes described herein. No further expansion of the use or additions to this project shall be permitted except as approved by another Conditional Use Permit. Any other proposed use shall be specifically authorized by amendment and approval of the City of Clermont City Council.
3. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.
4. Prior to the issuance of any permits, the applicant shall be required to submit formal site plans for review and approval by the City of Clermont Site Review Committee. The site plans shall meet all submittal requirements and comply with the conditions of this Resolution, applicable City Codes, Regulations, Ordinances, and provide compliance with the adopted City Comprehensive Plan, as amended.
5. No business can occupy any portion of the building unless the proposed business has applied for and obtained a Local Business Tax Receipt from the Development Services Department.
6. The Conditional Use Permit must be executed and processed through the office of the City Clerk within 90 days of its date of grant by the City Council or the permit shall become null and void.
7. The Applicant shall record in the Public Records of Lake County within 90 days of its date of approval by the City Council, a short-form version of this Conditional Use Permit as provided by the City or a form acceptable to the City, to provide notice to all interested parties, the assigns, successors and heirs of the developer/applicant and all future owners of the above-referenced property that the real property described above is subject to the terms and conditions of the Conditional Use Permit.
8. The structure shall be inspected by the Fire Marshal for life safety requirements. All requirements must be met prior to any Certificate of Occupancy being issued.
9. The structure shall be inspected by the City Building Inspector and all building code violations must be corrected prior to the issuance of a Certificate of Occupancy.
10. If any of the stated conditions are violated, the applicant understands and agrees that the City Council may revoke this Conditional Use Permit by resolution.
11. This permit shall become null and void if substantial work has not begun within two (2) years of the date of issuance of this Conditional Use Permit.



CITY OF CLERMONT
RESOLUTION NO. 2023-047R

SECTION 2: LAND USES AND SPECIFIC CONDITIONS

1. This Conditional Use Permit is to allow for a childcare center with up to 12,275 square feet to be located in the Tuscan Village Planned Unit Development (Resolution No. 1532), also known as The Shoppes at Hammock Ridge. The Planned Unit Development allows C-1 Light Commercial permitted uses. The facility maximum number of children may not exceed a combined total of 232 students.
2. The property shall be developed in substantial accordance with the Preliminary Conceptual Site Plan (Exhibit A) prepared by Planeng, Inc. The conceptual plan submitted with the Conditional Use Permit application is not an approved site plan. Formal construction plans incorporating all conditions stated in this Permit shall be submitted for review and approved by the Site Review Committee prior to the issuance of a Zoning Clearance or other development permits. The site will be required to comply with the Clermont Architectural Design Standards and Land Development Codes.
3. The site may also be used for any permitted use in the C-1 Light Commercial zoning district. All uses must adhere to the requirements of the Land Development Code.
4. The childcare facility playground area must be completely screened from adjacent properties and public streets.
5. In the event the operation of the use as authorized herein results in three (3) documented violations of City Code Chapter 34, Article II, "Noise" as may be amended or revised, in any thirty (30) consecutive-day period as verified by staff, this Conditional Use Permit shall be presented to the City Council for consideration of further conditions or revocation of this Conditional Use Permit.

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 take effect immediately upon its adoption.



CITY OF CLERMONT
RESOLUTION NO. 2023-047R

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 12th day of December, 2023.

CITY OF CLERMONT

Tim Murry, Mayor

ATTEST:

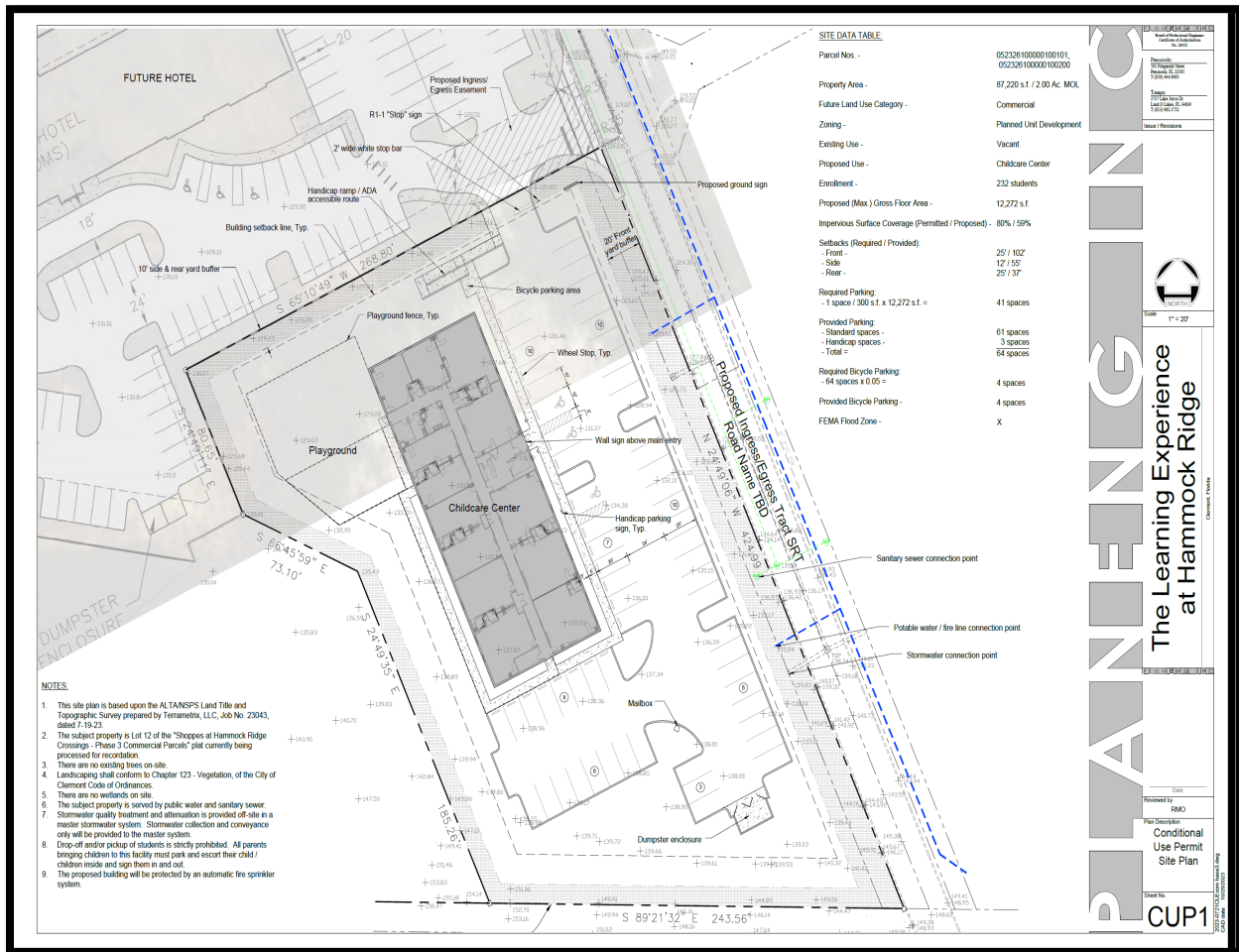
Tracy Ackroyd Howe, MMC
City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

CITY OF CLERMONT RESOLUTION NO. 2023-047R

Exhibit A – Preliminary Conceptual Site Plan



LOCATION MAP



NO.	REVISION	DATE	BY
			WCW

DRAWN BY:	AAW
CHECKED BY:	WCW
DATE:	7-10-23
JOB NUMBER:	23043
FILE:	23043-ALTA.DWG

SHEET NO.
2
OF 2

FEE PARCEL CONTAININS 2.002 ACRES MORE OR LESS.

LEGEND:

SYMBOLS		SYMBOLS	
ARV	AIR RELEASE VALVE	NMS	NOT A MATTER OF SURVEY
BFP	BACKFLOW PREVENTER	OHW	OVERHEAD WIRE
CI	CURB INLET	R	OFFICIAL RECORDS
CP	CAPPED IRON PIPE	RB	PLAY BOOK
CR	FOUND CAPPED IRON PIPE	PG	PAGE
CO	CLEANOUT	PE	PEDESTAL
CMF	CORRUGATED METAL PIPE	P	PLAT REFERENCE
CH	CONCRETE MONUMENT	PVC	POLYVINYL CHLORIDE
CI	CURB INLET	RCP	REINFORCED CONCRETE PIPE
DI	DIED REFERENCE	S	SIGHT OF WATER
EB	ELECTRIC BOX	SAN	SANITARY
FDC	FIRE DEPARTMENT CONNECTOR	SR	STATE ROAD
FE	FLANGE ELEVATION	TBM	TOPOGRAPHIC BENCHMARK
FCIR	FOUND CAPPED IRON ROD	TE	TOP ELEVATION
FCM	FOUND CAPPED CONCRETE MONUMENT	TSP	TRAFFIC SIGNAL POLE
FFKLO	FOUND PK & O&K	TW	TOP OF WALL
IE	INVERT ELEVATION	WH	WATER METER
M	MEASURED	USE	UNDERGROUND ELECTRIC
MES	MISSED END SECTION	UGT	UNDERGROUND TELEPHONE
MANH	MANHOLE	U	UNDERGROUND (AS NOTED)
MW	MONITOR WELL	●	(SCSR) SET CURB LB #9168
O/A	OVERALL		

 	POWER POLE (UP) WIRE HYDRANT (HH) GATE INLET (G) GUY WIRE (GW) HANDCAPPED (HC) LIGHT POLE (LP) MISSED END SECTION SIGN WATER ASSEMBLY VALVE IRRIGATION CONTROL VALVE WOOD FENCE CHAIN LINK FENCE MANHOLE	 	CABLE MARKER FDC STAMPEDE TELECOM PEDESTAL FIBER MARKER ELECTRIC VALVE GAS PEDESTAL POLE WATER ASSEMBLY VALVE IRRIGATION CONTROL WOOD FENCE CHAIN LINK FENCE OAK TREE PALM TREE CEDAR TREE TREE AS NOTED CLEAN OUT
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Viera TLE



Viera TLE

PRO-JECTRealty
PRO-JECT Realty, LLC • Licensed Real Estate Brokers

ARC3
architecture



Viera TLE

October 26, 2023

John Kruse

Planning Manager
City of Clermont
Development Services
685 W. Montrose St.
Clermont, FL 34711

Re: The Learning Experience at Hammock Ridge
Conditional Use Permit Application – Initial Submittal

Dear John,

Submitted for your review and approval are the following materials for a Conditional Use Permit application for the referenced project:

- CUP Application
- CUP Site Plan
- Letter of Authorization
- TLE Conceptual Renderings
- TLE Conceptual Elevations
- Warranty Deeds
- Plat Excerpt
- Legal Description (in MS Word)
- Hammock Ridge Traffic Study
- Copy of current survey

Note the boundary is predicated on the Plat currently being finalized for recordation in the City. Please let me know if you have any questions regarding this submittal.

Sincerely,

Planeng, Inc.



Russell M. Ottenberg
Vice President



CITY OF CLERMONT
CONDITIONAL USE PERMIT
APPLICATION

Date Oct 24, 2023		FEE: \$845 + cost of advertisement + cost of traffic review (if necessary)	
Project Name (if applicable) The Learning Experience at Hammock Ridge			
Applicant Planeng, Inc.			
Contact Person Russell Ottenberg			
Address 3737 Lake Joyce Dr.		City Land O Lakes	State FL Zip 34639
Telephone 813.962.1752		Fax 866.413.6206	
Email			
OWNER INFORMATION ☐ (Check box if owner information is same as applicant)			
Owner's Name Shoppes at Hammock Ridge Crossings, LLC			
Owner Address 800 Highland Ave., Ste. 200		City Orlando	State FL Zip 32803
Telephone		Fax	
PROPERTY INFORMATION			
Address of Subject Property N/A - not yet assigned		City	State Zip
General Location West of the intersection of U.S. 27 & Bella Lago Dr.			
Legal Description & Alternate Key (include copy of survey) See attached.			
Land Use (City verification required) Commercial			
Zoning (City verification required) PUD			



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.

This is an application for a childcare center in the Hammock Ridge development. There is a significant need for childcare in the area, which is under served by this type of use. The location is appropriate as it is conveniently accessed by parents via U.S. 27 and Hammock Ridge Road. The proposed development will meet all applicable City of Clermont land development regulations, including but not limited to buffering & screening, landscaping, parking, etc. The proposed childcare facility will benefit the residents of the City of Clermont by providing a much needed and under served service in a modern, secure environment, adding to the well being of the children of the City of Clermont.

Russell Ottenberg

Applicant Name (print)

x _____
Applicant Name (signature)

Michelle Chira

Owner Name (print)

x _____
Owner Name (signature)

*****NOTICE*****

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

City of Clermont

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

5/26/2020

Legal Description

(Proposed) Lot 12 of the “Shoppes at Hammock Ridge – Phase 3 Commercial
Parcels” Plat. Said Plat currently under review for recordation.

Order Confirmation

Not an Invoice

Account Number:	526733
Customer Name:	City Of Clermont-Legals
Customer Address:	City Of Clermont-Legals P.O. BOX 120219 CLERMONT FL 34712
Contact Name:	Christina Perry
Contact Phone:	
Contact Email:	cperry@clermontfl.org
PO Number:	Res # 2023-047R

Date:	11/20/2023
Order Number:	9546287
Prepayment Amount:	\$ 0.00

Column Count:	1.0000
Line Count:	55.0000
Height in Inches:	0.0000

Print

Product	#Insertions	Start - End	Category
LEE Daily Commercial	2	11/28/2023 - 12/05/2023	Govt Public Notices
LEE dailycommercial.com	2	11/28/2023 - 12/05/2023	Govt Public Notices

Order Confirmation Amount	\$170.60
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Ad Preview

LEGAL NOTICE

On Tuesday, December 5, 2023 at 6:30 PM, the Clermont Planning & Zoning Commission will consider a request for a Conditional Use Permit (2023-047R), to allow for a childcare facility in the Tuscany Village Planned Unit Development (PUD) zoning district. The final public hearing for the proposed request will be heard by the Clermont City Council on Tuesday, December 12, 2023 at 6:30 PM.

LOCATION

Vacant parcel located west of US
Highway 27
and Bella Lago Drive
(Alternate Key # 3890913)

All public meetings will be held in the Clermont City Hall, 1st floor Council Chambers located at 685 W. Montrose Street, Clermont, FL 34711.

This application is available for public inspection in the Development Services Department, Monday through Friday between the hours of 8:00 AM and 5:00 PM.

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

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

Tracy Ackroyd Howe, MMC
City Clerk

Daily Commercial
November 28, 2023 and
December 5, 2023

#9546287 11/28,12/5/23

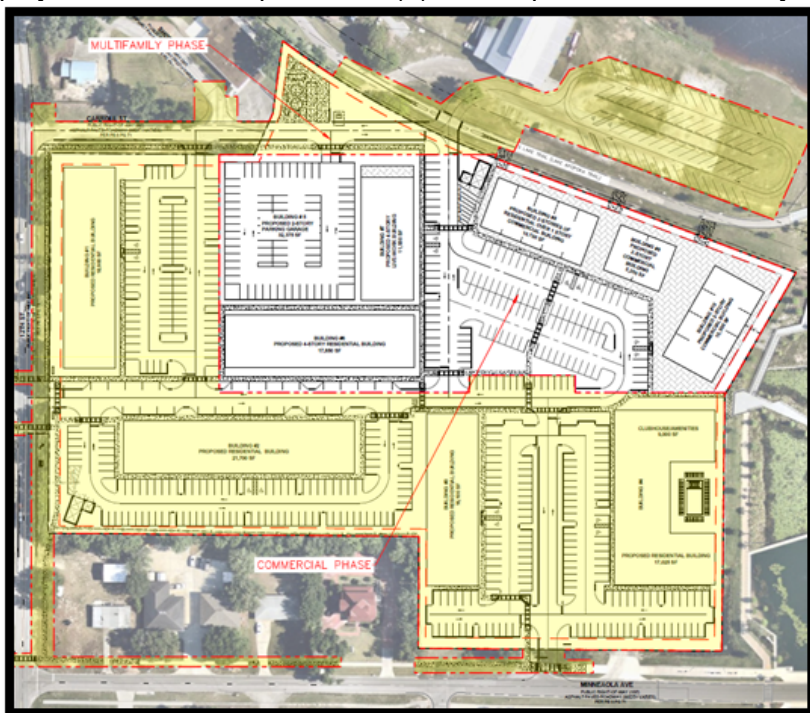
AGENDA ITEM

Meeting Date	
Tuesday, December 5, 2023	
Agenda Item Name	
Ordinance No. 2023-026 <i>Lumberyard District PUD</i>	
Requested Action	
Recommend approval of Ordinance 2023-026.	
Staff Report	

Background

The applicant, Wolfe and Wallace Properties, Inc., is requesting a rezoning from Central Business District (CBD) to Planned Unit Development (PUD) in order to develop a mixed-use project consisting of residential and non-residential uses on 12.3 +/- acres located adjacent to Victory Pointe and the South Lake Trail, along Carroll Street. The majority of the property has historically been used as a lumberyard and is still in operation today under the name American Builders Supply. In addition, the property consists of an older storage facility, W&W Storage, and some smaller outparcels with older homes and structures constructed in the 1950's. The applicant is proposing a major redevelopment project that will consist of 392 apartments, a two-story parking garage, an amenity/clubhouse building and a pool, along with 53,100 square feet of non-residential use (commercial, office, restaurant, and retail). As part of this redevelopment, the City's existing lift station #6 will also be relocated and reconstructed by the applicant. This area within the Central Business District is the last large area of private ownership with a focal point on Lake Minneola and Victory Pointe. The project would front the South Lake Trail and have access to and from the trail. The project could be considered a major focal point in downtown Clermont.

A conceptual site plan prepared by Kimley-Horn, dated 11-22-2023, shows the layout of the development. The project will be developed in two (2) distinct phases, a Multifamily Phase and a Commercial Phase.



Multifamily Phase

The multifamily phase will consist of 7.14 acres with 262 apartment units, at a density of 36.69 dwelling units per acre. The applicant is requesting the use of the density bonus provision in the Land Development Code, Section 125-375. The density bonus units in this phase is 84 units. The multifamily phase will consist of four (4) apartment buildings, including a clubhouse and swimming pool. The apartment buildings will be four (4) stories high and will be located on the southern and western portion of the site. These buildings are numbered 1 through 4 on the conceptual site plan.

Commercial Phase

The commercial phase will consist of residential and non-residential uses on 5.16 acres. The applicant is proposing 130 units within this phase, which is 25.19 dwelling units per acre. The applicant is utilizing the density bonus provision in this phase for one (1) additional unit. This phase will consist of a parking structure, two (2) live-work buildings, and three (3) commercial buildings. The total square footage of commercial shall not exceed 55,000 square feet. These buildings are numbered 5 through 10 on the conceptual site plan. The uses would consist of office, retail, restaurant, entertainment and other permitted uses within the Central Business District.

Community Benefit and Density Bonus

The applicant has proposed the following items for consideration in receiving the total density bonus of 85 dwelling units. The estimated total of the improvements is \$2.14 million, as estimated by their engineer. The specific details are contained in the Community Benefit Agreement, and below is an overview of the items.

1. Asphalt paving of the Row House Parking Lot.
2. Permanent access to the Row House and Lift Station acreage.
3. Repair and reconfiguration of Carroll Street and Lake Drive.
4. Sidewalk improvements surrounding the project.
5. Concession of encroachment lands to adjacent neighbors.
6. Lift station and utility infrastructure.

Community Benefit		% applicable	Cost		
1	\$ 325,000	100%	\$ 325,000	Row House Parking Lot	32,500 SF @ \$10 PSF
2	\$ 513,315	100%	\$ 513,315	Permanent Access to Row House & Lift Station acreage.	19,000 SF area less 1,800 SF existing row house @ \$1.3mm/AC contract land value
3	\$ 374,400	100%	\$ 374,400	Repair of Carroll Street and Lake Drive	1,040 LF x 24' wide of roadway repaired and reconfigured @ \$15 per SF.
4	\$ 21,600	100%	\$ 21,600	Sidewalk Improvement	2,400 SF of 4" sidewalk at \$9 PSF
5	\$ 53,719	100%	\$ 53,719	Land to Adjacent Neighbors	1,800 SF @ \$1.3mm/AC contract land value
6	\$ 850,000	100%	\$ 850,000	Lift Station and Utility Infrastructure	Civil Engineer opinion of value
\$ 2,138,034		Total Community Benefit Value			

It is the City Council's discretion to determine if the Community Benefit Value and improvements warrant the Density Bonus units.

Waivers

The applicant is requesting the following waivers to the Land Development Code in order to develop the project.

1. Increase maximum building heights from 55 feet to 65 feet for the multifamily and commercial development.
2. Increase the number of compact spaces from 10 % to 40 % in the project.
3. Reduce the minimum landscape island square footage from 300 square feet to 200 square feet throughout the project and 160 square feet within areas of compact parking spaces.
4. Remove the requirement of construction material to be masonry or other non-wood material for construction of the first floor of the buildings.

The applicant is requesting these waivers in order to redevelop the property. The maximum building height is due to the four story buildings having a 5/12 roof pitch that would provide a better roof drainage system and improved aesthetics. The increase in compact spaces, which are 9 feet by 18 feet, is being requested within the multifamily phase (54%) and the commercial phase (21%). The applicant has indicated the reduced spaces is to have an end goal of maximizing parking for the commercial and multifamily developments. The internal landscape island reduction from 300 square feet to 160 square feet is being requested as well. This request is essentially a compact parking space converted into a landscape island, thus possibly maximizing parking. The first floor masonry or block construction waiver is being requested since the applicant is able to construct using timber, is able to meet the architectural and building codes as well as a 50-year useful life.

Compatibility Review

Section 125-375 Density in the Land Development Code requires a review of the proposed project and the compatibility with the planned character of adjacent and surrounding properties. The property is located within the Central Business District (CBD). Below is a chart listing the surrounding properties with zoning/land use along with compatibility.

	Zoning	Land Use	Compatible
North	Parks/Recreation	South Lake Trail and Rowing Boat House	Yes
East	Parks/Recreation	Victory Pointe Stormwater System	Yes
South	Central Business District	1 residence* and 4 office properties	Yes
West	R-3 Residential/Professional	City's Public Works Facility	Yes

*The residence is located at the corner of 12th Street and W. Minneola Avenue with Central Business District Zoning.

This use can be converted to a non-residential use in the future and the nearest proposed building will be well over 150 feet away.

The nearest proposed building placement, building #3, to an existing structure offsite will be approximately 70 feet from the building located at 1120 W. Minneola Avenue. Staff is unable to determine if the placement of building #3 at that location may affect property owner at 1120 W. Minneola Avenue. As for the proposed uses and existing uses in this area, staff has no evidence that the project would be incompatible with the surrounding land uses.

Summary

The applicant is proposing a mix-used redevelopment project within the Central Business District (CBD). The applicant is seeking the use of a density bonus to achieve an additional 85 dwelling units within the project over the 307 permitted units at 25 dwelling units/acre, for a total of 392 dwelling units. The proposed non-residential uses, consisting up to 55,000 square feet, is acceptable within the CBD. A transportation impact analysis (TIA) has been completed and it identified road improvements will be required on 12th Street, including the installation of turn lanes. The applicant has proposed several items for consideration for a Community Benefit with a value estimated by the applicant's engineer to be up to \$2.14 million dollars. It is City Council's discretion to determine if the Community Benefit is acceptable for the density bonus. The City Council may approve a requested bonus, approve a requested bonus with conditions to mitigate the impact of the bonus, approve a lesser bonus, approve a lesser bonus with conditions to mitigate the impact of the bonus, or deny a requested bonus.

The redevelopment of this area and the incorporation of a denser, walkable project is welcomed in downtown, along with being advocated by Strong Towns philosophy. Staff is supportive of the concept, with the integrated mixed-use options and livability. However, staff has some concerns with how the entire project will be tied together cohesively from an architectural standpoint. Staff has added conditions within the Ordinance that addresses the commercial phase architecture with a plan to come back to City Council for approval. Staff recommends approval of Ordinance 2023-026 with the requested waivers; and further with a condition of a Community Benefit to be considered.

Additional Analysis

Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Ord. 2023-026 - Lumberyard PUD (11.30.2023)	Ord. 2023-026 - Lumberyard PUD (11.30.2023).pdf	
2. Location Map	Location Map.pdf	
3. Civil Conceptual Plans	Civil Conceptual Plans.pdf	
4. Clermont Lumberyards	Clermont Lumberyards.pdf	
5. Narrative and Benefit Statement	Narrative and Benefit Statement.pdf	
6. Lumberyard District-Waiver Letter-111323	Lumberyard District-Waiver Letter-111323.pdf	
7. Application-Executed	Application-Executed.pdf	
8. Legal Ad	Legal Ad.pdf	



CITY OF CLERMONT
ORDINANCE NO. 2023-026

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

NOW THEREFORE, 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 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, AND 16 OF BLOCK 120; LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, AND 22 OF BLOCK 119; LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, AND 13 OF BLOCK 115; AND PORTIONS OF CARROLL STREET AND WEST LAKE DRIVE, ALL OF JOHNSON'S REPLAT, OF BLOCKS, 141, 142, 143, 144, 145, 146, 115, 117, 118, 119, AND 120, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 8, PAGE 71 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; TOGETHER WITH THAT PORTION OF OSCEOLA STREET VACATED IN THAT ORDINANCE RECORDED IN OFFICIAL RECORDS BOOK 590, PAGE 738 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; ALL LYING IN SECTIONS 23 AND 24, TOWNSHIP 22 SOUTH, RANGE 25 EAST, CITY OF CLERMONT, LAKE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF NORTH RIGHT OF WAY OF MINNEOLA AVENUE WITH THE EAST LINE OF GOVERNMENT LOT 8, LYING IN SECTION 23 TOWNSHIP 22 SOUTH, RANGE 25 EAST; THENCE RUN NORTH 89°29'17" WEST ALONG SAID NORTH RIGHT OF WAY A DISTANCE OF 232.49 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF WEST LAKE DRIVE; THENCE CONTINUE NORTH 89°29'17" WEST ALONG SAID NORTH RIGHT OF WAY A DISTANCE OF 50.00 FEET TO THE WEST RIGHT OF WAY OF WEST LAKE DRIVE; THENCE CONTINUE NORTH 89°29'17" WEST ALONG SAID NORTH RIGHT OF WAY A DISTANCE OF 125.00 FEET TO THE SOUTHWEST CORNER OF AFORESAID LOT 6 OF BLOCK 120, JOHNSON'S REPLAT; THENCE DEPARTING SAID NORTH RIGHT OF WAY RUN NORTH 0°25'20" EAST ALONG THE WEST LINES OF AFORESAID LOTS 4, 5, AND 6 OF BLOCK 120, JOHNSON'S REPLAT A DISTANCE OF 150.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 4; THENCE DEPARTING SAID WEST LINE RUN NORTH 89°29'17" WEST ALONG THE SOUTH LINES OF AFORESAID LOTS 7, 8, 9, 10, 11, 12, 13, AND 16 OF BLOCK 120, JOHNSON'S REPLAT A DISTANCE OF 497.78 FEET TO THE SOUTHWEST CORNER OF SAID LOT 16 AND A POINT ALONG THE EAST RIGHT OF WAY OF 12TH STREET;



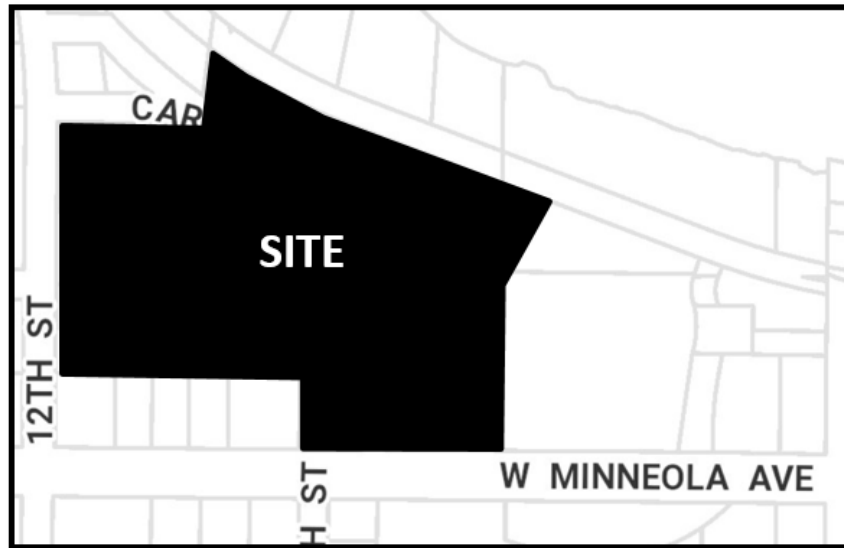
CITY OF CLERMONT
ORDINANCE NO. 2023-026

THENCE DEPARTING SAID SOUTH LINE RUN NORTH 0°22'36" EAST ALONG THE EAST RIGHT OF WAY A DISTANCE OF 499.90 FEET TO A POINT OF CURVATURE OF A CURVE TO THE LEFT, CONCAVE WESTERLY, HAVING A RADIUS OF 1465.68 FEET, A CHORD BEARING OF NORTH 00°10'45" WEST, AND A CHORD DISTANCE OF 10.10 FEET; THENCE ALONG THE ARC OF SAID CURVE, RUN THROUGH A CENTRAL ANGLE OF 00°23'41" FOR A DISTANCE OF 10.10 FEET TO THE NORTHWEST CORNER OF AFORESAID LOT 10 OF BLOCK 119, JOHNSON'S REPLAT AND A POINT ALONG THE SOUTH RIGHT OF WAY OF CARROLL STREET; THENCE DEPARTING SAID EAST RIGHT OF WAY RUN SOUTH 89°29'17" EAST ALONG THE NORTH LINE OF SAID LOTS 7, 8, 9, AND 10 OF BLOCK 119, AND THE SOUTH LINE OF SAID CARROLL STREET, A DISTANCE OF 273.01 FEET TO THE NORTHEAST CORNER OF AFORESAID LOT 7 OF BLOCK 119, JOHNSON'S REPLAT; THENCE DEPARTING SAID SOUTH RIGHT OF WAY RUN NORTH 24°20'54" EAST A DISTANCE OF 61.17 FEET TO THE SOUTHWEST CORNER OF AFORESAID LOT 13 OF BLOCK 115, JOHNSON'S REPLAT, ON THE NORTH RIGHT OF WAY OF SAID CARROLL STREET; THENCE DEPARTING SAID NORTH RIGHT OF WAY RUN NORTH 7°41'47" EAST A DISTANCE OF 98.18 FEET TO THE NORTHWEST CORNER OF AFORESAID LOT 13 OF BLOCK 115, JOHNSON'S REPLAT, BEING A POINT OF CURVATURE OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 1176.28 FEET; THENCE RUN SOUTHEASTERLY ALONG SAID CURVE ALSO BEING THE NORTH LINE OF AFORESAID LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, AND 13 OF BLOCK 115, JOHNSON'S REPLAT ALONG A CHORD BEARING OF SOUTH 61°10'59" EAST FOR AN ARC LENGTH OF 328.69 FEET; THENCE CONTINUING ALONG SAID NORTH LINE AND THE 100 FEET SOUTHEASTERLY EXTENSION OF RUN SOUTH 69°11'18" EAST A DISTANCE OF 430.34 FEET; THENCE DEPARTING SAID NORTH LINE AND SOUTHEASTERLY EXTENSION RUN SOUTH 30°13'43" WEST A DISTANCE OF 190.34 FEET TO A POINT ALONG THE AFORESAID EAST LINE OF GOVERNMENT LOT 8; THENCE RUN SOUTH 0°40'24" WEST ALONG SAID EAST LINE A DISTANCE OF 343.41 FEET TO THE AFORESAID POINT OF BEGINNING.

THE LANDS DESCRIBED HEREON CONTAIN 12.309 ACRES (536,167 SQUARE FEET) MORE OR LESS.

LOCATION:

1000 Carroll Street (Wolfe & Wallace Investments, LLC)
North of the W. Minneola Ave. and Lake Drive intersection, adjacent to Victory Pointe and
South Lake Trail, and west of Lake Drive, including the requested vacated portion of
Carroll Street and Lake Drive.
(Alternate Key 1622581, 1622701, 1622719, 1622727, 1622743,
1622751, 1622760, 1622778, 3409736, 1815673, 1622735)
Approx. 12.3 +/- Acres



Requested Action:

**Rezone property from Central Business District (CBD) to
Planned Unit Development (PUD) for residential and non-residential uses consisting of
multi-family apartments, retail, restaurant, and office uses**

SECTION 2: GENERAL CONDITIONS

This application for a Planned Unit Development is to allow for a 392 multi-family residential units on the property described above (hereinafter the “Property”) with up to 55,000 square feet of non-residential uses; be granted subject to the following conditions:

1. The conditions as set forth in this Planned Unit Development shall be legally binding upon any heirs, assigns and successors in title or interest.
2. The property shall be developed in substantial accordance with the Lumberyard District Rezoning Plan, prepared by Kimley-Horn dated November 15, 2023. Formal construction plans incorporating all conditions stated in this permit shall be submitted for review and approved by the Site Review Committee prior to the issuance of a zoning clearance or other development permits.
3. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.
4. Fiber optic conduit and pull boxes may be required to be installed by the developer in the utility easements to extend the City’s fiber optic network. The City’s Information Technology Director will work with the developer at the time of site plan review to determine the extent of fiber optic conduit.



CITY OF CLERMONT
ORDINANCE NO. 2023-026

5. Easements shall be provided to the City at no expense to the City authorizing the City's unrestricted access to any existing and proposed utilities that the City will own and maintain.
6. School concurrency shall be met before any final site plan approval that contains residential uses that will generate school age children in accordance with the Comprehensive Plan and Land Development Code.
7. All Fire Department Access for the Project shall be provided in Accordance with the Florida Fire Prevention Code. All Multi-family Buildings shall be provided with Fire Sprinklers.
8. Irrigation water shall be provided by a private well for all common areas and commercial sites throughout the project.
9. Irrigation and landscaping shall meet Florida Water Star requirements. Topsoil and/or soil amendments will be required prior to any landscape plantings to help reduce the irrigation needs to maintain healthy landscaping. Notice is hereby provided that specific standards relating to irrigation and landscaping are under development, and if adopted, shall apply to any undeveloped portions of this project.
10. The Developer shall be responsible for all costs of on-site and off-site utility improvements, including, but not limited to design, material, permitting, connection and installation of sufficient size lines, lift stations and other appurtenances necessary to allow the City to serve the property.
11. Any existing dedicated City of Clermont utilities must stay in service throughout construction unless service disruption is reviewed and approved by the City for temporary service pauses related to the construction of new utility infrastructure. This shall be coordinated and approved in writing from the City's Public Services Department Director or assignee.
12. No Certificate of Occupancy shall be issued until water and sewer improvements have been completed and accepted by the City.
13. All utilities shall be designed and installed as per the City's specifications or as amended and approved by City staff.
14. The development shall comply with all applicable City, County and Florida Department of Transportation access management requirements. The Developer shall timely complete all required mitigation and other improvements as may be applicable.
15. The PUD meets the mandatory requirements through the waivers for residential development in the CBD and the density bonus criteria, as determined by City Council, as set forth in Section 125-375.

SECTION 3: LAND USES AND SPECIFIC CONDITIONS

1. The project will be developed in multiple phases. The project will be vertically developed in two main phases. The Multifamily phase consisting of buildings 1-4 on 7.14 +/- acres will consist of 262 multi-family units. The density within this phase will be 36.7 dwelling units/acre. A density bonus of 84 units is being requested within this phase through the use of a Community Benefit Agreement (Exhibit A). Buildings 5-10 will be constructed in the second phase, Commercial phase, on 5.16 +/- acres with 130 multi-family units and 55,000 square feet of non-residential use. The density in this phase will be 25.2 dwelling units/acre. A bonus density of 1 unit is being requested within this phase and is included in the Community Benefit Agreement.
2. The project is being developed with 2 distinctive phases. Below are the phases with the specific requirements of each phase, as documented on the Lumberyard District Rezoning Plan, prepared by Kimley-Horn dated November 22, 2023, Exhibit B.

PROJECT SITE:

MULTIFAMILY 7.14 ACRES

ISR CALCULATION MULTIFAMILY:

MULTIFAMILY IMPERVIOUS AREA: 5.82 AC

MULTIFAMILY PERVIOUS AREA: 1.32 AC

MAXIMUM ISR: 1.00

PROPOSED ISR: 0.82

DENSITY MULTIFAMILY:

PROPOSED MULTIFAMILY DWELLING UNITS (BUILDINGS #1-#4): 262 UNITS

TOTAL UNITS: 262 UNITS

TOTAL AREA FOR DENSITY CALCULATIONS: 7.14 ACRES

CENTRAL BUSINESS DISTRICT (CBD)

MAX: 40 DU/ACRE (WITH AVAILABLE BONUS)

MIN: N/A

262 UNITS/7.14 ACRES = 36 UNITS/ACRE

MULTIFAMILY PARKING REQUIREMENTS:

(1.25 SPACES/1 BEDROOM UNIT):

1.25 SPACES X 197 UNITS = 247 SPACES

(1.5 SPACES/2 BEDROOM UNIT):

1.5 SPACES X 65 UNITS = 98 SPACES

TOTAL SPACES REQUIRED: 345 SPACES

PROVIDED MULTIFAMILY PARKING

STANDARD SPACES (10'X20'): 137 SPACES

COMPACT SPACES (9'X18'): 186 SPACES

PARALLEL SPACES (10'X23'): 14 SPACES

ADA SPACES (12'X20'): 8 SPACES

TOTAL SPACES PROPOSED: 345 SPACES

BUILDING SETBACKS MULTIFAMILY:

	MIN/MAX	PROPOSED
NORTH (FRONT):	0 FT/ NA	19 FT
SOUTH (BACK):	0 FT/ NA	84 FT
EAST (SIDE):	0 FT/ NA	12 FT
WEST (SIDE):	0 FT/ NA	18 FT

LANDSCAPING/BUFFERS MULTIFAMILY:

	MIN	PROPOSED
NORTH (FRONT):	10/15 FT*	10/15 FT
EAST (SIDE):	10 FT	10 FT
WEST (SIDE):	15 FT	15 FT
SOUTH (BACK):	10/15 FT*	10/15 FT

*THE LANDSCAPE BUFFER WHEN ADJACENT TO PUBLIC RIGHT OF WAY IS MINIMUM 15 FT WITH BRICK, STONE, OR MASONRY WALL W/ TREES OR SHRUBS OR 25' WITH EARTHEN BERM, TREES, AND CONTINUOUS HEDGE.

LANDSCAPE BUFFER BETWEEN ADJACENT PROPERTIES IS 10 FT.

PROJECT SITE:

COMMERCIAL 5.16 ACRES

ISR CALCULATION COMMERCIAL:

COMMERCIAL IMPERVIOUS AREA: 4.31 AC

COMMERCIAL PERVIOUS AREA: 0.84 AC

MAXIMUM ISR: 1.00

PROPOSED ISR: 0.84

DENSITY COMMERCIAL:

MULTIFAMILY DWELLING UNITS 130 UNITS

(BUILDINGS #6 & #7):

TOTAL MULTIFAMILY UNITS: 130 UNITS

BUILDING #7 RETAIL SPACE: 11,550 SF

BUILDING #8 RETAIL SPACE: 10,150 SF

BUILDING #9 RETAIL SPACE: 10,400 SF

BUILDING #10 RETAIL SPACE: 21,000 SF

TOTAL COMMERCIAL SF: 53,100 SF

TOTAL AREA FOR DENSITY CALCULATIONS: 5.16 ACRES

CENTRAL BUSINESS DISTRICT (CBD)

MAX: 40 DU/ACRE (WITH AVAILABLE BONUS)

MIN: N/A

130 UNITS/5.16 ACRES = 26 UNITS/ACRE

COMMERCIAL PARKING REQUIREMENTS:

THE COMMERCIAL PORTION OF THIS SITE INCLUDES 130 MULTIFAMILY UNITS PROVIDED WITHIN A 4 STORY LIVE-WORK MULTIFAMILY BUILDING, A 2 STORY MULTIFAMILY BUILDING ABOVE THE 10,150 SF RETAIL BUILDING, AND A 4 STORY MULTIFAMILY BUILDING.

RETAIL PARKING REQUIREMENT: 1 SPACE/333 SF

PROPOSED 2 STORY RETAIL (10,400 SF) = 31 SPACES

PROPOSED 2 STORY RETAIL (21,000 SF) = 63 SPACES

PROPOSED 1 STORY RETAIL (10,150 SF) = 30 SPACES

COMMERCIAL SPACES REQUIRED: 124 SPACES

MULTIFAMILY PARKING REQUIREMENTS:

(1.25 SPACES/1 BEDROOM UNIT):

1.25 SPACES X 98 UNITS = 123 SPACES

(1.5 SPACES/2 BEDROOM UNIT):

1.5 SPACES X 32 UNITS = 49 SPACES

MULTIFAMILY SPACES REQUIRED: 172 SPACES

TOTAL SPACES REQUIRED: 296 SPACES

PROVIDED COMMERCIAL PARKING

STANDARD SPACES (10'X20'): 46 SPACES

COMPACT SPACES (9'X18'): 63 SPACES

PARALLEL SPACES (10'X23'): 8 SPACES

ADA SPACES (12'X20'): 6 SPACES

GARAGE SPACES (10'X20'): 180 SPACES

TOTAL SPACES PROPOSED: 303 SPACES

BUILDING SETBACKS COMMERCIAL:

	MIN/MAX	PROPOSED
NORTH (FRONT):	0 FT/ NA	23 FT
SOUTH (BACK):	0 FT/ NA	14 FT
EAST (SIDE):	0 FT/ NA	24 FT
WEST (SIDE):	0 FT/ NA	7 FT

LANDSCAPING/BUFFERS COMMERCIAL:

	MIN	PROPOSED
NORTH (FRONT):	10 FT	10 FT
EAST (SIDE):	10 FT	15 FT
WEST (SIDE):	10 FT	10 FT
SOUTH (BACK):	20 FT	20 FT



CITY OF CLERMONT
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3. Prior to the first certificate of occupancy (CO), all the existing buildings onsite will be demolished and removed with mass grading of the site. In addition, the installation of the master utilities, street improvements, sidewalks and any other item listed in the Community Benefit Agreement, and any other utility/infrastructure needed to serve any building seeking a CO shall be completed and accepted by the City in writing prior to the first CO.
4. The Multifamily Phase buildings, 1–4, shall be constructed in a manner that closely resembles the architectural style and elevations as presented in Exhibit C and shall meet the City of Clermont’s Architectural Standards.
5. Prior to the permitting and construction of the Commercial Phase buildings, 5–10, the Applicant shall be required to present the architectural plans and phase before City Council for review and approval. The City Council may request modifications to ensure compatibility within the site.
6. The maximum building height shall be up to 65 feet, measured at the highest point.
7. An increase in the ratio of compact spaces (9’ x 18’) from 10% of the overall project up to 40% of the overall project may be used.
8. Trash compacters may be substituted for dumpsters for the project if the Applicant can demonstrate it can sufficiently meet the waste demands for the project.
9. All internal streets will be privately owned and maintained by the owner and/or developer. This includes the vacated portion of Carroll Street and Lake Drive.
10. A reduced landscape buffer may be used between the multifamily and existing residential units along the southwest side of the project.
11. Reduced landscape islands, from 300 square feet to 200 square feet throughout the project and 160 square feet within areas of compact parking spaces may be used.
12. The removal of the requirement of construction material to be masonry or other non-wood material for the construction of the first floor of the buildings is allowed.
13. An improved pedestrian crossing will need to be installed by the Applicant crossing 12th Street. This shall be coordinated with Lake County and the City of Clermont.
14. An improved trail crossing shall be installed at the access point across the South Lake Trail leading to the Rowing Boathouse parking lot. This crossing shall be upgraded to a “Case IV Major Side Street Crossing Near Intersection.” Coordination and construction of this trail crossing shall be at the Applicant’s expense and conducted through the City and Lake County Department of Public Works.



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15. The Applicant shall be required to install the necessary turn lanes on 12th Street, as required by Lake County Access Management. Additional right-of-way may be required for offsite improvements and the sidewalk. This dedication shall be made at no cost to the County or the City.
16. All leases for residential units in the project shall be for a minimum of six months on the initial lease term.
17. The project shall be developed according to the Central Business District (CBD) zoning designation in the Land Development Code, unless expressly stated above.
18. This Planned Unit Development shall become null and void if substantial construction work has not begun within two (2) years of the date that this Planned Unit Development is executed and signed by the permittee. “Substantial construction work” means the commencement and continuous prosecution of construction of required improvements ultimately finalized at completion. If the Planned Unit Development becomes null and void, the property will revert to the Central Business District (CBD) Zoning Designation.

SECTION 4: CONFLICT

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

SECTION 5: SEVERABILITY

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

SECTION 6: 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 and at the Applicant’s expense.

SECTION 8: 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. 2023-026

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 12th day of December, 2023.

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
ORDINANCE NO. 2023-026

EXHIBIT A – COMMUNITY BENEFIT AGREEMENT

COMMUNITY BENEFIT AGREEMENT

THIS COMMUNITY BENEFIT AGREEMENT (this “Agreement”) is made and entered into as of the _____ day of _____ 2023, by and between THE CITY OF CLERMONT, a Florida municipal corporation, whose address is 685 W. Montrose Street, Clermont, Florida 34711 (the “City”), and WOLFE AND WALLACE PROPERTIES, INC, a Florida Profit Corporation, WOLFE & WALLACE INVESTMENTS, LLC, a Florida Limited Liability Company; whose mailing address is 995 W. Lakeshore Drive, Clermont, Florida 34711 (the “Owner”).

RECITALS

- A. Owner desires to develop approximately 12.3 +/- acres of property, described and depicted in Exhibit “A” attached to and incorporated in this Agreement (hereinafter referred to as the “Property”). Owner is the fee simple owner of the Property and this shall be documented in a recent title report.
- B. The Property is currently zoned Central Business District “CBD”.
- C. Owner has filed with the City a Planned Unit Development (“PUD”) rezoning application for a mixed-use residential and non-residential project on the Property, as shown on the PUD, which will be developed in multiple phases (the “Project”).
- D. The City of Clermont Land Development Code, Section 125-375, allows an applicant (or Owner in this case) to request the use of a density bonus in the Central Business District by including a justification statement in the description of the project in their site plan application. A bonus shall not be considered an entitlement.
- E. The Owner has provided a justification statement in order to attain a density bonus above the permitted 25 dwelling units per acre, up to 32 dwelling units per acre, resulting in an additional 85 residential dwelling units in the Project.
- F. The Owner has listed the following items to be considered to attain the density bonus:
 - 1. Donation of approximately 17,200 square feet of land area to the City of Clermont for the relocation of a new City Lift Station #6 and City Right-of-Way. Based on the current contract price/fair market value of the \$1.3 mm/AC, the value of this dedication is \$513,315.
 - 2. Donation of approximately 1,800 square feet of land bordering the neighbors to the southwest to avoid any boundary issues. Based on the current contract/fair market value of \$1.3mm/AC, the value of this donation is \$53,719.
 - 3. Construction of a new major City Lift Station #6 to current City Standards, including backup generator, RTU Tower, new interior access for vacuum/pumper truck, etc. The current station has limited access and newer equipment. Additionally, utility infrastructure improvement will include the construction of new 520 lineal feet of 8-inch PVC water main and 270 lineal feet of 8-inch PVC sewer main along Carroll Street from 12th Street to the Row House Entrance drive as proposed on the site plan. The cost of this lift station relocation and utility infrastructure is presently estimated at \$850,000.

4. Construction of new 5-foot sidewalk along the east side of 12th Street from the southwest corner of the proposed development project to Carroll Street. The cost of approximately 2,400 square feet of sidewalk is presently estimated at \$21,600.
5. Construction of a new paved parking area for the existing Row House parking area as shown on the proposed plan. The area is expected to be 32,500 square feet and will provide sixty-four (64) – 10 feet by 30 feet parking spaces. A direct connection via future Carroll Street right-of-way will be established to the Row House area through the re-development of this project. The cost of this benefit at \$10 per square foot of asphalt is presently estimated at \$325,000.
6. Currently, two public roads, Carroll Street and Lake Drive, bisect the Project. These streets are in poor condition and the City of Clermont is expecting to have to spend a significant amount to mill the asphalt and repave. The Applicant proposes to repair and reconfigure these roadways (1,404 lineal feet X 24 feet wide) as part of the internal horizontal construction of the project, which will save the City of Clermont from paying for and completing this repair. This estimated cost is approximately \$15 per square foot for a total estimated cost of \$374,400.

The sum of the total benefits provided is estimated to be \$2,140,000.

NOW, THEREFORE, in consideration of the mutual benefits and the public interest and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the Owner on behalf of itself, its transferees, assigns, successors in interest and heirs, and the City agree as follows:

1. **Recitals**. The above recitals are true and correct, are hereby incorporated herein by reference, and form a material part of this Agreement.

2. **Legal Description**. The Property described on Exhibit “A” attached hereto is subject to PUD Ordinance No. 2023-025 adopted by the City of Clermont City Council as of the date hereof, and Owner intends to develop a portion of such Property pursuant thereto.

3. **Density Bonus**.

a. In order to receive the density bonus pursuant to the City of Clermont Land Development Code, Section 125-375, Owner will be obligated to make all the improvements listed in the justification statement and outlined in item F (1)-(6) above.

b. If Owner fails to timely construct such improvements indicated in item F above, Owner shall be entitled to written notice of such failure and to thirty (30) days after the receipt of that written notice in which to cure said failure. If such portion of the Density Bonus Contribution is not constructed by Owner at the time of the first Certificate of Occupancy (CO), then such failure to timely construct such portion of the Density Bonus Contribution shall constitute a default under this Agreement. Owner expressly agrees, in the event of default, City may withhold any and all building permits until such time as the Density Bonus Contribution has been fully constructed in full. Nothing herein shall prohibit City from pursuing any and all remedies available in law or equity including, without limitation, an action for specific performance. Notwithstanding anything contained in this Agreement to the contrary, in the event the PUD expires, then no payment shall be due hereunder and this Agreement shall expire.

4. **Authority**. Owner has the full power and authority to make, deliver, enter into and perform pursuant to the terms and conditions of this Agreement and has taken all necessary action to authorize the execution, delivery, and performance of the terms and conditions of this Agreement.

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

6. **Effective Date.** The effective date of this Agreement (the “**Effective Date**”) shall be the date this Agreement is last signed by City or Owner. The Effective Date shall be inserted on the first page of this Agreement.

7. **Amendment.** Amendments to the provisions of this Agreement shall be made by the parties only in writing by formal amendment and shall be presented and approved by City Council.

8. **Binding Effect.** This Agreement, once effective, shall run with the Property described herein and shall be binding upon and enforceable by and against the parties hereto and their beneficiaries, heirs, successors, and assigns. The City acknowledges and agrees that the Owner shall have the right to assign its rights and obligations under this Agreement to any of its successors, or assigns.

9. **Termination.** In the event that the PUD (Ordinance 2023-026) expires or is otherwise terminated, this Agreement shall become null and void.

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

CITY OF CLERMONT, FLORIDA
A Florida Municipal Corporation

Attest:

By: _____

Name: _____

City Clerk

As its: _____

Date: _____

Date: _____

{Signatures Continued on Next Page}

Witnesses:

Signed, sealed and delivered
in our presence:

WOLFE AND WALLACE
PROPERTIES, INC.
Florida Profit Corporation

By: _____

Name: _____

Its: _____

Date: _____

WOLFE & WALLACE
INVESTMENTS, LLC
Florida Limited Liability Company

By: _____

Name: _____

Its: _____

Date: _____

Name: _____

Name: _____

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this _____ day of _____, 2023, by _____, as _____ of Wolfe and Wallace Properties, LLC, Florida Profit Corporation, on behalf of said company. S/He [] is personally known to me or [] has produced _____ (type of identification) as identification.

Signature of Notary Public

Type or Print Name

My Commission Expires: _____

Commission No. _____

Seal

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this _____ day of _____, 2023, by _____, as _____ of Wolfe and Wallace Investments, Inc, Florida Limited Liability Company, on behalf of said company. S/He [] is personally known to me or [] has produced _____ (type of identification) as identification.

Signature of Notary Public

Type or Print Name

My Commission Expires: _____

Commission No. _____

Seal

EXHIBIT "A"

LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, AND 16 OF BLOCK 120; LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, AND 22 OF BLOCK 119; LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, AND 13 OF BLOCK 115; AND PORTIONS OF CARROLL STREET AND WEST LAKE DRIVE, ALL OF JOHNSON'S REPLAT, OF BLOCKS, 141, 142, 143, 144, 145, 146, 115, 117, 118, 119, AND 120, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 8, PAGE 71 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; TOGETHER WITH THAT PORTION OF OSCEOLA STREET VACATED IN THAT ORDINANCE RECORDED IN OFFICIAL RECORDS BOOK 590, PAGE 738 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; ALL LYING IN SECTIONS 23 AND 24, TOWNSHIP 22 SOUTH, RANGE 25 EAST, CITY OF CLERMONT, LAKE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF NORTH RIGHT OF WAY OF MINNEOLA AVENUE WITH THE EAST LINE OF GOVERNMENT LOT 8, LYING IN SECTION 23 TOWNSHIP 22 SOUTH, RANGE 25 EAST; THENCE RUN NORTH 89°29'17" WEST ALONG SAID NORTH RIGHT OF WAY A DISTANCE OF 232.49 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF WEST LAKE DRIVE; THENCE CONTINUE NORTH 89°29'17" WEST ALONG SAID NORTH RIGHT OF WAY A DISTANCE OF 50.00 FEET TO THE WEST RIGHT OF WAY OF WEST LAKE DRIVE; THENCE CONTINUE NORTH 89°29'17" WEST ALONG SAID NORTH RIGHT OF WAY A DISTANCE OF 125.00 FEET TO THE SOUTHWEST CORNER OF AFORESAID LOT 6 OF BLOCK 120, JOHNSON'S REPLAT; THENCE DEPARTING SAID NORTH RIGHT OF WAY RUN NORTH 0°25'20" EAST ALONG THE WEST LINES OF AFORESAID LOTS 4, 5, AND 6 OF BLOCK 120, JOHNSON'S REPLAT A DISTANCE OF 150.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 4; THENCE DEPARTING SAID WEST LINE RUN NORTH 89°29'17" WEST ALONG THE SOUTH LINES OF AFORESAID LOTS 7, 8, 9, 10, 11, 12, 13, AND 16 OF BLOCK 120, JOHNSON'S REPLAT A DISTANCE OF 497.78 FEET TO THE SOUTHWEST CORNER OF SAID LOT 16 AND A POINT ALONG THE EAST RIGHT OF WAY OF 12TH STREET; THENCE DEPARTING SAID SOUTH LINE RUN NORTH 0°22'36" EAST ALONG THE EAST RIGHT OF WAY A DISTANCE OF 499.90 FEET TO A POINT OF CURVATURE OF A CURVE TO THE LEFT, CONCAVE WESTERLY, HAVING A RADIUS OF 1465.68 FEET, A CHORD BEARING OF NORTH 00°10'45" WEST, AND A CHORD DISTANCE OF 10.10 FEET; THENCE ALONG THE ARC OF SAID CURVE, RUN THROUGH A CENTRAL ANGLE OF 00°23'41" FOR A DISTANCE OF 10.10 FEET TO THE NORTHWEST CORNER OF AFORESAID LOT 10 OF BLOCK 119, JOHNSON'S REPLAT AND A POINT ALONG THE SOUTH RIGHT OF WAY OF CARROLL STREET; THENCE DEPARTING SAID EAST RIGHT OF WAY RUN SOUTH 89°29'17" EAST ALONG THE NORTH LINE OF SAID LOTS 7, 8, 9, AND 10 OF BLOCK 119, AND THE SOUTH LINE OF SAID CARROLL STREET, A DISTANCE OF 273.01 FEET TO THE NORTHEAST CORNER OF AFORESAID LOT 7 OF BLOCK 119, JOHNSON'S REPLAT; THENCE DEPARTING SAID SOUTH RIGHT OF WAY RUN NORTH 24°20'54" EAST A DISTANCE OF 61.17 FEET TO THE SOUTHWEST CORNER OF AFORESAID LOT 13 OF BLOCK 115, JOHNSON'S REPLAT, ON THE NORTH RIGHT OF WAY OF SAID CARROLL STREET; THENCE DEPARTING SAID NORTH RIGHT OF WAY RUN NORTH 7°41'47" EAST A DISTANCE OF 98.18 FEET TO THE NORTHWEST CORNER OF AFORESAID LOT 13 OF BLOCK 115, JOHNSON'S REPLAT, BEING A POINT OF CURVATURE OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 1176.28 FEET; THENCE RUN SOUTHEASTERLY ALONG SAID CURVE ALSO BEING THE NORTH LINE OF AFORESAID LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, AND 13 OF BLOCK 115, JOHNSON'S REPLAT ALONG A CHORD BEARING OF SOUTH 61°10'59" EAST FOR AN ARC LENGTH OF 328.69 FEET; THENCE CONTINUING ALONG SAID NORTH LINE AND THE 100 FEET SOUTHEASTERLY EXTENSION OF RUN SOUTH 69°11'18"

EAST A DISTANCE OF 430.34 FEET; THENCE DEPARTING SAID NORTH LINE AND SOUTHEASTERLY EXTENSION RUN SOUTH 30°13'43" WEST A DISTANCE OF 190.34 FEET TO A POINT ALONG THE AFORESAID EAST LINE OF GOVERNMENT LOT 8; THENCE RUN SOUTH 0°40'24" WEST ALONG SAID EAST LINE A DISTANCE OF 343.41 FEET TO THE AFORESAID POINT OF BEGINNING.

THE LANDS DESCRIBED HEREON CONTAIN 12.309 ACRES (536,167 SQUARE FEET) MORE OR LESS.

CITY OF CLERMONT
ORDINANCE NO. 2023-026

EXHIBIT B – SITE PLAN/PHASING PLAN

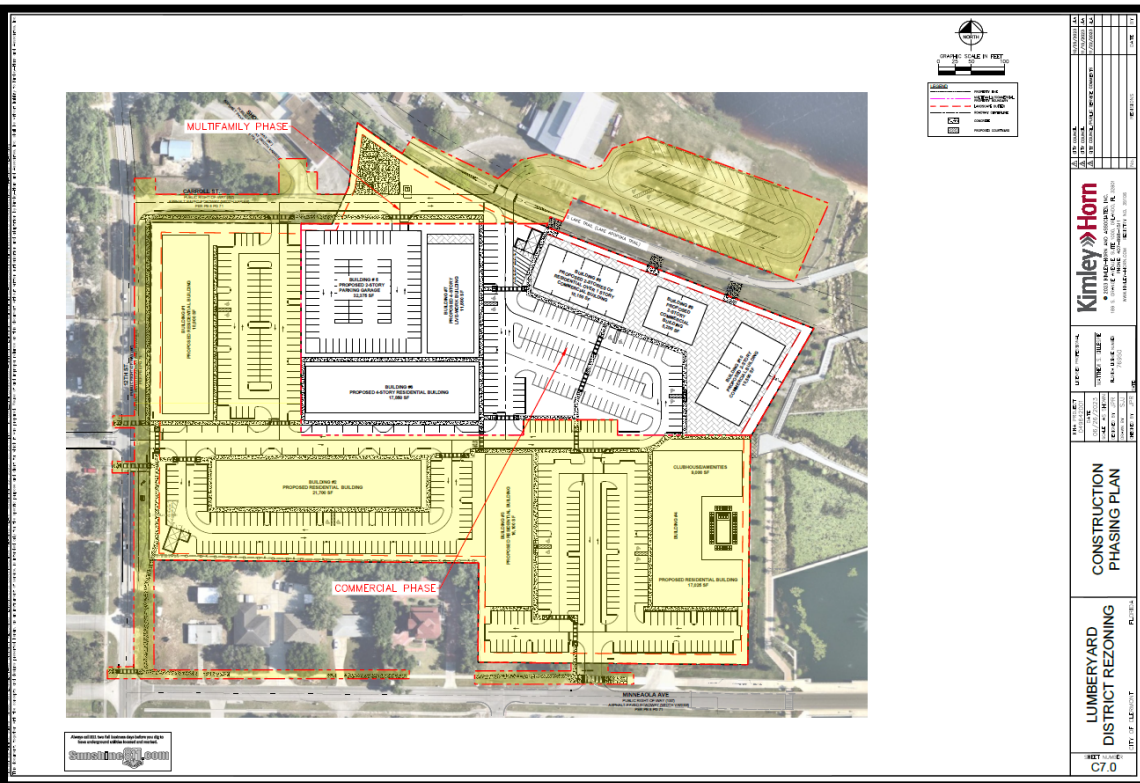
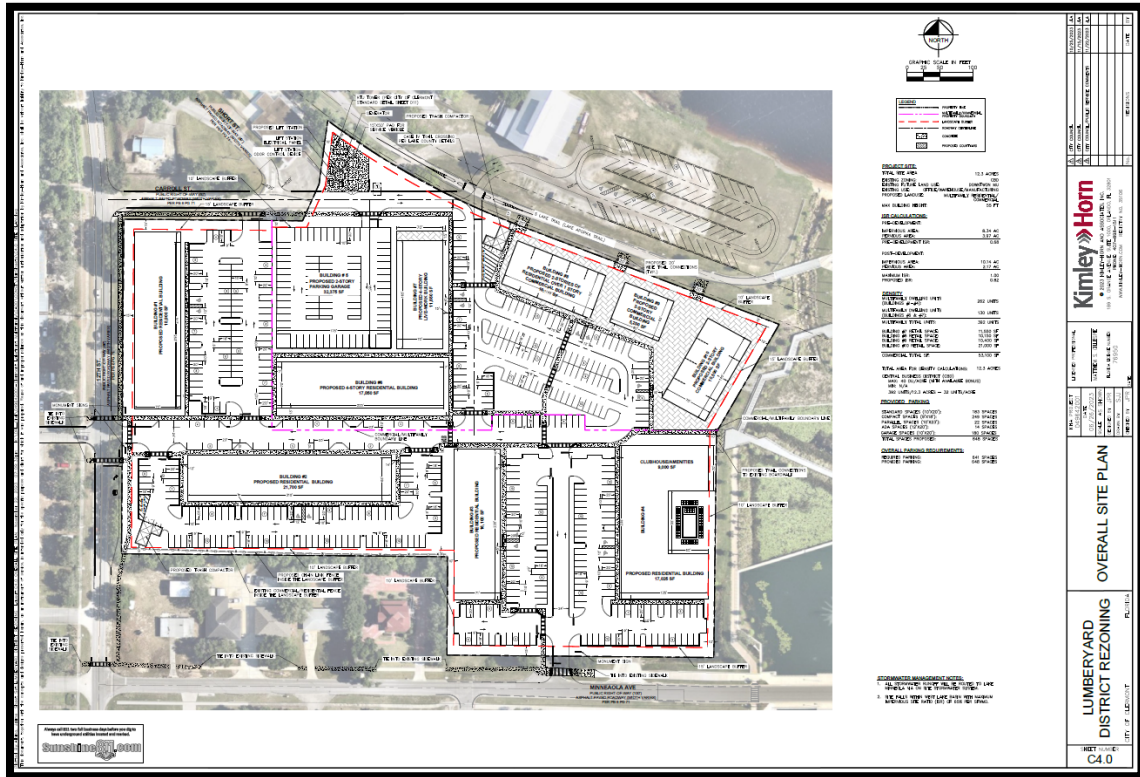


EXHIBIT C – MULTIFAMILY BUILDINGS 1-4 SAMPLE ELEVATION



Exhibit - Location Map –Lumberyard PUD

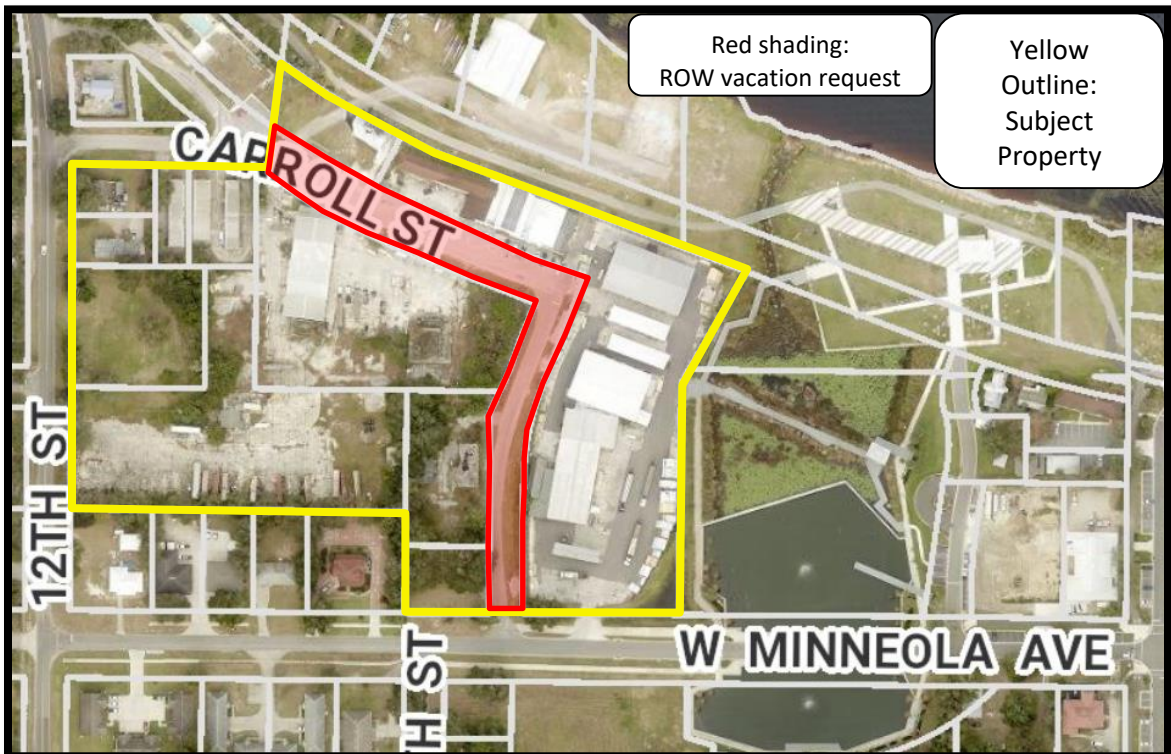
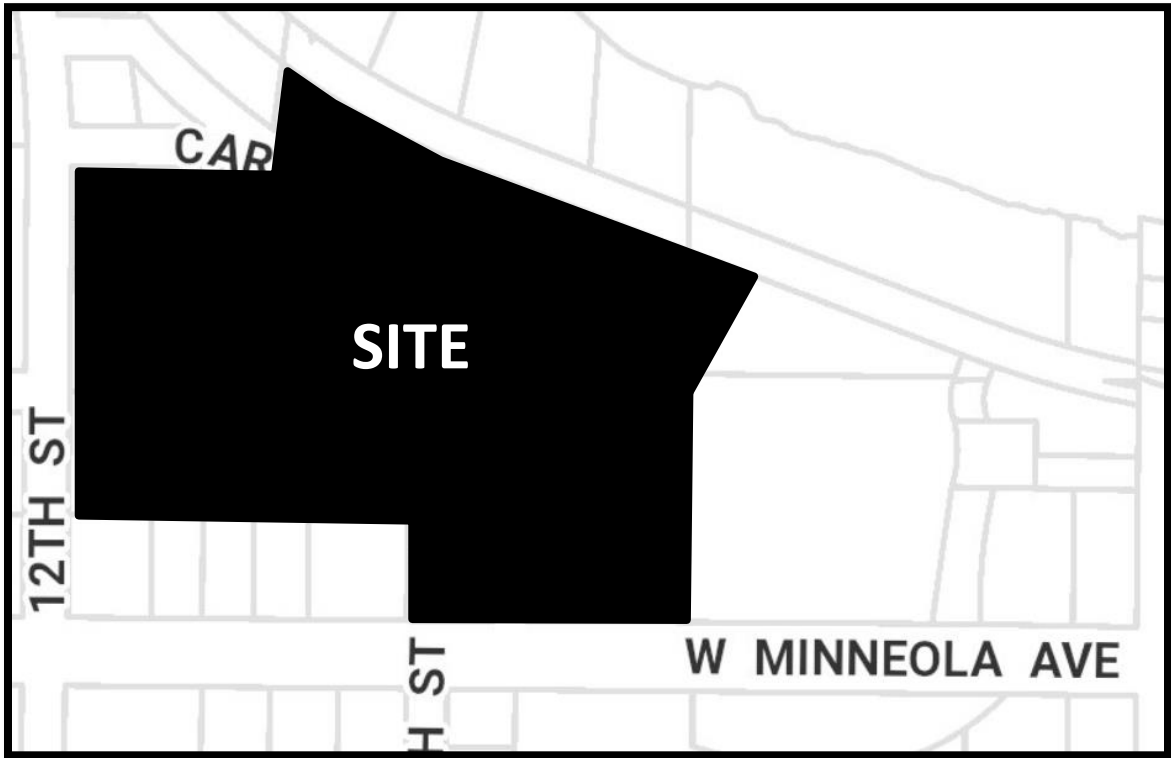
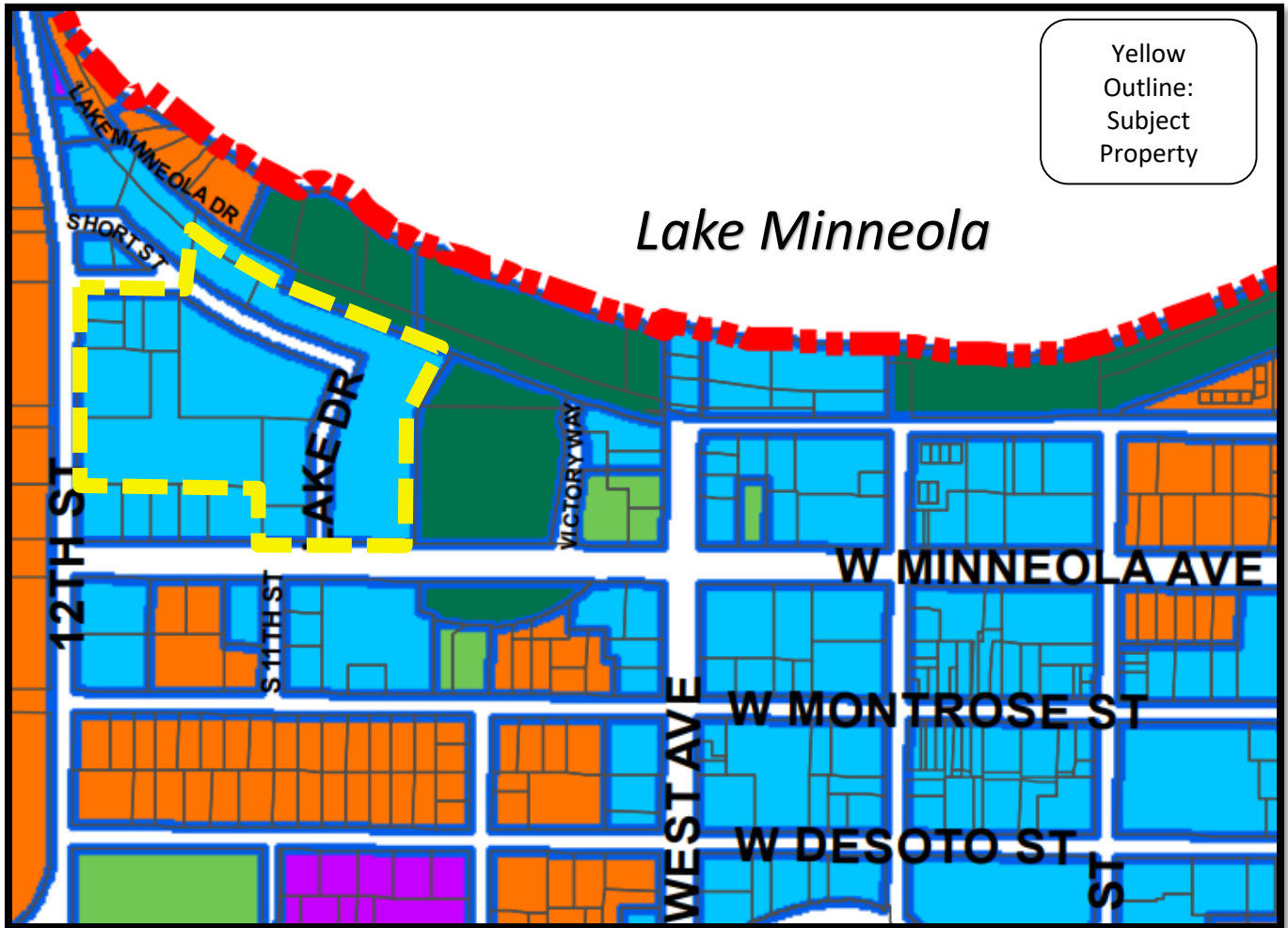


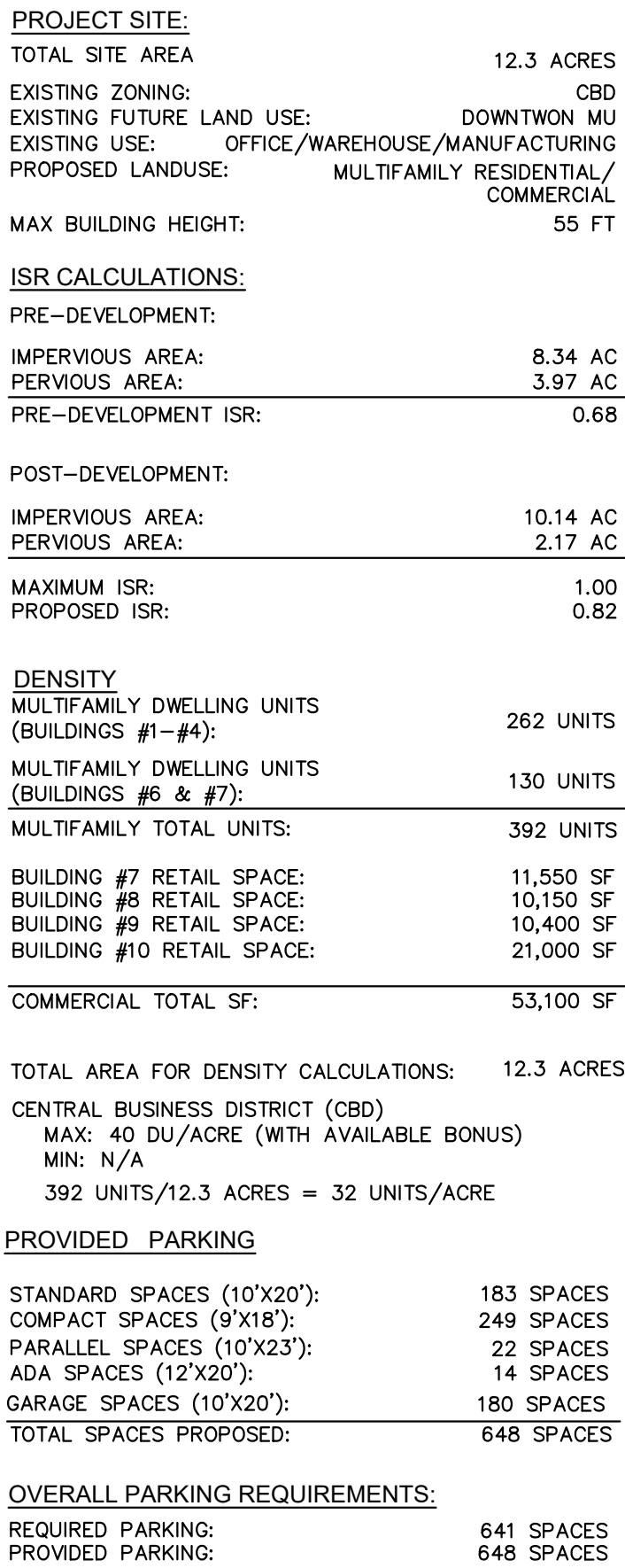
Exhibit - Zoning Map –Lumberyard PUD

Yellow
Outline:
Subject
Property

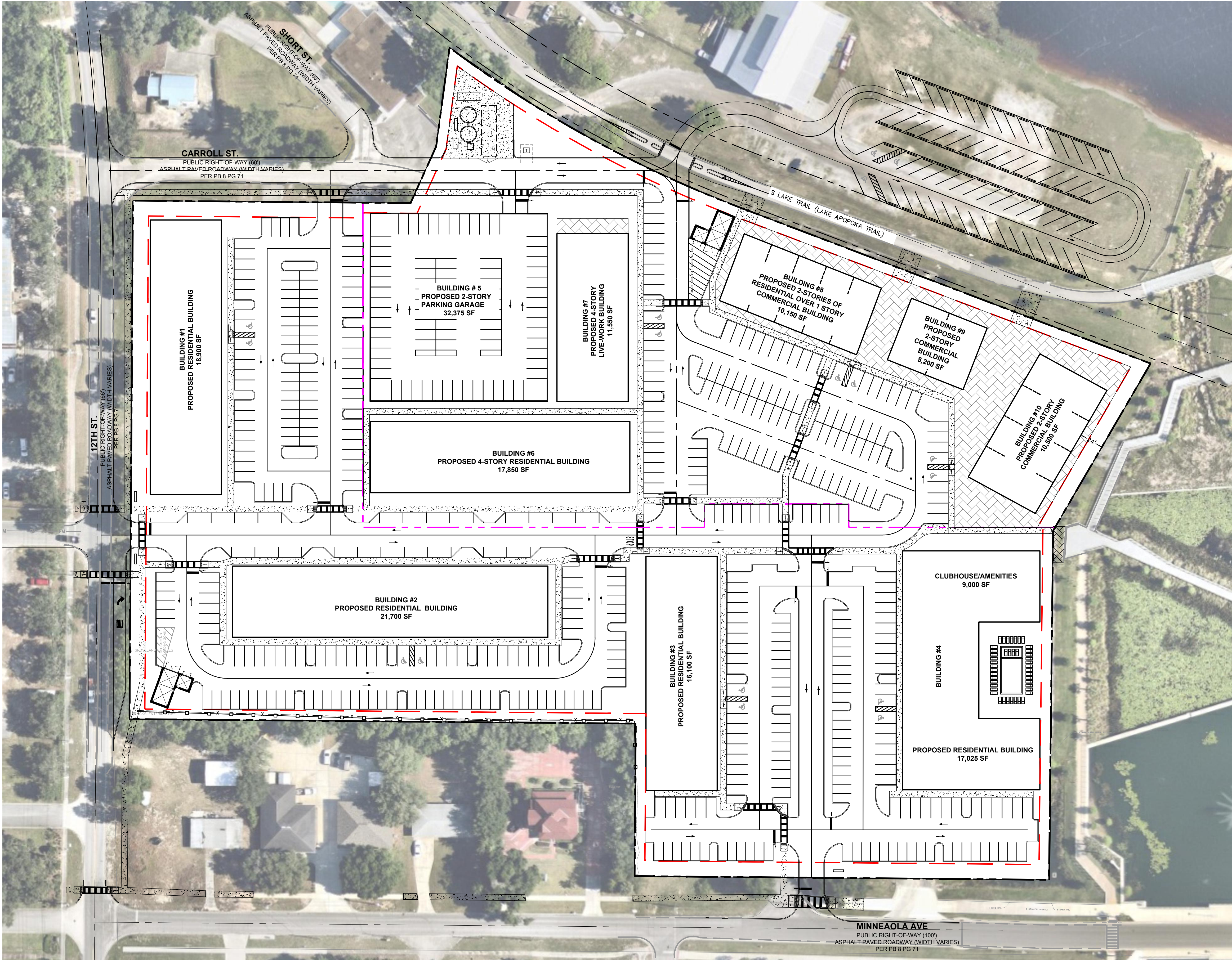


Zoning Designations

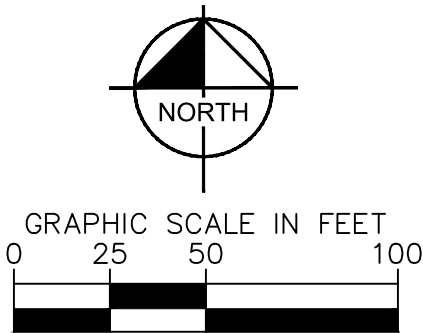
	CBD CENTRAL BUSINESS DISTRICT
	WELLNESS RIDGE COMMUNITY DEVELOPMENT DISTRICT
	CD COMMERCE DISTRICT
	CDD COMMUNITY DEVELOPMENT DISTRICT
	C-1 LIGHT COMMERCIAL DISTRICT
	C-2 GENERAL COMMERCIAL DISTRICT
	R-1-A SINGLE FAMILY LOW DENSITY RESIDENTIAL DISTRICT
	R-1 SINGLE FAMILY MEDIUM DENSITY RESIDENTIAL DISTRICT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



SHEET NUMBER	C4.0	LUMBERYARD DISTRICT REZONING	CITY OF CLERMONT	FLORIDA
KHA PROJECT 049642001	DATE 06/26/2023	OVERALL SITE PLAN		
SCALE AS SHOWN	DESIGNED BY JPR			
DRAWN BY SJU	CHECKED BY JPR			
LICENSED PROFESSIONAL MATTHEW S. GILLESPIE FLORIDA LICENSE NUMBER 76950 DATE:		 © 2023 KIMLEY-HORN AND ASSOCIATES, INC. 188 S. ORANGE AVENUE, SUITE 1000, ORLANDO, FL 32801 PHONE: 407-898-1511 WWW.KIMLEY-HORN.COM REGISTRY NO. 35106		
A CITY COUNCIL	A CITY COUNCIL			
A CITY COUNCIL	A CITY COUNCIL/PUBLIC SERVICE COMMENTS			
No.	REVISIONS	DATE		
BY				



LEGEND	
	PROPERTY LINE
	MULTIFAMILY/COMMERCIAL PROPERTY BOUNDARY
	LANDSCAPE BUFFER
	ROADWAY CENTERLINE
	CONCRETE
	PROPOSED COURTYARD



PROJECT SITE:	
MULTIFAMILY	7.14 ACRES
ISR CALCULATION MULTIFAMILY:	
MULTIFAMILY IMPERVIOUS AREA:	5.82 AC
MULTIFAMILY PERVIOUS AREA:	1.32 AC
MAXIMUM ISR:	1.00
PROPOSED ISR:	0.82
DENSITY MULTIFAMILY:	
PROPOSED MULTIFAMILY DWELLING UNITS (BUILDINGS #1-#4):	262 UNITS
TOTAL UNITS:	262 UNITS
TOTAL AREA FOR DENSITY CALCULATIONS:	
CENTRAL BUSINESS DISTRICT (CBD)	7.14 ACRES
MAX: 40 DU/ACRE (WITH AVAILABLE BONUS)	
MIN: N/A	
262 UNITS/7.14 ACRES =	36 UNITS/ACRE

MULTIFAMILY PARKING REQUIREMENTS:	
(1.25 SPACES/1 BEDROOM UNIT):	
1.25 SPACES X 197 UNITS =	247 SPACES
(1.5 SPACES/2 BEDROOM UNIT):	
1.5 SPACES X 65 UNITS =	98 SPACES
TOTAL SPACES REQUIRED:	345 SPACES
PROVIDED MULTIFAMILY PARKING	
STANDARD SPACES (10'X20'):	137 SPACES
COMPACT SPACES (9'X18'):	186 SPACES
PARALLEL SPACES (10'X23'):	14 SPACES
ADA SPACES (12'X20'):	8 SPACES
TOTAL SPACES PROPOSED:	345 SPACES

BUILDING SETBACKS MULTIFAMILY:		
	MIN/MAX	PROPOSED
NORTH (FRONT):	0 FT/ NA	19 FT
SOUTH (BACK):	0 FT/ NA	84 FT
EAST (SIDE):	0 FT/ NA	12 FT
WEST (SIDE):	0 FT/ NA	18 FT

LANDSCAPING/BUFFERS MULTIFAMILY:		
	MIN	PROPOSED
NORTH (FRONT):	10/15 FT*	10/15 FT
EAST (SIDE):	10 FT	10 FT
WEST (SIDE):	15 FT	15 FT
SOUTH (BACK):	10/15 FT*	10/15 FT
*THE LANDSCAPE BUFFER WHEN ADJACENT TO PUBLIC RIGHT OF WAY IS MINIMUM 15 FT WITH BRICK, STONE, OR MASONRY WALL W/ TREES OR SHRUBS OR 25' WITH EARTHEN BERM, TREES, AND CONTINUOUS HEDGE.		
LANDSCAPE BUFFER BETWEEN ADJACENT PROPERTIES IS 10 FT.		

PROJECT SITE:	
COMMERCIAL	5.16 ACRES
ISR CALCULATION COMMERCIAL:	
COMMERCIAL IMPERVIOUS AREA:	4.31 AC
COMMERCIAL PERVIOUS AREA:	0.84 AC
MAXIMUM ISR:	1.00
PROPOSED ISR:	0.84

DENSITY COMMERCIAL:	
MULTIFAMILY DWELLING UNITS (BUILDINGS #5 & #7):	130 UNITS
TOTAL MULTIFAMILY UNITS:	130 UNITS
BUILDING #7 RETAIL SPACE:	11,550 SF
BUILDING #8 RETAIL SPACE:	10,150 SF
BUILDING #9 RETAIL SPACE:	10,400 SF
BUILDING #10 RETAIL SPACE:	21,000 SF
TOTAL COMMERCIAL SF:	53,100 SF
TOTAL AREA FOR DENSITY CALCULATIONS:	
CENTRAL BUSINESS DISTRICT (CBD)	5.16 ACRES
MAX: 40 DU/ACRE (WITH AVAILABLE BONUS)	
MIN: N/A	
130 UNITS/5.16 ACRES =	26 UNITS/ACRE

COMMERCIAL PARKING REQUIREMENTS:	
THE COMMERCIAL PORTION OF THIS SITE INCLUDES 130 MULTIFAMILY UNITS PROVIDED WITHIN A 4 STORY LIVE-WORK MULTIFAMILY BUILDING, A 2 STORY MULTIFAMILY BUILDING ABOVE THE 10,150 SF RETAIL BUILDING, AND A 4 STORY MULTIFAMILY BUILDING.	
RETAIL PARKING REQUIREMENT:	1 SPACE/333 SF
PROPOSED 2 STORY RETAIL (10,400 SF) =	31 SPACES
PROPOSED 2 STORY RETAIL (21,000 SF) =	63 SPACES
PROPOSED 1 STORY RETAIL (10,150 SF) =	30 SPACES
COMMERCIAL SPACES REQUIRED:	124 SPACES
MULTIFAMILY PARKING REQUIREMENTS:	
(1.25 SPACES/1 BEDROOM UNIT):	
1.25 SPACES X 98 UNITS =	123 SPACES
(1.5 SPACES/2 BEDROOM UNIT):	
1.5 SPACES X 32 UNITS =	49 SPACES
MULTIFAMILY SPACES REQUIRED:	172 SPACES
TOTAL SPACES REQUIRED:	296 SPACES
PROVIDED COMMERCIAL PARKING	
STANDARD SPACES (10'X20'):	46 SPACES
COMPACT SPACES (9'X18'):	63 SPACES
PARALLEL SPACES (10'X23'):	8 SPACES
ADA SPACES (12'X20'):	6 SPACES
GARAGE SPACES (10'X20'):	180 SPACES
TOTAL SPACES PROPOSED:	303 SPACES

BUILDING SETBACKS COMMERCIAL:		
	MIN/MAX	PROPOSED
NORTH (FRONT):	0 FT/ NA	23 FT
SOUTH (BACK):	0 FT/ NA	14 FT
EAST (SIDE):	0 FT/ NA	24 FT
WEST (SIDE):	0 FT/ NA	7 FT

LANDSCAPING/BUFFERS COMMERCIAL:		
	MIN	PROPOSED
NORTH (FRONT):	10 FT	10 FT
EAST (SIDE):	10 FT	15 FT
WEST (SIDE):	10 FT	10 FT
SOUTH (BACK):	20 FT	20 FT

CITY COUNCIL	10/25/2023	JLA
CITY COUNCIL	11/15/2023	JLA
CITY COUNCIL/PUBLIC SERVICE COMMENTS	11/22/2023	JLA
No.		
REVISIONS		
DATE		

Kimley»Horn

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189 S. ORANGE AVENUE, SUITE 1000, ORLANDO, FL 32801
PHONE: 407-898-1511
WWW.KIMLEY-HORN.COM REGISTRY NO. 35106

LICENSED PROFESSIONAL	MATTHEW S. GILLESPIE
FLORIDA LICENSE NUMBER	76950
DATE:	

KHA PROJECT	049642001
DATE	06/26/2023
SCALE	AS SHOWN
DESIGNED BY	JPR
DRAWN BY	SJJ
CHECKED BY	JPR

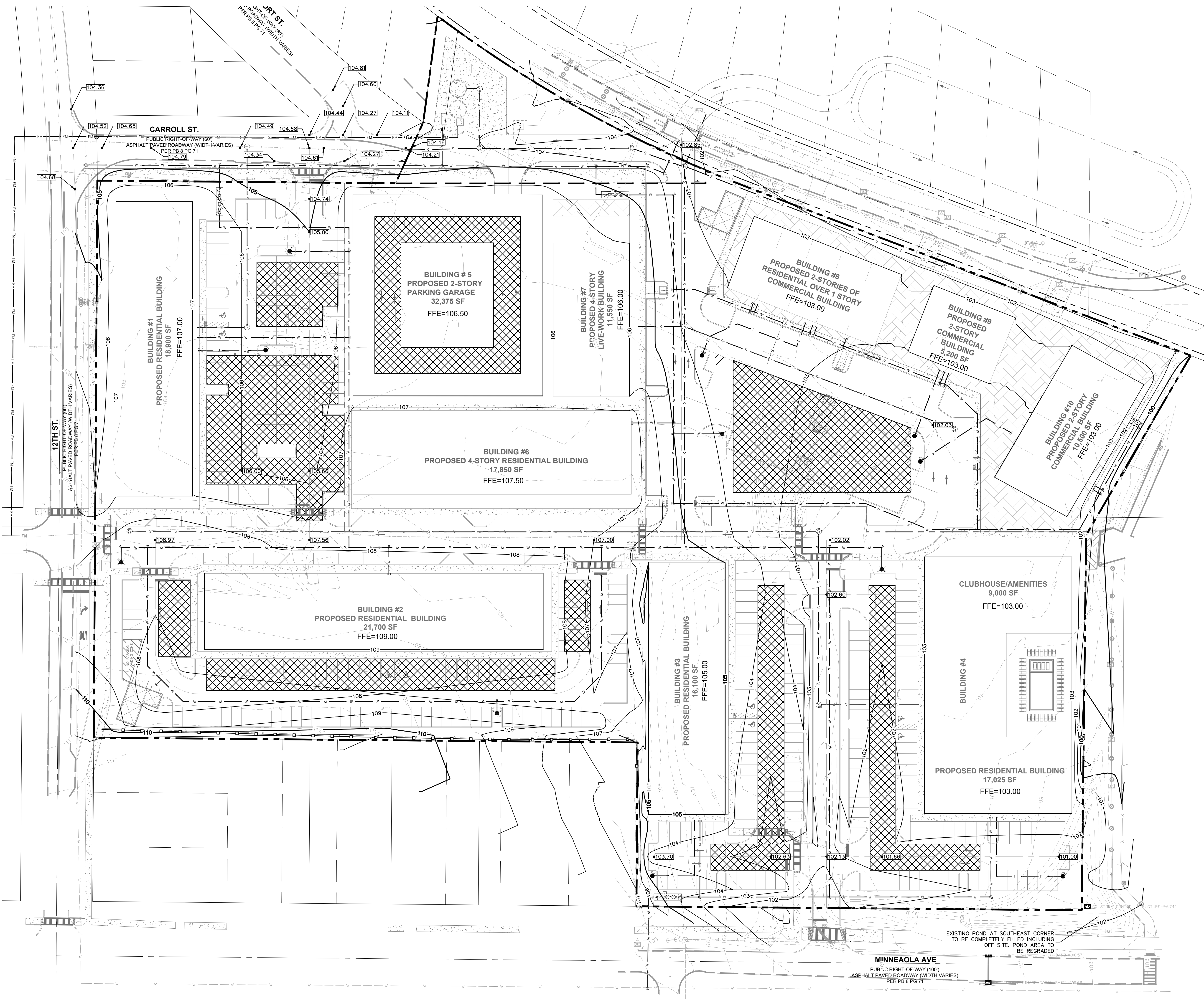
DIVIDED PROPERTY SITE PLAN

LUMBERYARD DISTRICT REZONING

SHEET NUMBER
C4.1

Plotted By: Albino, Joime Sheet: S&L LUMBERYARD DISTRICT REZONING Layout: C5.0 November 22, 2023 07:12:44pm K:\ORL\Civil\049642001-Clermont Lakefront Multifamily CAD\CONSTR\PlanSheets\C5.0 GRADING PLAN.dwg

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NORTH

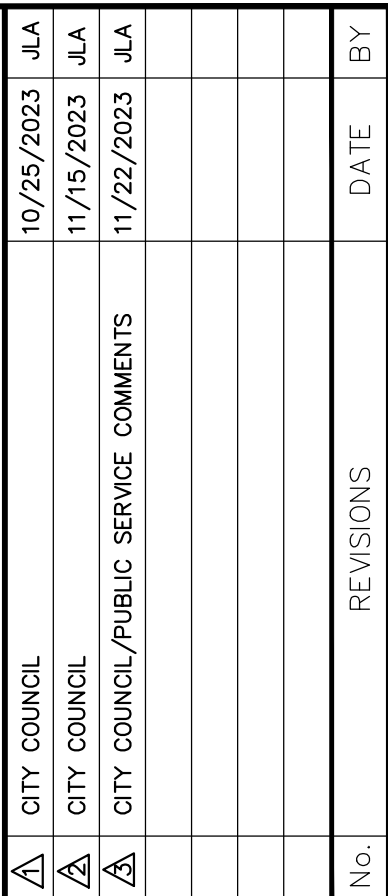
GRAPHIC SCALE IN FEET

0 20 40 80

LEGEND

- 110- EXISTING CONTOUR
- 110- PROPOSED CONTOUR
- PROPOSED STORM INLET
- PROPOSED MANHOLE
- DIRECTION OF SURFACE WATER FLOW
- PROPOSED CONCRETE SIDEWALK
- PROPOSED EXFILTRATION SYSTEM

SHEET NUMBER C5.0		LUMBERYARD DISTRICT REZONING		CITY OF CLERMONT		FLORIDA	
GRADING PLAN				KHA PROJECT 049642001			
				LICENSED PROFESSIONAL DATE: 06/26/2023 SCALE: AS SHOWN DESIGNED BY: JPR DRAWN BY: SJ CHECKED BY: JPR			
				MATTHEW S. GILLESPIE FLORIDA LICENSE NUMBER 76950			
				© 2023 KIMLEY-HORN AND ASSOCIATES, INC. 189 S. ORANGE AVENUE, SUITE 1000, ORLANDO, FL 32801 PHONE: 407-898-1511 WWW.KIMLEY-HORN.COM REGISTRY NO. 35106			
				Kimley»Horn			
				CITY COUNCIL			
				CITY COUNCIL/PUBLIC SERVICE COMMENTS			
				10/25/2023 JLA			
				11/22/2023 JLA			
				No.			
				REVISIONS			
				DATE			
				BY			

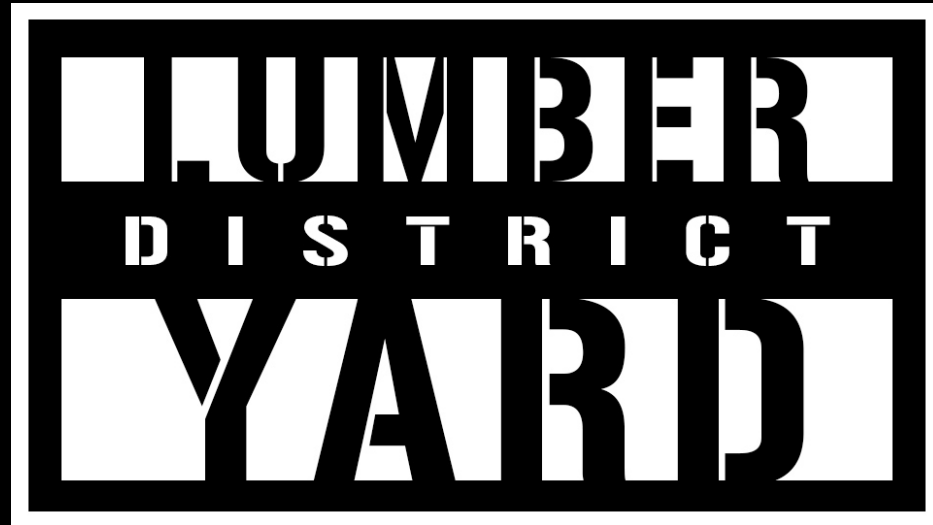


KHA PROJECT 049642001	LICENSED PROFESSIONAL
DATE	MATTHEW S. GILLESPIE
06/26/2023	FLORIDA LICENSE NUMBER
SCALE AS SHOWN	76950
DESIGNED BY JPR	DATE:
DRAWN BY SJJ	
CHECKED BY JPR	

CONSTRUCTION PHASING PLAN

LUMBERYARD DISTRICT REZONING

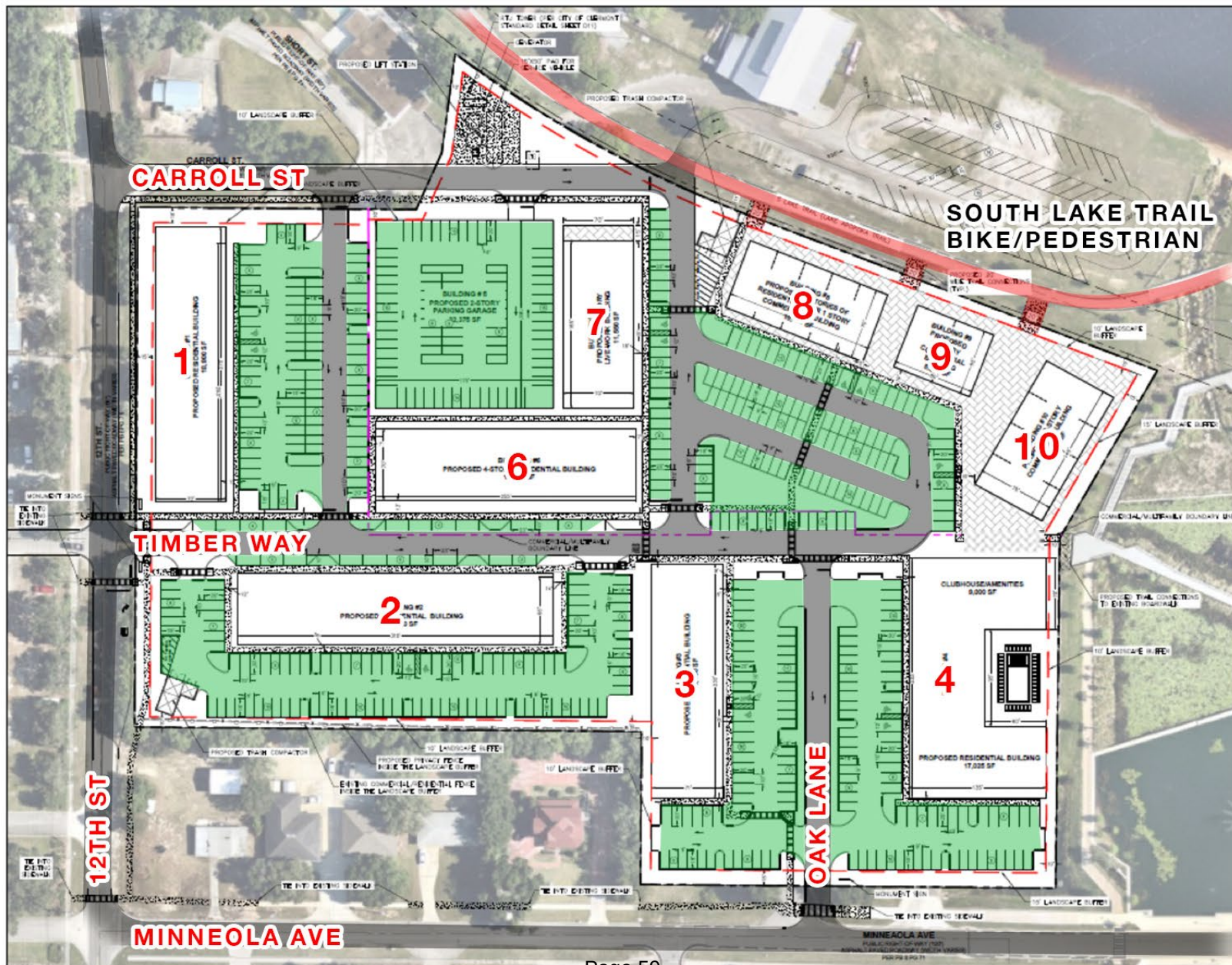
SHEET NUMBER
C7.0



A LIVE WORK PLAY COMMUNITY

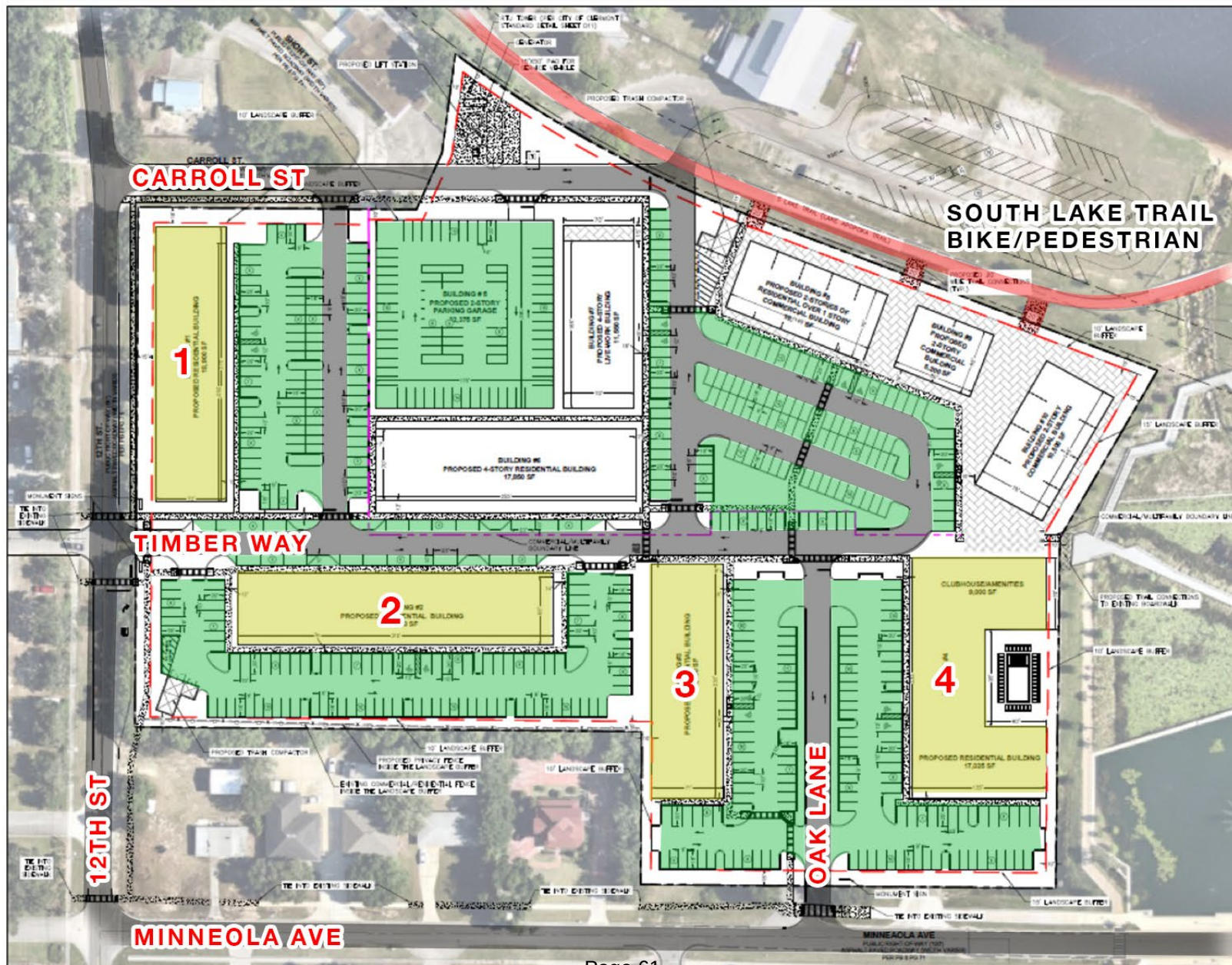


PROPOSED 9-BUILDING SITE PLAN



PROPOSED 9-BUILDING AERIAL RENDERING



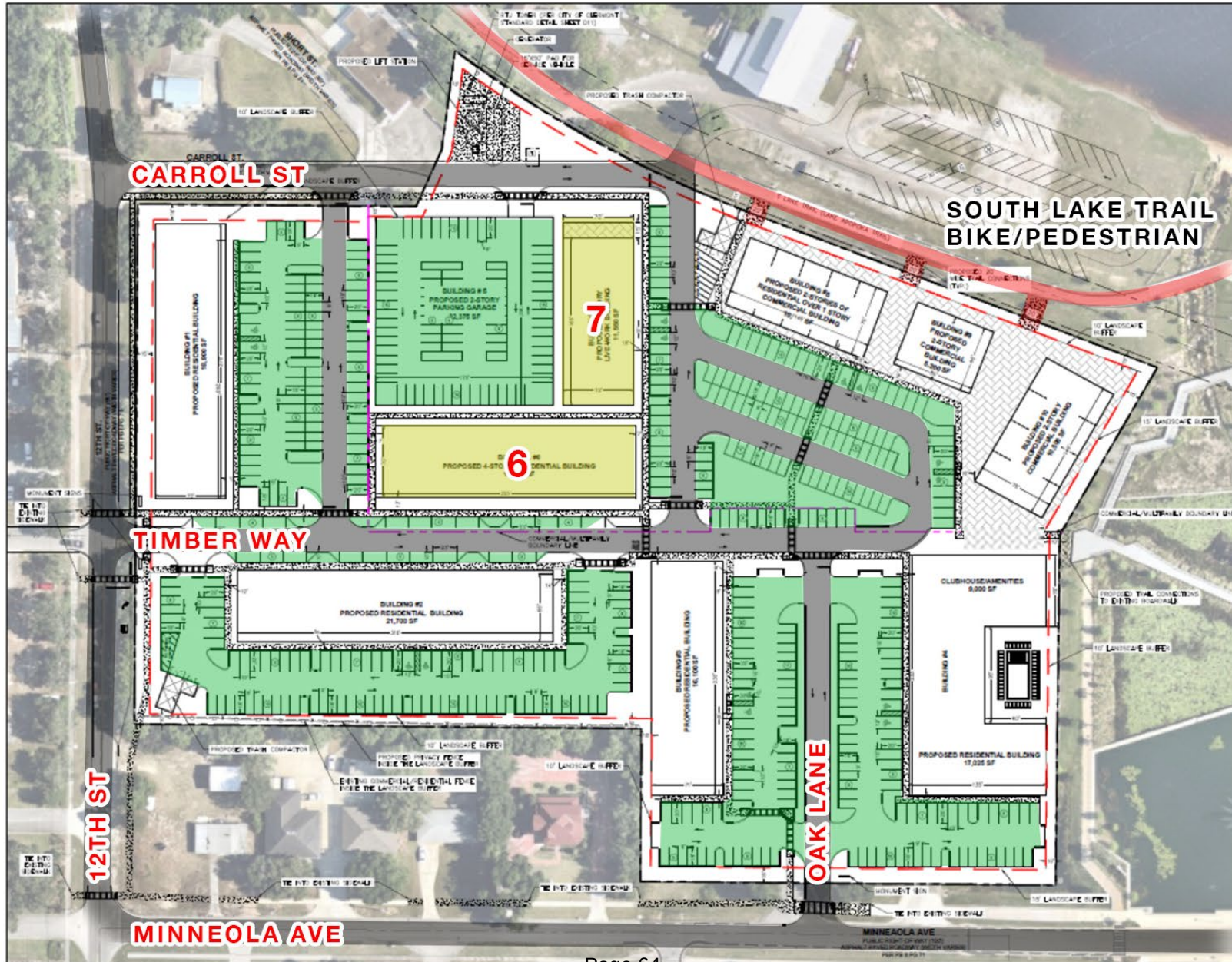




RECENT MULTIFAMILY PROJECTS



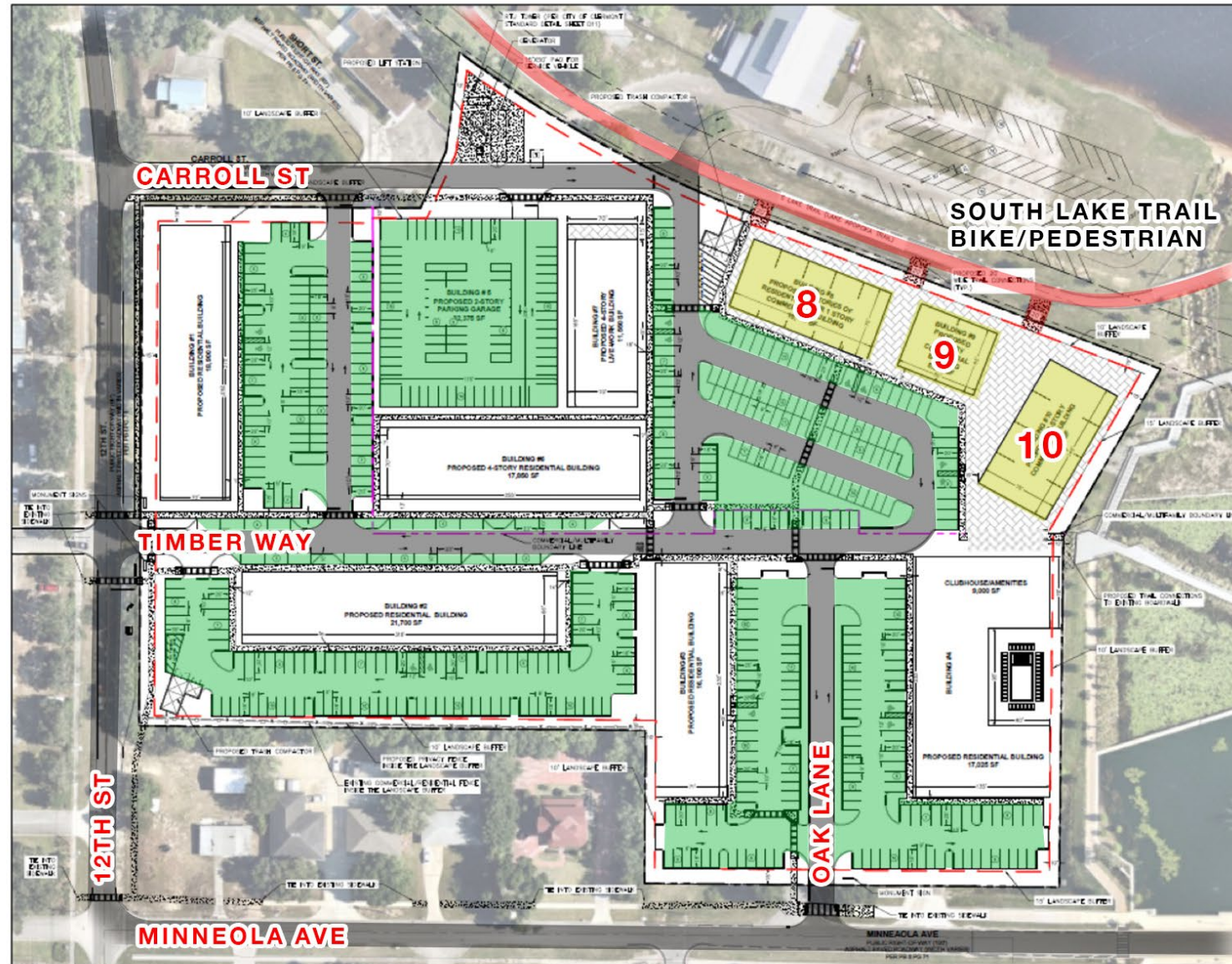
BUILDINGS 6-7 NEAR ROW HOUSE



BUILDINGS 6-7 NEAR ROW HOUSE

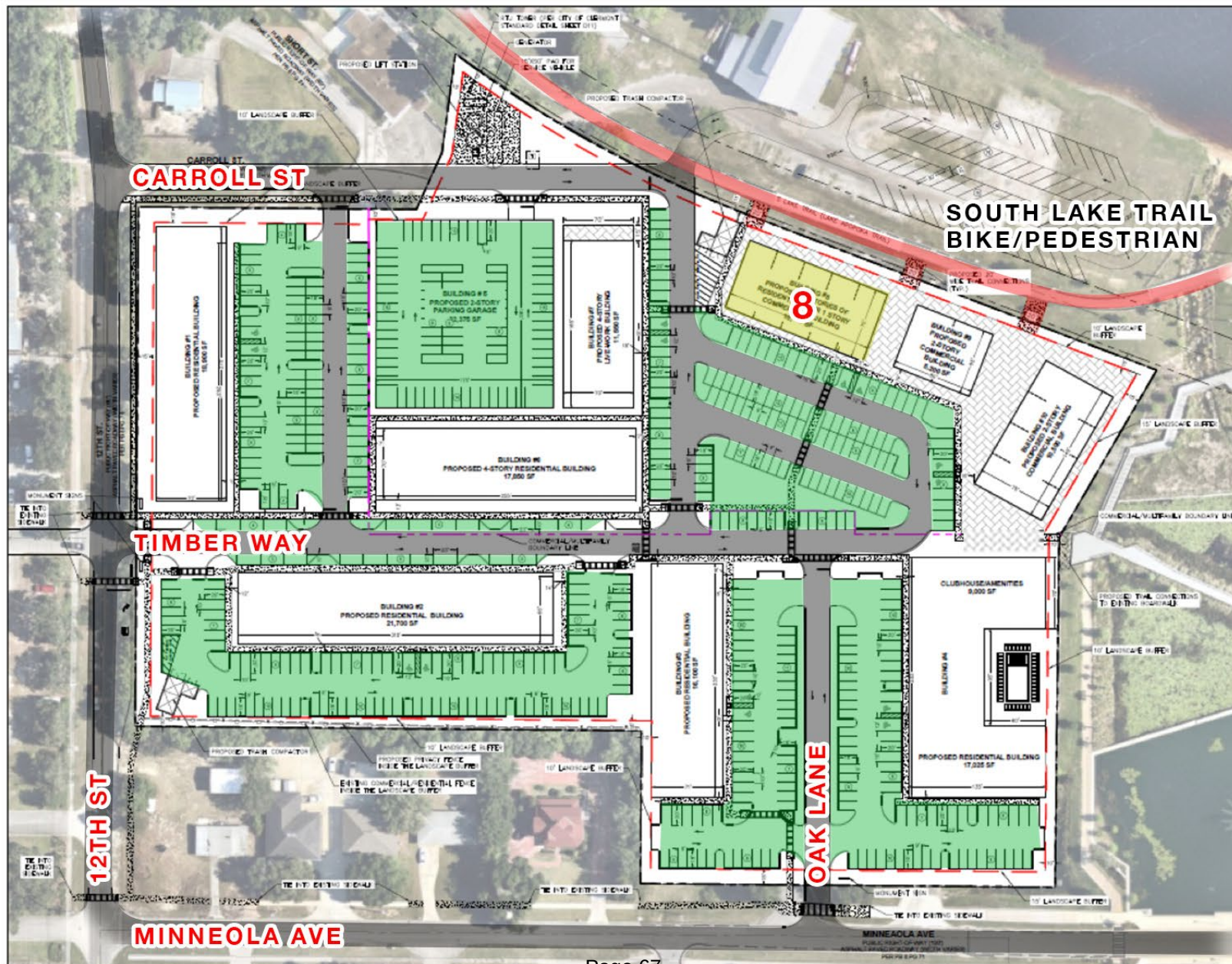


The Blue Ox Live Work building will have residents, dedicated office areas and conference rooms that will be open to residents and non residents.



Buildings 8, 9, and 10 will be ideally situated on the South Lake Trail as an excellent, complementary retail node for the superb, well-travelled South Lake Trail.

BUILDING 8 ON S LAKE TRAIL

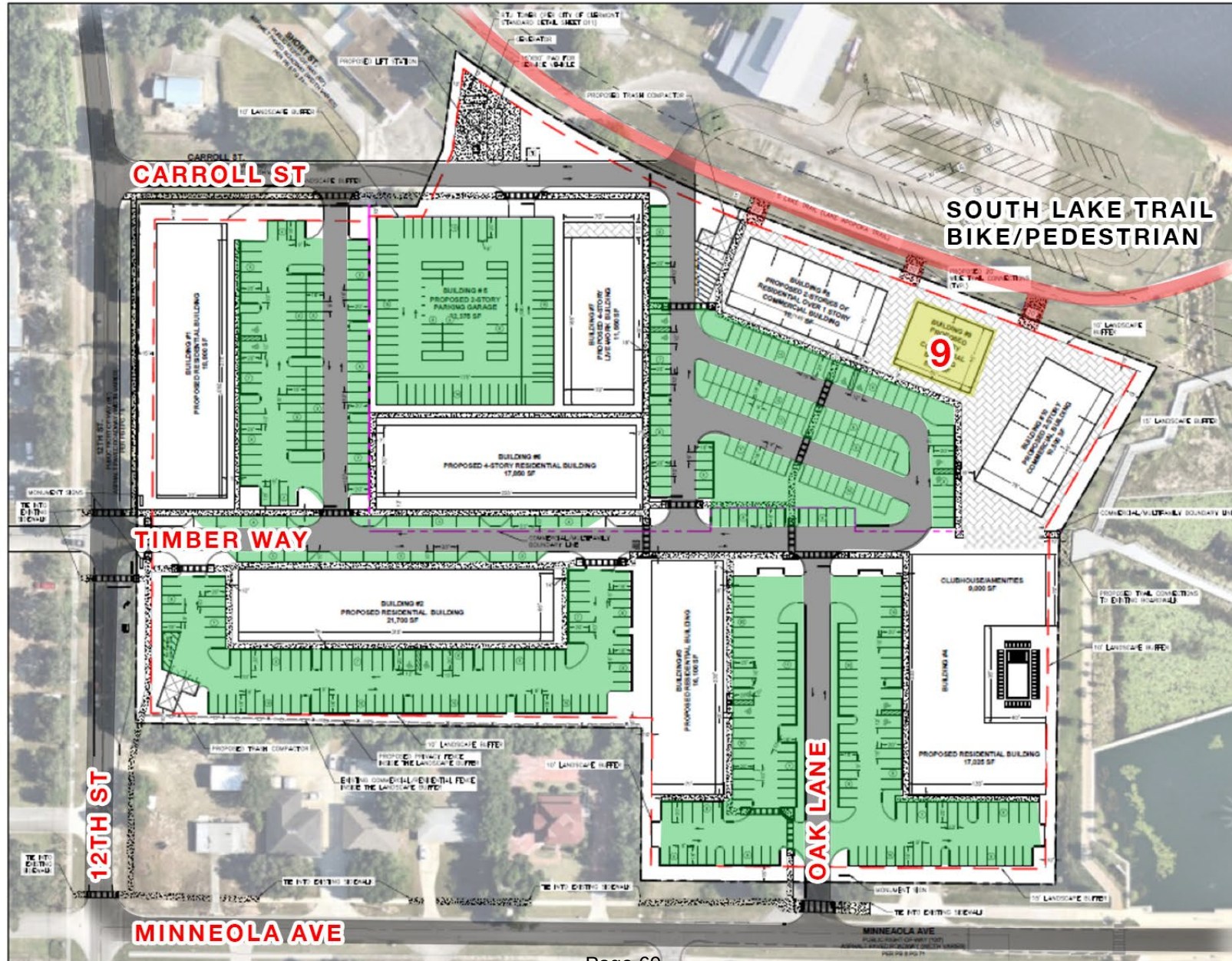


TIMBER HALL ON S LAKE TRAIL



Timber Hall is a 3-story mixed-use building with ground-level retail and residences above.

BUILDING 9 ON S LAKE TRAIL

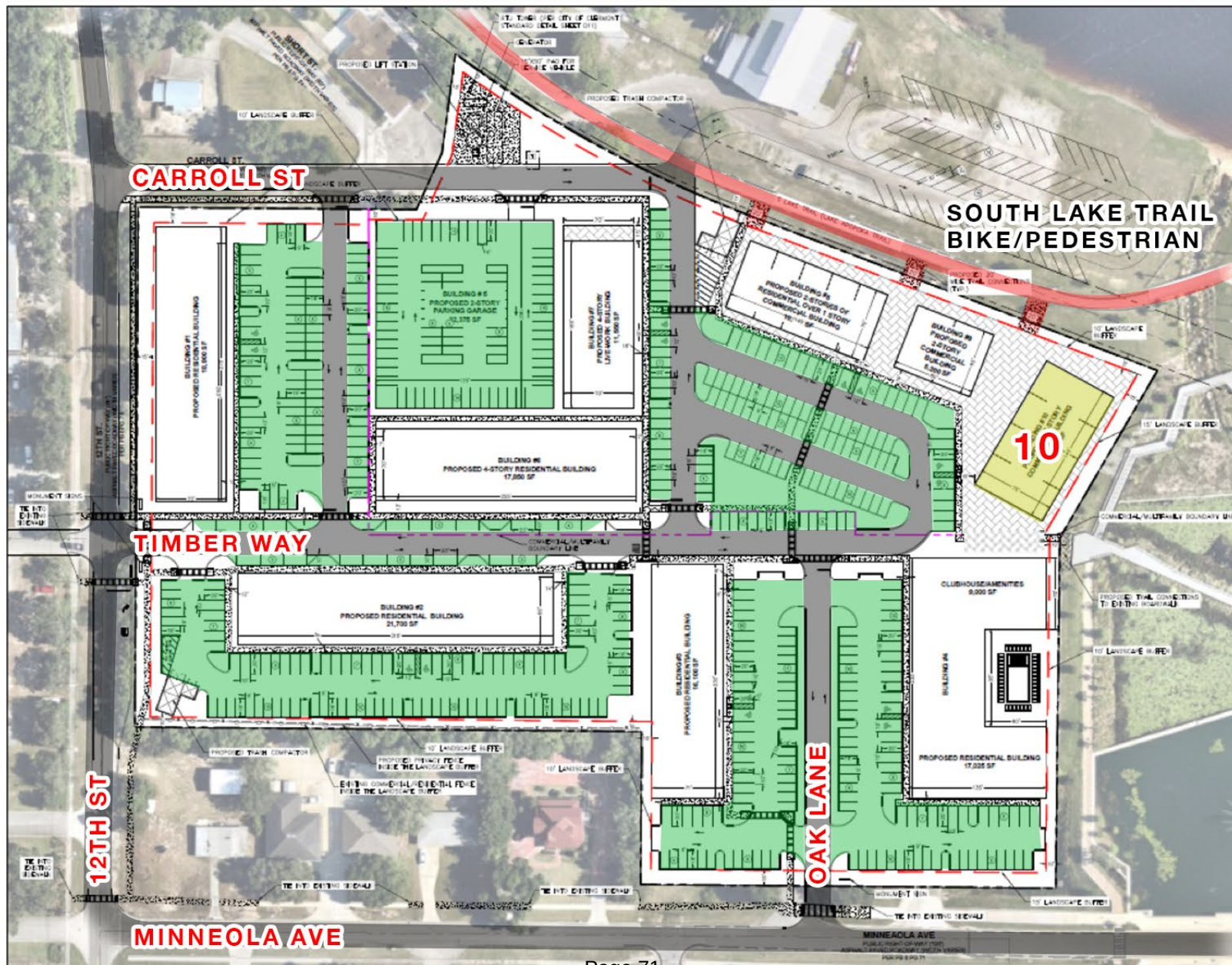


BUILDING 9 ON S LAKE TRAIL



The WolfePack Restaurant is a 2-story food and beverage building with 2nd level viewing.

BUILDING 10 ON S LAKE TRAIL



BUILDING 10 ON S LAKE TRAIL



Sawmill Entertainment Center will be a 2-story, open-air destination featuring games, music, food and beverages supporting downtown commercial users.

REVITALIZE & INSPIRE



FAMILY ENTERTAINMENT



ENTERTAINMENT RETAIL



COAST TO COAST TRAIL
DESTINATION



LAKESIDE DINING & SHOPPING



LOCAL BREWERY



REVITALIZE & INSPIRE



COMMUNITY CONNECTION



LIVE & PLAY



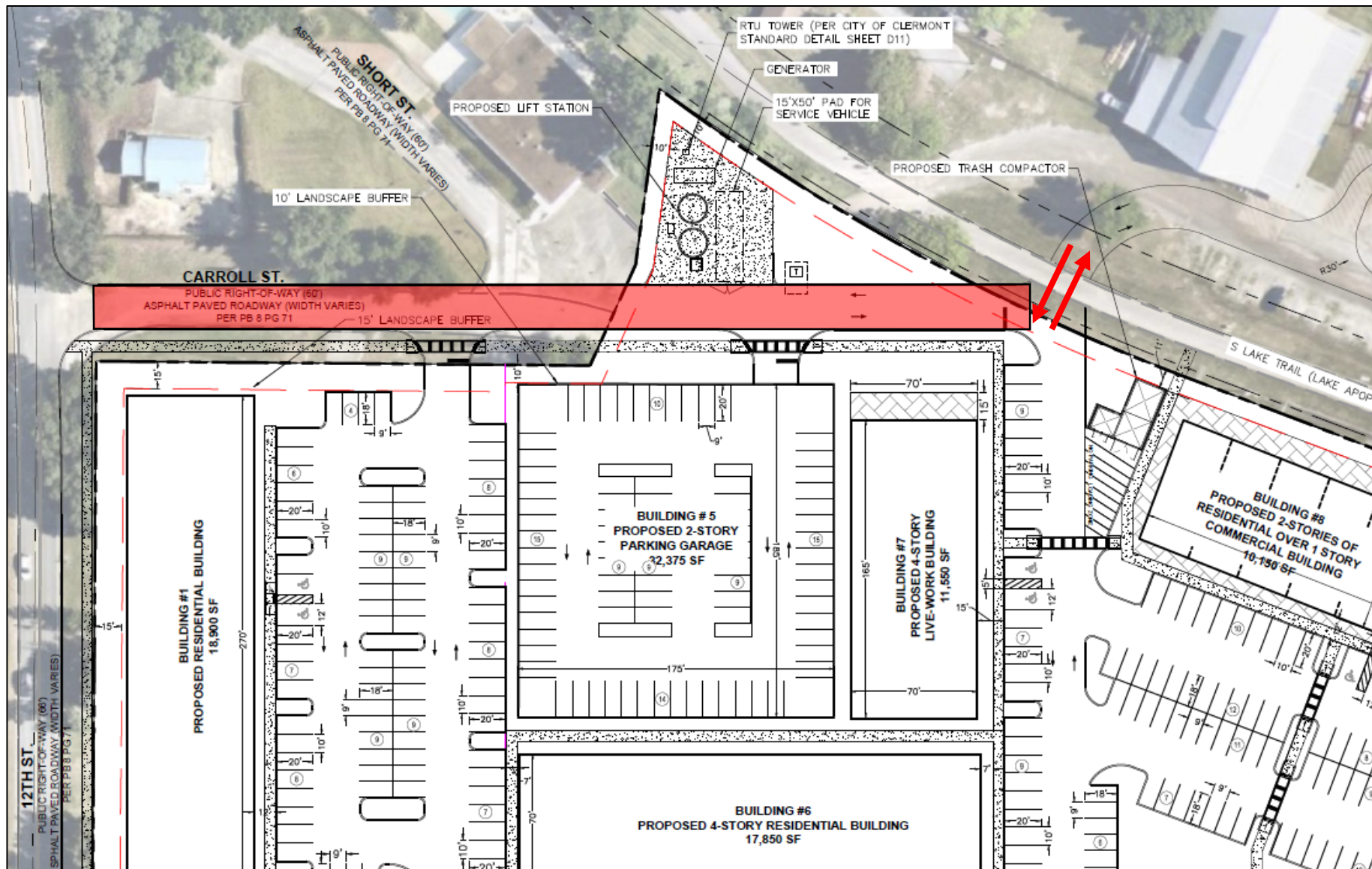
A PLACE TO GATHER



FAMILY ENTERTAINMENT

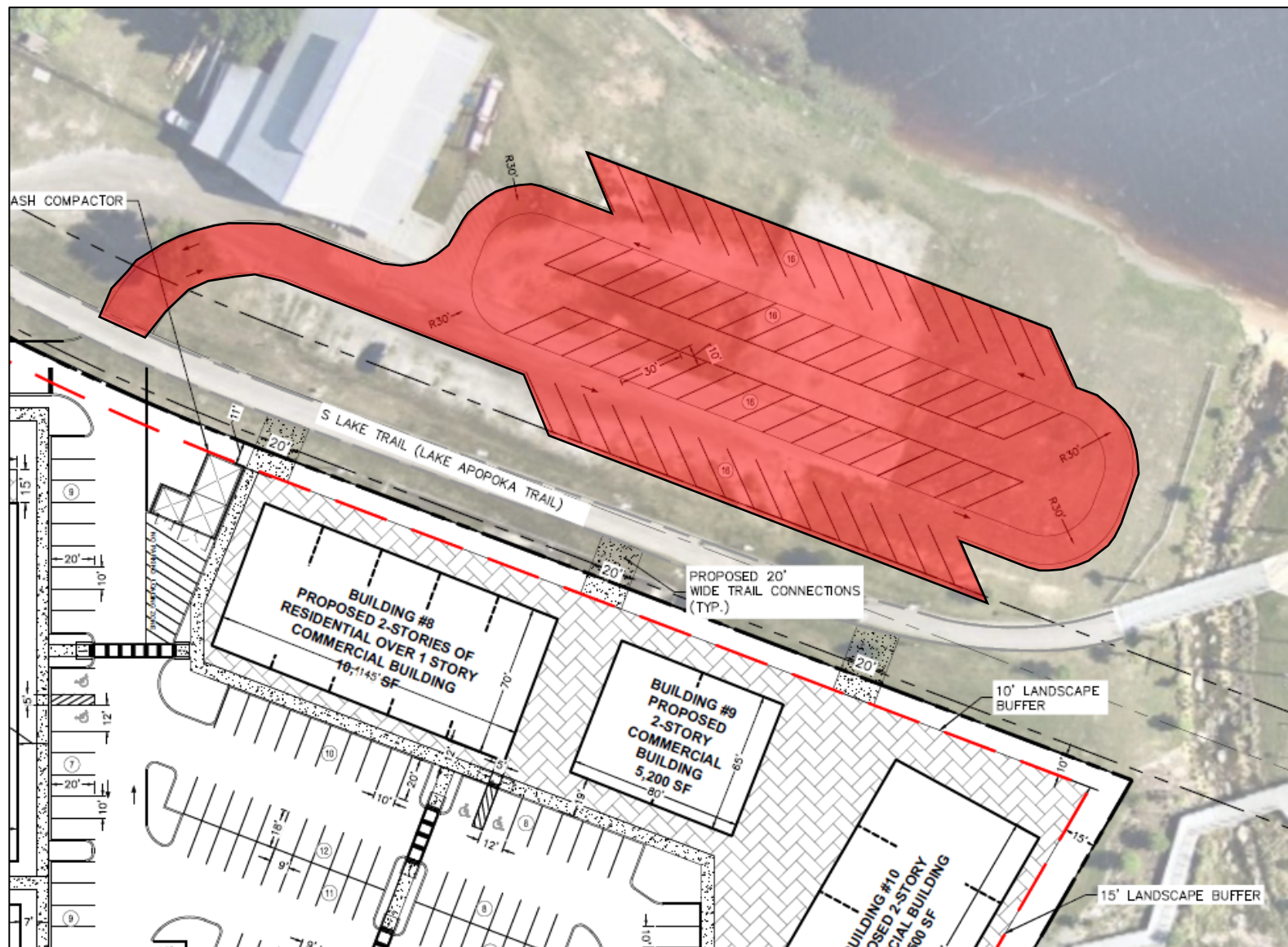


COMMUNITY BENEFIT: ROW HOUSE ACCESS



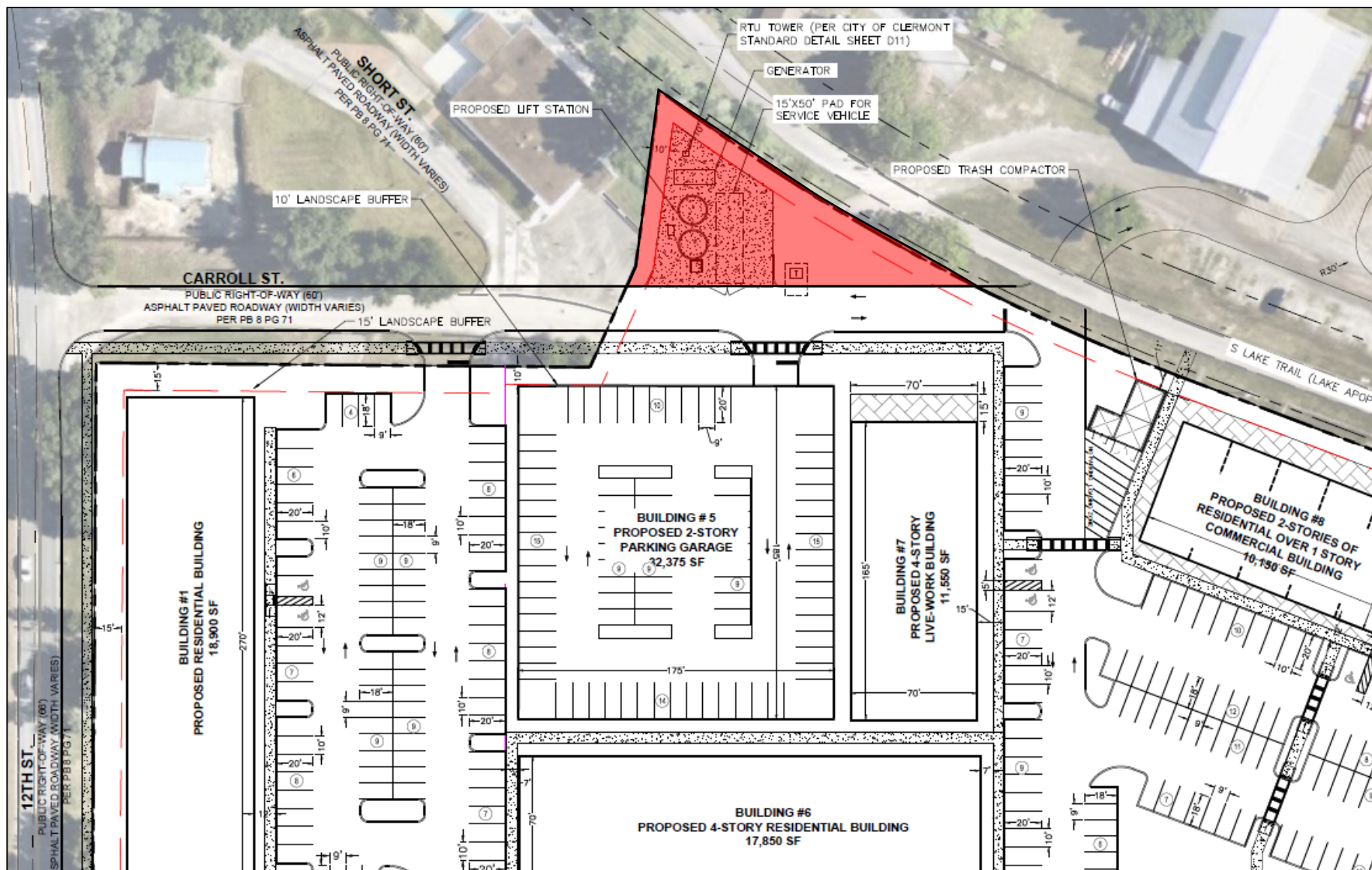
Granting a permanent easement on Carroll Street for access to the Row House.

COMMUNITY BENEFIT: ROW HOUSE PARKING



Providing 32,500 SF of new pavement in work area for (64) 10' x 30' parking spaces.

COMMUNITY BENEFIT: LIFT STATION ACREAGE

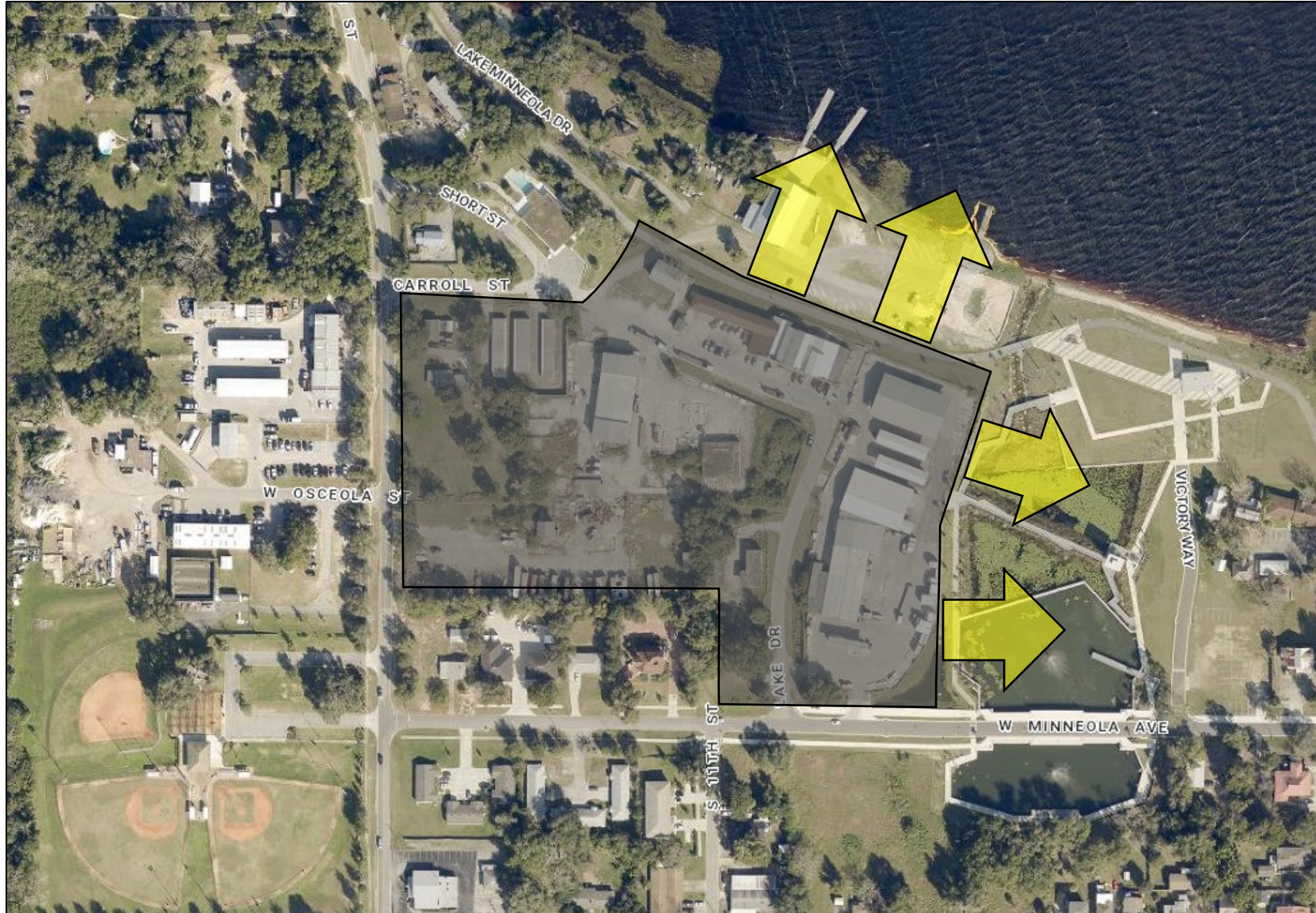


Providing substantial portion of site for 2,100 SF lift station. Total lift station area is 19,000 SF of property.

COMMUNITY BENEFIT: ENVIRONMENTAL

Currently, 68% of the project area is impervious without any formal stormwater management system.

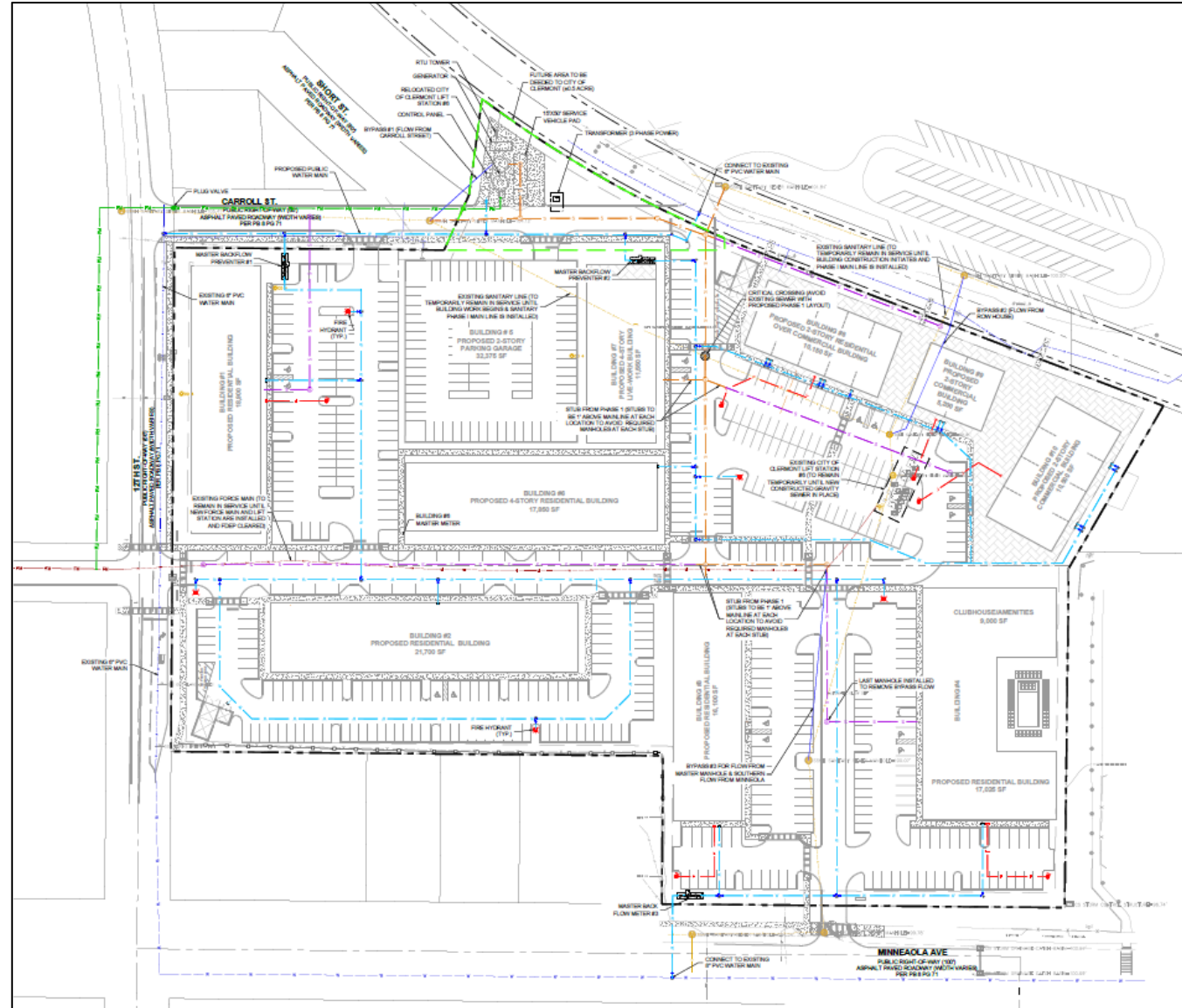
The project will implement updated stormwater management and water run-off systems which will complement the adjacent Victory Point park and ensure that Lake Minneola is not polluted.



COMMUNITY BENEFIT: UTILITY INFRASTRUCTURE

The project will upgrade the water and sewer main and construct a new lift station (#6).

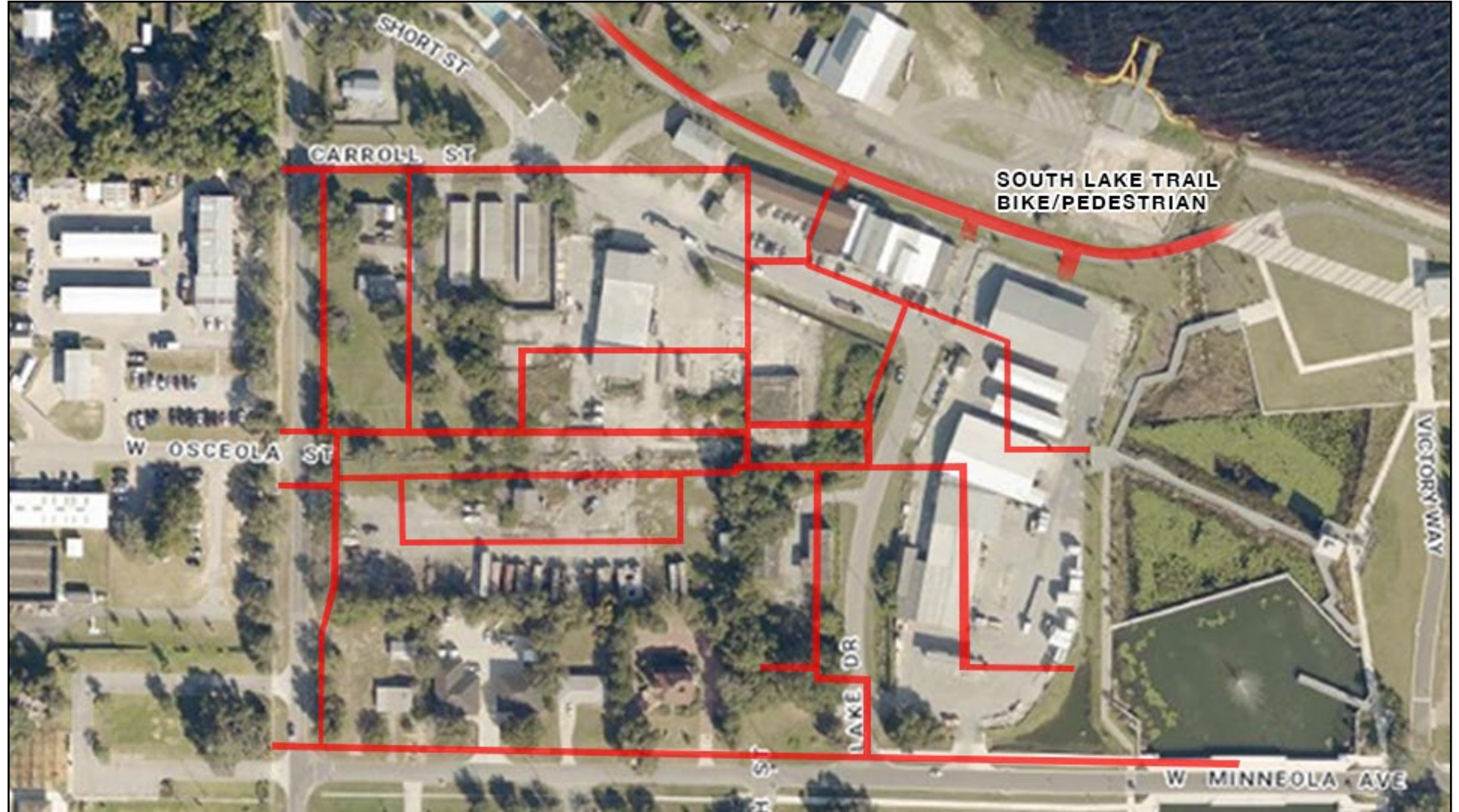
This will benefit the surrounding service area and will increase water pressure for others.



COMMUNITY BENEFIT: WALKABILITY

Project will prioritize cohesive walkability internally.

Additionally, project will expand off-site sidewalks and add 3 crosswalks to maintain walkability between West Park and South Lake Trail.



COMMUNITY BENEFIT: CARROLL ST & LAKE DR

Two existing public roads, Carroll St and Lake Dr, are in poor condition and must be reconstructed.

Project will pay for the new infrastructure thus saving Clermont from this financial burden.



COMMUNITY BENEFIT: IMPACT FEES & TAXES

The project will raise ~\$2.97 million in impact fees to compensate for Clermont Water, Wastewater, Parks & Rec, and Police & Fire services.

The project will generate an additional estimated \$466,224 annually in property taxes to support schools and government functions.

Component	Impact Fee Category	
Residential	Water & Wastewater	\$ 1,667,960
Residential	Parks & Rec	\$ 524,496
Residential	Police & Fire	\$ 395,920
Commercial	Water & Wastewater (6" Meters)	\$ 264,040
Commercial	Police	\$ 39,029
Commercial	Fire	\$ 79,597
Total Impact Fee - Clermont Only:		\$ 2,971,041

	Existing Property Taxes	Estimated Future Property Taxes
Total Assessed Value	\$ 2,190,910	\$ 94,330,000
Clermont Taxes Collected	\$ 11,086	\$ 477,310
Total Property Tax Increase		\$ 466,224

COMMUNITY BENEFIT: TOTAL

Community Benefit % *applicable* Cost

1	\$	325,000	100%	\$	325,000	Row House Parking Lot <i>32,500 SF @ \$10 PSF</i>
2	\$	513,315	100%	\$	513,315	Permanent Access to Row House & Lift Station acreage. <i>19,000 SF area less 1,800 SF existing row house @ \$1.3mm/AC contract land value</i>
3	\$	374,400	100%	\$	374,400	Repair of Carroll Street and Lake Drive <i>1,040 LF x 24' wide of roadway repaired and reconfigured @ \$15 per SF.</i>
4	\$	21,600	100%	\$	21,600	Sidewalk Improvement <i>2,400 SF of 4" sidewalk at \$9 PSF</i>
5	\$	53,719	100%	\$	53,719	Land to Adjacent Neighbors <i>1,800 SF @ \$1.3mm/AC contract land value</i>
6	\$	850,000	100%	\$	850,000	Lift Station and Utility Infrastructure <i>Civil Engineer opinion of value</i>

\$ 2,138,034 Total Community Benefit Value

300 Residential Density at Max 25 DU/AC

392 Requested Density at ~32 DU/AC

92 "Bonus Density Units"

\$ 23,239 Community Benefit Value per "Bonus Density Unit"

August 25, 2023
REVISED: October 24, 2023

City of Clermont
Planning & Development Services
685 W. Montrose Street
Clermont, FL 34711

Re: **Lumberyard District
Rezoning from CBD to PUD
Project Narrative & Density Bonus Request**

The Lumberyard District redevelopment project includes 3 mixed-use buildings, 1 live-work building, and 5 multifamily buildings on a 12.3-acre site. The total residential density is 32 units/AC. There are (2) existing streets (Carroll & Lake Dr) that will need to be vacated as a part of this re-development project. The project is located east of 12th Street, north of West Minneola Avenue, and south of South Lake Trail/Lake Apopka Trail in Clermont, FL. The project area is comprised of 9 separate properties that fall within the Central Business District (CBD) zoning. The proposed development will include approximately 647 parking spaces and a common amenity area with pool.

The intent of the project is to promote connectivity between the multifamily and commercial development as well as the adjacent trail and Row House on the northside of the site. The access to the Row House is provided via the proposed roadway between the multifamily and commercial development along with the proposed dedication of additional right-of-way for Carroll Street. Without these roadway connections the Row House would be landlocked. This new proposed roadway crosses over the South Lake Trail and would tie into the existing parking lot of the row house property. The project is proposing several connection points between the South Lake Trail, the northside of the property and to the east to Victory Point. Additional bicycle parking is also planned to accommodate trail users that visit the property. For more information, please refer to attached community agreement.

As part of the project, the owner is requesting the use of the 40 dwelling units per acre that is mentioned in the City of Clermont's code of ordinances under Section. 125-375 - Density bonus criteria. This bonus criteria are essential in providing the City with the intent of the CBD zoning. As indicated under this code of ordinances section, there are several options available to reach the bonus criteria. Developer is proposing to construct the following items in support of the density bonus request:

- Donation of approximately 17,200 SF of land area to the City of Clermont for the relocation of the new City Lift Station #6 and City Right-of-Way. Based on the current contract price/fair market value of \$1.3mm/AC, the value of this dedication is \$513,315.
- Donation of approximately 1,800 SF of land bordering neighbors to the southwest to avoid any boundary issues. Based on the current contract price/fair market value of \$1.3mm/AC, the value of this donation is \$53,719.
- Construction of new major City Lift Station #6 to current City standards including backup generator, RTU Tower, new interior access for vacuum/pumper truck, etc. The current station has limited access and is not in an ideal location. This new station will be in a preferred location with better access and newer equipment. Additionally, utility infrastructure improvement will include the construction of new 520 LF of 8" PVC water main and 270 LF of 8" PVC sewer main along Carroll Street from 12th Street to the Row House Entrance drive as proposed on the site plan. The cost of this lift station relocation and utility infrastructure is presently estimated at \$850,000.

- Construction of new 5' wide sidewalk along the east side of 12th Street from the southwest corner of the proposed development project to Carroll Street. The cost of ~2,400 SF of sidewalk is presently estimated at \$21,600.
- Construction of a new paved parking area for the existing Row House parking area as shown on the proposed site plan. The area is expected to be 32,500 SF and will provide 64 10x30 parking spaces. We are also proposing to provide direct connection via future Carroll Street right-of-way to the Row House area through the re-development of this project. The cost of this benefit at \$10 PSF of asphalt is presently estimated at \$325,000.
- Currently, two public roads, Carroll Street and Lake Drive, bisect The Lumberyards property. These streets are in poor condition, and the City of Clermont is expecting to have to spend a significant amount of money to mill the asphalt and then repave. Applicant proposes to repair and reconfigure these roadways (1,040 LF x 24 feet wide) as part of the internal horizontal construction of the project, which will save the city of Clermont from paying for and completing this repair. This estimated cost is approximately \$15 per square foot for a total estimated cost of \$374,400.
- The sum of the total benefits provided equals \$2.14 million.

We feel the above list of public improvements is a great benefit to the community and City of Clermont. As such, we feel the above projects meet the intent of the density bonus criteria and request it be granted for the development of this project. Finally, this project is requesting to rezone these properties from CBD to PUD with (6) different variance requests as listed in the Rezoning Waiver Letter attached to this application.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.



Matthew S. Gillespie, P.E.
Associate

November 13th, 2023

City of Clermont
Planning & Development Services
685 W. Montrose Street
Clermont, FL 34711

Re: **Lumberyard District
Rezoning from CBD to PUD-Waiver Letter**

The Lumberyard District redevelopment project includes 3 mixed-use buildings, 1 live-work building, and 5 multifamily buildings on a 12.3-acre site. The total residential density is 32 units/AC. The project is located east of 12th Street, north of West Minneola Avenue, and south of South Lake Trail/Lake Apopka Trail in Clermont, FL. The project area is comprised of 9 separate properties that fall within the Central Business District (CBD) zoning and will be rezoned to a PUD.

As part of the proposed development there are (6) development standards that are requested to be waived or requested to utilize available bonuses. These standards include:

1. Increase maximum building heights to 65' for multifamily and commercial development. Current standard is 55' per Section 125-371 of Code of Ordinances.
2. Use density bonus up to 40 dwelling units per acre per Section 125-375 of Code of Ordinances.
3. Increase the ratio of standard spaces (10'x20') to compact spaces (9'x18') from 90% to 10% per Section 115-6 of Code of Ordinances to a proposed ratio of standard spaces (10'x20') to compact spaces (9'x18') to 60% to 40%.
4. Reduce minimum landscape island square footage of 300 SF to 160 SF per Section 123-44(c).
5. Reduce landscape buffer requirements between multifamily and existing residential units along the southwest side of the project per Sec 123-43 (c)(3).
6. Remove requirement of construction material to be masonry or other non-wood material for construction of first floor of buildings per Section 125-375(c).

Regarding item (1), the owner is requesting a waiver on the maximum allowable ceiling height to provide an improved amenity/club house area with an open area feel. As this will be one of the main entry points for residents, future residents and guests, the owner would like to promote architectural interest and a grand feel that is more feasible with higher ceilings. The proposed ceiling heights would be 13 feet within amenity/club house space.

In relation to Item (1), the current standard per Section 125-371 of the Code of Ordinances states the maximum building height is 55'. Item (1) is requesting to increase this maximum building height to 65'. A higher building height will allow the roof design to include a 5/12 pitch which will provide a better roof drainage system and improved aesthetics. The increased building height will also allow for appropriate screening of condenser wells and prevent unsightly mechanical items from being in view of roadways and adjacent properties. This waiver is also being requested to increase the height of the proposed parking garage within the commercial development. The proposed parking garage is being designed to maximize available spaces as the commercial development is planned to host both city and citizen sponsored events in the planned courtyards and outdoor spaces.

Item (2) is requesting the use of the 40 dwelling units per acre that is stated in the City of Clermont's code of ordinances under Section. 122-375 - Density bonus criteria. The use of this bonus criteria is essential in providing the City with the intent of the CBD zoning. As indicated under this code of ordinances section, there are several options available to reach the bonus criteria. The developer has proposed to install a new paved vehicular parking area for the existing row house parking area as shown on the proposed site plan. The developer is also proposing to provide a direct connection to the row house area through the project to meet the bonus criteria. The access to the row house is not currently provided via an easement or agreement. This project would establish a formal approval for access to this area.

The project is also proposing to improve off site sidewalk connectivity by extending sidewalks along 12th Street and Minneola Avenue. These off site sidewalks would complete connectivity along these streets. The existing sidewalk along Minneola has gaps in between it and does not extend out to 12th Street. The applicant will fill in the gaps along Minneola Avenue west of the project area out to 12th Street. Additionally, sidewalk along the east side of 12th street is nonexistent. A sidewalk is proposed as part of the new dedicated right turn lane into the property on 12th street. This sidewalk will be extended off site all the way south to the intersection at Minneola. A crosswalk will also be added to promote connectivity to the West Park across 12th Street.

Other benefits that are being provided to support item 2, are significant upgrades to the City's Lift Station. It is understood that the existing City Lift Station would have to be relocated as part of this new development. As part of relocating the existing City Lift Station significant improvements will be made to the access, equipment, and overall area of the lift station. The existing lift station occupies an approximately 1800 SF of area. The new lift station area will occupy 19,000 SF of area. The lift station will be upgraded with an RTU tower, new panels, new wet wells, and meet all of the current City of Clermont standards. Additionally the lift station will provide a 15' wide x 50' long area to back up large City vehicles. These are all items the current lift station does not have.

Lastly as part of the development there is an existing fence line along the southwest side of the site where neighbors have fencing and landscaping without the project boundary. The developer has decided to keep the existing fencing and landscaping in this area in place to reduce the disturbance to the neighbors. This is additional property that the developer will be maintaining use to the properties in this area.

Item (3) and Item (4) are related in that they are being requested to maximize the proposed parking on site. Item (3) is requesting to increase the ratio of standard spaces (10'x20') to compact spaces (9'x18') from 90% to 10% per Section 115-6 of Code of Ordinances to ratio of standard spaces (10'x20') to compact spaces (9'x18') of 60% to 40%. Item (4) is requesting to reduce the minimum requirement of 300 square foot landscape islands per Section 122-44(c) of Code of Ordinances to 160 square foot landscape islands. In order to maximize the provided parking on site, landscape islands are designed to match the width of the parking stalls these islands are adjacent to. The proposed typical parking on site includes 9'x18' and 10'x20' parking spaces. The islands in these parking areas vary between 160 and 200 square feet. The requested parking ratio and landscape island reduction, increase will allow the site to increase its provided parking above the minimum required code parking. This also provides a closer overall parking ratio of 1.6-1.7 per dwelling unit. These additional parking spaces will be used by guests, future residents, and family members of the multifamily development residents to park on site. The end goal of this request is to maximize parking for the commercial and multifamily developments.

Item (5) is requesting reduction of the landscape buffer requirements between the multifamily and existing single family. It is understood that the code requires 10' buffers between adjacent properties. The goal is to keep the existing mature buffer and only infill the gaps as well as enable us to not have to intrude past the neighbor's fence line despite the fact that their fences are situated on our property according to survey data.

Item (6) is requesting to remove the requirement of use of masonry or other non-wood material for construction of first of floor of buildings. The applicant is requesting a reduction in the requirement for the entire first floor to be masonry or block construction for Buildings #1-4. Instead, the applicant will be providing a brick water table just below the bottom window line. Multifamily Buildings #1-4 of the Lumberyards development will be constructed with high-quality materials consistent with institutional, Class A multifamily developments. The exteriors will have a mixture of fiber cement siding (Hardie) in a variety of traditional lap siding along with board and batten patterns. Additionally, the multifamily buildings will have a brick water-table, wooden trellises and gables, wrapped balcony columns, and aluminum railings. The buildings will be 4-story Type V-A buildings (2021 International Building Code). The interior bearing walls and primary structural frame will be constructed out of lumber. All of the building components have a standard 50-year useful life, consistent with durable, high-quality construction materials. In keeping with a Key West-influenced Old Florida style architecture, masonry components will be reduced to just the water table. The cementitious siding will be paired with pop-up roofs and large corner bell towers. The developer is not using stucco or faux stucco as a Mediterranean look is not consistent with the downtown Clermont architecture styles.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.



Matthew S. Gillespie, P.E.
Associate

K:\ORL_Civil\049642001-Clermont Lakefront Multifamily\AGENCY PERMITS\City of Clermont\RECORD SUBMITTALS\Rezone CBD to PUD-2023-11-13\Lumberyard District-Waiver Letter-111323.docx



CITY OF CLERMONT REZONING APPLICATION

DATE 6/27/2023		FEE: \$542.00 + cost of advertisement + cost of traffic review, if necessary	
Project Name (if applicable) Lumberyard District			
Applicant Wolfe and Wallace Properties, Inc			
Contact Person David Wallace			
Address 995 W. Lakeshore Dr	City Clermont	State FL	Zip 34711
Telephone 352-267-8946	Fax		
Email dwal2100@aol.com			
OWNER INFORMATION			
Owner's Name Same as Applicant Above			
Owner Address	City	State	Zip
Telephone	Email		
PROPERTY INFORMATION			
Address of Subject Property 12th Street & W Minneola Ave	City Clermont	State FL	Zip 34711
Legal Description (include copy of survey) The subject project location is located east of 12th Street, north of West Minneola Avenue, and South of South Lake Trail (Lake Apopka Trail. The project area is comprised of 9 separate properties with the following parcel ID's: 1622701, 1622751, 1622760, 1622778, 1622743, 1622719, 1622727, 3409736,1 and 622581. (See attached survey and separate legal desc document)			
Acreage 12.3	Land Use (City verification required) Downtown MU		
Present Zoning (City verification required) Central Business District (CBD)	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?

The proposed project entails a combination of 9 separate properties located between 12th Street, West Minneola Avenue, and South Lake Trail. The 9 properties provide approximately 12.3 acres of area where approximately 7.4 acres will be developed in a multifamily development. The remaining 4.9 acres are being developed as a mixed use commercial with an onsite parking garage. See the attached proposed Concept Plans for approval request. Waivers are also being requested for parking stall widths, maximum building heights, and dwelling unit density bonus increase.

The area of these properties is currently zoned as Central Business District (CBD) with a future land use of Downtown MU. The goal of the rezoning to PUD zoning is to enhance the harmonious mixture of residential, commercial, professional, institutional and governmental enterprises in the area, while providing a unique and enjoyable shopping and activity center for the city. This proposed multifamily development is asking for waivers related to parking, height variance, and density. These waivers are necessary for the proposed development of the project and are explained in more detail on the waiver letter attached to this application. Please see the attached project narrative and waiver letters for more information on this project.

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

DAVID WALLACE

Applicant Name (print)

x *David Wallace*

Applicant Name (signature)

Denise W. Wallace

Owner Name (print)

x *Denise W. Wallace*

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

On Tuesday, December 5, 2023 at 6:30 PM the Clermont Planning & Zoning Commission will consider the enactment of the following proposed ordinance, and on Tuesday, December 12, 2023 at 6:30 PM at a public hearing the request will be held before the City Council for Final Adoption.

ORDINANCE NO. 2023-026

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 EFFECTIVE DATE.

LOCATION

1000 Carroll Street (Wolfe & Wallace Investments, LLC)

North of the W. Minneola Ave. and Lake Drive intersection, adjacent to Victory Pointe and South Lake Trail, and west of Lake Drive, including the requested vacated portion of Carroll Street and Lake Drive.

(Alternate Key 1622581, 1622701, 1622719, 1622727, 1622743, 1622751, 1622760, 1622778, 3409736, 1815673, 1622735)

Approx. 12.3 +/- Acres



LEGAL DESCRIPTION

LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, AND 16 OF BLOCK 120; LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, AND 22 OF BLOCK 119; LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, AND 13 OF BLOCK 115; AND PORTIONS OF CARROLL STREET AND WEST LAKE DRIVE, ALL OF JOHNSON'S REPLAT, OF BLOCKS, 141, 142, 143, 144, 145, 146, 115, 117, 118, 119, AND 120, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 8, PAGE 71 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; TOGETHER WITH THAT PORTION OF OSCEOLA STREET VACATED IN THAT ORDINANCE RECORDED IN OFFICIAL RECORDS BOOK 590, PAGE 738 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; ALL LYING IN SECTIONS 23 AND 24, TOWNSHIP 22 SOUTH, RANGE 25 EAST, CITY OF CLERMONT, LAKE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF NORTH RIGHT OF WAY OF MINNEOLA AVENUE WITH THE EAST LINE OF GOVERNMENT LOT 8, LYING IN SECTION 23 TOWNSHIP 22 SOUTH, RANGE 25 EAST; THENCE RUN NORTH 89°29'17" WEST ALONG SAID NORTH RIGHT OF WAY A DISTANCE OF 232.49 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF WEST LAKE DRIVE; THENCE CONTINUE NORTH 89°29'17" WEST ALONG SAID NORTH RIGHT OF WAY A DISTANCE OF 50.00 FEET TO THE WEST RIGHT OF WAY OF WEST LAKE DRIVE; THENCE CONTINUE NORTH 89°29'17" WEST ALONG SAID NORTH RIGHT OF WAY A DISTANCE OF 125.00 FEET TO THE SOUTHWEST CORNER OF AFORESAID LOT 6 OF BLOCK 120, JOHNSON'S REPLAT; THENCE DEPARTING SAID NORTH RIGHT OF WAY RUN NORTH 0°25'20" EAST ALONG THE WEST LINES OF AFORESAID LOTS 4, 5, AND 6 OF BLOCK 120, JOHNSON'S REPLAT A DISTANCE OF 150.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 4; THENCE DEPARTING SAID WEST LINE RUN NORTH 89°29'17" WEST ALONG THE SOUTH LINES OF AFORESAID LOTS 7, 8, 9, 10, 11, 12, 13, AND 16 OF BLOCK 120, JOHNSON'S REPLAT A DISTANCE OF 497.78 FEET TO THE SOUTHWEST CORNER OF SAID LOT 16 AND A POINT ALONG THE EAST RIGHT OF WAY OF 12TH STREET; THENCE DEPARTING SAID SOUTH LINE RUN NORTH 0°22'36" EAST ALONG THE EAST RIGHT OF WAY A DISTANCE OF 499.90 FEET TO A POINT OF CURVATURE OF A CURVE TO THE LEFT, CONCAVE WESTERLY, HAVING A RADIUS OF 1465.68 FEET, A CHORD BEARING OF NORTH 00°10'45" WEST, AND A CHORD DISTANCE OF 10.10 FEET; THENCE ALONG THE ARC OF SAID CURVE, RUN THROUGH A CENTRAL ANGLE OF 00°23'41" FOR A DISTANCE OF 10.10 FEET TO THE NORTHWEST CORNER OF AFORESAID LOT 10 OF BLOCK 119, JOHNSON'S REPLAT AND A POINT ALONG THE SOUTH RIGHT OF WAY OF CARROLL STREET; THENCE DEPARTING SAID EAST RIGHT OF WAY RUN SOUTH 89°29'17" EAST ALONG THE NORTH LINE OF SAID LOTS 7, 8, 9, AND 10 OF BLOCK 119, AND THE SOUTH LINE OF SAID CARROLL STREET, A DISTANCE OF 273.01 FEET TO THE NORTHEAST CORNER OF AFORESAID LOT 7 OF BLOCK 119, JOHNSON'S REPLAT; THENCE DEPARTING SAID SOUTH RIGHT OF WAY RUN NORTH 24°20'54" EAST A DISTANCE OF 61.17 FEET TO THE SOUTHWEST CORNER OF AFORESAID LOT 13 OF BLOCK 115, JOHNSON'S REPLAT, ON THE NORTH RIGHT OF WAY OF SAID CARROLL STREET; THENCE DEPARTING SAID NORTH RIGHT OF WAY RUN NORTH 7°41'47" EAST A DISTANCE OF 98.18 FEET TO THE NORTHWEST CORNER OF AFORESAID LOT 13 OF BLOCK 115, JOHNSON'S REPLAT, BEING A POINT OF CURVATURE OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 1176.28 FEET; THENCE RUN SOUTHEASTERLY ALONG SAID CURVE ALSO BEING THE NORTH LINE OF AFORESAID LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, AND 13 OF BLOCK 115, JOHNSON'S REPLAT ALONG A CHORD BEARING OF SOUTH 61°10'59" EAST FOR AN ARC LENGTH OF 328.69 FEET; THENCE CONTINUING ALONG SAID NORTH LINE AND THE 100 FEET SOUTHEASTERLY EXTENSION OF RUN SOUTH 69°11'18" EAST A DISTANCE OF 430.34 FEET; THENCE DEPARTING SAID NORTH LINE AND SOUTHEASTERLY EXTENSION RUN SOUTH 30°13'43" WEST A DISTANCE OF 190.34 FEET TO A POINT ALONG THE AFORESAID EAST LINE OF GOVERNMENT LOT 8; THENCE RUN SOUTH 0°40'24" WEST ALONG SAID EAST LINE A DISTANCE OF 343.41 FEET TO THE AFORESAID POINT OF BEGINNING.

THE LANDS DESCRIBED HEREON CONTAIN 12.309 ACRES (536,167 SQUARE FEET) MORE OR LESS.

PROPERTY REZONING

Rezone property from Central Business District (CBD) to Planned Unit Development (PUD) for residential and non-residential uses consisting of multi-family apartments, retail, restaurant, office, and hotel uses

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

This Ordinance is available for public inspection in the Development Services Department, Monday through Friday between the hours of 8:00 A.M. and 5:00 P.M.

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

Tracy Ackroyd Howe, MMC
City Clerk