



**CITY OF CLERMONT
CITY COUNCIL MEETING
CLERMONT CITY HALL
AGENDA
6:30 PM, Tuesday, June 25, 2024**

Welcome to our Council meeting. In the interest of time efficiency and ensuring that everyone who wishes to address the Council is given the opportunity to do so, the following will apply to all comments made by the public. Each speaker will be permitted 3 minutes to address the Council. These time limits may be extended by the Mayor or by majority vote of the Council. To avoid disruption of the meeting, speakers should avoid inappropriate language, personal attacks and derogatory statements and direct comments to the Council. Everyone is requested to be respectful of each other even when we disagree. All public comments should be directed to the Council, and the issue at hand. Everyone should avoid personal attacks and derogatory statements. Thank you for participating in your City Government.

CALL TO ORDER

INVOCATION & PLEDGE OF ALLEGIANCE

PRESENTATIONS

Police Department Charity Contribution

Police Department Awards

Historic Survey

PUBLIC COMMENT

REPORTS

CONSENT AGENDA

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

Item No. 1 - Meeting Minutes

Consider approval of the May 28, 2024, and June 11, 2024, City Council meeting minutes.

Item No. 2 - Surplus Request

Consider declaring end-of-life inventory as surplus from the Communication and Public Services Departments, and providing disposal per the Procurement Policy.

Item No. 3 - Proposal Award
Picnic Pavilions Design Build

Consider awarding a contract to Lanier Plans, Inc. d/b/a KorKat to add picnic pavilions to Palatlahaka Park, Waterfront Park and Lake Felter Park.

UNFINISHED BUSINESS

Item No. 4 - Ordinance No. 2024-018 *Final*
First Baptist Church SSCPA

The applicant has requested to table the final hearing to August 13, 2024.

Item No. 5 - Ordinance No. 2024-019 *Final*
First Baptist Church Rezoning

The applicant has requested to table the final hearing to August 13, 2024.

**CITY OF CLERMONT
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Item No. 6 - Ordinance No. 2024-025 *Final*
Community Development District

Consider an application for the establishment of a CDD for Parkside Trails development.

NEW BUSINESS

Item No. 7 - Lien Reduction Request
780 W. Hwy. 50

Consider a lien reduction request for the Burger King Restaurant.

Item No. 8 - Lien Reduction Request
1283 Legendary Blvd.

Consider the lien reduction request for a single family residence.

ADJOURN

Public Notice

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

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

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

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

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

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
May 28, 2024

CALL TO ORDER

The City Council met in a regular meeting on Tuesday, May 28, 2024 in the Clermont City Council Chambers. Mayor Murry called the meeting to order at 6:30pm with the following Council Members present: Council Members Gonzalez, Howard, Myers and Pines.

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

INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Alex Paz of Clermont Seventh-Day Adventist Church gave the invocation followed by the Pledge of Allegiance.

ACCEPTANCE OF SPECIAL ELECTION RESULTS

City Clerk Howe read the official election results into the record.

For Clermont City Council Seat 2, Tod Howard received 1,810 votes and Otis Taylor, Jr. received 1,442 votes.

Council Member Pines moved to accept the certified results; seconded by Council Member Gonzalez. Passed unanimously 4-0 with all members present voicing aye.

ADMINISTRATION OF OATH OF OFFICE ELECTED OFFICIAL FOR SEAT 2

City Clerk Howe administered the Oath of Office to Tod Howard, Seat 2 for the remainder of a two-year term.

Council Member Howard said he appreciated the support he has received. He ran his campaign on helping small businesses; his first request is an agenda item request to repeal annual business tax receipts.

PROCLAMATION

City Clerk Howe read the Election Proclamation aloud.

Council Member Pines moved to accept and declare the Election of November 5, 2024; seconded by Council Member Myers. Passed unanimously 5-0 with all members present voicing aye.

PRESENTATIONS

City staff provided a Quarterly Budget Report.

Finance Director Borrer presented a Power Point presentation. The presentation summarized the year to date activity from the Quarterly Budget with a focus on budget versus actual. He reviewed the top 10 revenues; major fund revenues and expenditures; and general fund expense summary activity from October 2023 through March 2024.

Mayor Murry noted that it shows impact fees are only at 31 percent.

Finance Director Borrer stated that the commercial impact fees are out performing the estimated projection. The residential impact fees are not where staff had projected. Impact fees are accounted for within special revenue funds, it does not have a direct correlation to property tax.

Finance Director Borrer spoke briefly on the financial comparisons from the same time last year.

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PUBLIC COMMENTS

Samii Taylor Yakovetik, Hartwood Reserve – Expressed concerns regarding candidate’s behavior at the polling places during the Special Election.

Susan Lane, 2020 Crescent, Lake Minnehaha Estates – Expressed concern on speeding on Sunset Lane and The Crescent and a drug house in the neighborhood. The neighborhood is small and the residents would like speed bumps and reduced speed limit.

Pat Woodhouse, 2010 Sunset Lane - Expressed concern on speeding and a drug house in the neighborhood. She asked for a stop sign at The Crescent and Center Street and a reduced speed limit.

Daryl Woodhouse, 2010 Sunset Lane - Expressed concern on speeding in the neighborhood. GPS will direct drivers through their neighborhood as a cut through for Lakeshore Drive.

Board Member, Lake Minnehaha Estates - Expressed concern about traffic in his neighborhood. He would like a stop sign at The Crescent and Center Street and a reduced speed limit.

Cuqui Whitehead, 700 Hooks Street – Expressed concern about speeding on her street. She has previously contacted Lake County Commissioner Sean Parks regarding the traffic issue.

Banks Helfrich – Spoke on the people in the community who help others.

Otis Taylor, 3686 Caladesi – Spoke regarding his campaign and thanked his supporters. Congratulated Council Member Howard on his win.

Charlene Forth, 939 W. Desoto Street - Expressed concern regarding campaign messages.

Dani Page, Tuscany Ridge - Spoke on vetting candidates that are running for Council.

City Manager Bulthuis stated that looking at Lake Minnehaha Estates on google maps and there does not appear to be speed limit signs. He directed staff to place 25mph speed limit signs and evaluate placement of a stop sign. He directed staff to place 25mph speed limit signs and evaluate placement of a stop sign at The Crescent and Center Street.

City Attorney Mantzaris spoke about the property in Lake Minnehaha Estates with illegal activity and said that a Nuisance Abatement Board, which is on the agenda later in the evening, can assist in abating that behavior. If passed, it would allow the city to prosecute the use of the house if there were certain criminal activities that occur on a frequent basis.

City Attorney Mantzaris stated in order to reduce a speed limit there needs to be a report in regards to traffic.

Deputy Police Chief Graczyk said that the Police Department would be placing a traffic-calming device to get accurate readings on traffic in that area.

City Manager Bulthuis clarified that a Nuisance Abatement Board would pursue the owner of the property while the police department pursues any individuals engaged in illegal activity on the property.

City Attorney Mantzaris addressed the comment regarding candidate’s behaviors at polling places. The city contracts with the Lake County Supervisor of Elections to provide election services. The polling places become jurisdiction of the Lake County Supervisor of Elections. The city does not have authority to address any issues that occur at a polling place.

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AGENDA CHANGES

City Manager Bulthuis informed the Council of the following agenda changes:

Item No. 7 – Ordinance No. 2024-020

City Manager Bulthuis informed the Council this item has been withdrawn.

Item No. 12 – Resolution No. 2024-013R, *The River Church CUP*

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR THE BUILDING ADDITION EXPANSION OF AN EXISTING CHURCH FACILITY LOCATED IN THE R-2 MEDIUM DENSITY RESIDENTIAL ZONING DISTRICT PROVIDING FOR CONFLICT, SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND AN EFFECTIVE DATE.

City Clerk Howe read the title aloud.

City Manager Bulthuis informed the Council this is a request to table the item to July 23, 2024.

Council Member Pines moved to table item 12, Resolution No. 2024-013R, The River Church CUP to July 23, 2024; seconded by Council Member Myers. Passed unanimously 5-0 with all members present voicing aye.

Item No. 13 – Ordinance No. 2024-018, *First Baptist Church SSCPA*

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

City Clerk Howe read the title aloud.

City Manager Bulthuis informed the Council this is a request to table the item to June 25, 2024.

Council Member Pines moved to table item 13, Ordinance No. 2024-018, First Baptist Church SSCPA to June 25, 2024; seconded by Council Member Myers. Passed unanimously 5-0 with all members present voicing aye.

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Item No. 14 – Ordinance No. 2024-019, *First Baptist Church Rezoning*

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

City Clerk Howe read the title aloud.

City Manager Bulthuis informed the Council this is a request to table the item to June 25, 2024.

Council Member Pines moved to table item 14, Ordinance No. 2024-019, First Baptist Church Rezoning to June 25, 2024; seconded by Council Member Myers. Passed unanimously 5-0 with all members present voicing aye.

REPORTS

CITY MANAGER REPORT

City Manager Bulthuis –

- Welcomed Tod Howard to the Council.
- June 1 is the Caribbean Jerk Festival at Waterfront Park.
- Thanked the Submarine Veterans for putting on the ceremony yesterday for Memorial Day.
- Currently in July there are three meetings scheduled for the week of July 8. There is the regular City Council Meeting scheduled for July 9 and budget workshops on July 10 and July 11. There has been a request to cancel the regular council meeting on July 9 and move the budget workshop scheduled for July 11 to July 9 to start at 5pm.

Council Member Gonzalez moved to cancel the City Council meeting on July 9, 2024 and change it to a Budget Workshop starting at 5pm; seconded by Council Member Myers. Passed unanimously 5-0 with all members present voicing aye.

CITY ATTORNEY REPORT

City Attorney Mantzaris – No report.

CITY COUNCIL REPORT

Council Member Pines –

- Welcomed Tod Howard to the Council.
- Lake 100 hosted their 35th annual Community Service Awards and Mayor Murry was a recipient.
- Attended the employee recognition breakfast.
- The chamber breakfast was well attended.
- Attended the Memorial Day service.

Council Member Howard – No report.

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Council Member Myers –

- Welcomed Mr. Howard and suggested the IEMO classes.
- Attended the Memorial Day service.
- Attended her final canvassing board meeting for the Special Election.
- Requesting council to perform a formal review for the City Manager.

Council Member Gonzalez –

- Congratulated Tod Howard.
- Attended Police department events.
- Attended the chamber after hour's event.
- Attended the Memorial Day service.

Mayor Murry –

- Addressed the City Manager review. Asked City Attorney Mantzaris to provide Council Member Myers with the evaluation form examples he had previously given council.

City Attorney Mantzaris stated that he provided Council Member Myers with two examples. The general premise in the City Manager contract was that there would be an agreed upon evaluation form which has not occurred.

City Attorney Mantzaris suggested the forms be distributed to council and discuss changes at a workshop.

Mayor Murry asked staff to schedule a workshop for June 18. Council Member Pines stated that she is out of town that week; they asked her to provide any changes to staff to include at the workshop.

Council Member Myers had copies of the two evaluation forms City Attorney Mantzaris provided and passed them out to council.

- Reminded council about the Ethics training video that was sent to them.
- Attended the employee recognition breakfast.
- Attended the Memorial Day service.
- Attended the Police Department recruitment.
- Mayor's luncheon will be at Keke's on Tuesday.
- Placed flags on the graves of 520 veterans at Oak Hill Cemetery with the Kiwanis Club.

CONSENT AGENDA

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

Item No. 1 – Meeting Minutes

Consider approval of the April 9, 2024, meeting minutes.

Item No. 2 – Resolution No. 2024-017R
Florida Division of Arts and Cultural Facilities Program

Consider a grant application request in the amount of \$500,000 with 2 to 1 matching funds in the budgeted amount of \$1,000,000.

Item No. 3 – Resolution No. 2024-019R
Budget Amendment

Consider approval of the resolution to amend the Fiscal Year 2024 budget.

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Item No. 4 – Resolution No. 2024-020R
836 W. Montrose

Consider approval of the purchase of a public utility easement in the budgeted amount of \$155,000.

Item No. 5 – Piggyback Award
P-Card Services

Consider piggybacking the Pasco County term contract with JPMorgan Chase Bank, N.A. to acquire commercial card services.

Item No. 6 – Piggyback Purchase and Budget Amendment
Side-Loader Truck

Consider purchasing from the Florida Sheriffs Association contract number FSA23-VEH21.0 with Container Systems & Equipment Company, Inc. in the amount of \$399,206 and a budget amendment of \$135,645.

Council Member Howard pulled Consent Item No. 2 for further discussion.

Council Member Pines moved to approve Consent Agenda Item 1 and Items 3-6 as presented; seconded by Council Member Myers. Passed unanimously 5-0 with all members present voicing aye.

Item No. 2 – Resolution 2024-017R, Florida Division of Arts and Cultural Facilities Program

Council Member Howard asked his fellow Council Members if this project was one of their primary projects. He believes there are other projects in the Parks and Recreation department such as a Community Center in place of this project. He is not in support of the Meet Us in the Middle project with an amphitheater or the \$15 million price.

Council Member Pines stated that Meet Us in the Middle and docks were part of the 2015 Community Redevelopment Agency Plan where over 1,000 citizens provided input. Council did previously direct staff to move forward with bidding the project.

City Manager Bulthuis explained that this project is part of the 8th Street pier replacement. The project is in the Community Redevelopment Agency Plan and the estimated cost is \$6 to \$8 million for the whole project. Council's direction to staff was to do the engineering and look for grants for this project. To date staff has applied for \$2 million in grants.

Council Member Howard stated that he was on the committee for the Community Redevelopment Agency Plan and they did not want anything to affect the view. He cannot support \$15 million of impact fees being budgeted on this project.

Council Member Myers inquired on what plan the committee wanted.

Council Member Howard stated that the committee did not want to add anything to the lakefront to affect the view.

Mayor Murry opened the public hearing.

Charlene Forth, 939 W. Desoto Street – Expressed concern regarding the project. Would like the pier repaired.

Joey Quant, 655 Shady Nook Drive – Expressed concern regarding the project. Would like to see a simple dock.

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Mayor Murry closed the public hearing.

City Manager Bulthuis clarified that \$15 million was included in the Impact Fee study but the city does not have that amount budgeted. When performing a study they will estimate higher than the cost of a project.

Council has the decision on whether to tear down the existing pier rebuild or move in the direction of the Meet Us in the Middle project. The direction given to staff to this point from Council was to engineer and design the project.

Council Member Myers asked if staff knew the cost to rebuild the existing pier.

City Manager Bulthuis stated that he did not have an actual cost but estimated to be upwards of \$1 million. There would need to be design and engineering done to have a better understanding of the cost.

Mayor Murry stated that since the pier is an existing structure, the city has to use General Funds to tear down and rebuild. The Meet Us in the Middle project would be new therefore Impact fees could be utilized.

Council Member Pines stated that moving forward with the project and using Impact Fees does not come from citizen's taxes. Applying for grants allows the city to reduce the amount of Impact Fees used and can go to other projects.

Deputy City Manager Davidoff stated that staff received direction to pursue grant opportunities. To date the city has applied for \$2.3 million in grant funds and looking at applying for another \$3 million. He clarified that the designed structure is not an amphitheater; it is a tiered seating area.

Council inquired about the total cost for the project.

Deputy City Manager Davidoff said that staff would not know the dollar amount until final approval of engineering and design in August/September. Once the amount is configured, the project will return to Council for approval to move forward.

Council Member Pines moved to approve Consent Agenda Item 2 as presented; seconded by Council Member Gonzalez.

Mayor Murry asked if any of the grants would cover the demolition cost of the existing pier.

City Manager Bulthuis stated that none of the grant funds would cover that expense. The demolition will come from General Fund.

Motion passed 3-2 with Council Member Myers and Council Member Howard opposing.

UNFINISHED BUSINESS

Item No. 7 – This item was withdrawn.

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Item No. 8 – Ordinance No. 2024-023, *Family Entertainment Center Final*

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.

City Clerk Howe read the title aloud.

Development Services Planner Kruse presented the item. In February of 2021, 1.04 acres of land at 524 West Ave was approved for a Planned Unit Development (PUD) called Victory Village. Included in the approval was a 25 unit 3 story apartment building, an approximate 3,600sq foot new building identified as “Market”, and approximately 6,500 square feet of open plaza space identified to use for food trailers, new gazebo/eating/bar and other open air activities that are allowed in the Central Business District (CBD) zoning regulations. The entire parcel is in the Central Business District and has a future land use of Downtown Mixed Use.

When the PUD was approved “Section 3 Condition 11 states, “Any market operating on site shall be continuously operated by one single operator.” The issue before council is that there is no longer a “Market” operating on site, it has closed. The applicant, Victory Coast Land Co. LLC, is requesting that Condition 11 be eliminated from the PUD and that indoor recreational use is allowed. By making these changes to the PUD, it will clear up the issue of what uses are allowed on the property and that the use is the same as others in the CBD zoning district.

On May 23, 2023, a variance was approved for signage affixed to the lower roof edge of the building. The City Council approved this variance with specific conditions such as only two roof signs, specific locations and wording of the signs. Since this is a Planned Unit Development, special conditions can be placed into the Ordinance to address variances within a project. As part of the amended PUD, the sign variance will be incorporated as a special condition. The applicant is requesting the PUD variance be changed so that the sign can be changed for any user as long as the sign locations will not change, and the dimensions will be the same. Any future signs shall adhere to the existing parallelogram and square footage along with location. The signage wording may be changed for a future tenant as long as the same type and style of individual letters are used. The specific conditions are listed in proposed new PUD Ordinance 2024-023.

Staff has reviewed the application and proposed project concerning Section 125-487 Review Criteria for a Planned Unit Development. The proposed amendments deal with specific conditions in the original approval. The residential component has not been amended, and the commercial portion has been constructed and is operational. The proposed operator will be making some interior changes to the building. However, the use of the property will still be a mixed-use project with residential and commercial uses. The requested changes by the applicant are not in conflict with the City’s Comprehensive Plan, and the proposed changes are in accordance with the Land Development Code. Staff is able to support the request and recommends approval of Ordinance 2024-023. The Planning and Zoning Commission recommended approval, 4-1.

Darren Johnson, applicant, was present and available for questions.

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Mayor Murry opened the public hearing.

David Wallace, 995 W. Lakeshore Drive - In support as it is consistent with the downtown area.

Charles Forth, 939 W. Desoto Street – Questioned the location of the axe throwing.

Samii Taylor Yakovetik, Hartwood Reserve - The business going in that space is great, the city needs more parking.

Mayor Murry closed the public hearing.

Council Member Howard asked the applicant how many parking spaces were originally put in, how many were required and if that included the seven encumbered for the spa.

Mr. Johnson stated that there are 25 parking spaces there currently; the requirement was 23, which included the seven from the spa encumbrance.

Development Services Director Henschel stated that per City Code, in the Central Business District for existing nonresidential structures, no additional parking spaces shall be required for a change in use to another nonresidential use, provided the square footage remains the same.

Council Member Howard stated that the request before council is a repeal and replace of the original Planned Unit Development (PUD) that was approved. He would like to see increased parking spaces and a substantial start and completion date for the apartment building.

City Attorney Mantzaris stated that this would be a new Planned Unit Development. This would essentially restart the timeframe the applicant has to begin construction on the apartment building. Council can add language to this version. The previous version stated that substantial construction had to commence within 5 years of the approval. The uniqueness of this project is that it has two distinct phases. The applicant began the first phase, commercial, and met the requirements. The second phase, apartment building, has not had any activity. Council cannot make changes for an existing building but can make changes for a vacant lot.

Discussion ensued regarding the use of the building and parking calculations for different uses in the downtown area.

Mayor Murry suggested tabling the item to a future meeting.

Mr. Johnson stated that he does not want to table the item. He believes the code has been met per discussions with staff and would like to move forward.

Council Member Pines moved to approve Item No. 8, Ordinance No. 2024-023, Family Entertainment Center Final; Seconded by Council Member Gonzalez.

Mayor Murry asked if the motion was as presented or if there would be conditions regarding the construction start date on the second phase.

City Attorney Mantzaris clarified that the way the ordinance reads is that substantial construction has already occurred. The criteria that was in the previous ordinance, based on how it has been presented has already been met.

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Council Member Pines stated the motion was for approval as presented.

The motion passed by roll call vote 4-1 with Council Member Howard opposing.

Item No. 9 – Ordinance No. 2024-024, Nuisance Abatement Board Final

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING CHAPTER 1 “GENERAL PROVISIONS”, ARTICLE II “CODE ENFORCEMENT”, DIVISION 1 “GENERALLY”, AMENDING SECTIONS 1-41 “INTENT OF ARTICLE, 1-42 “ALTERNATE CODE ENFORCEMENT SYSTEM” AND 1-43 “SUPPLEMENTAL ENFORCEMENT”, AND CREATING DIVISION 5 “PUBLIC NUISANCE ABATEMENT BOARD” SECTIONS 1-140 THROUGH 1-160 OF THE CITY CODES OF THE CITY OF CLERMONT CREATING A PUBLIC NUISANCE ABATEMENT BOARD; PROVIDING FOR CREATION, COMPOSITION, TERMS OF BOARD MEMBERS AND BOARD OFFICERS; DEFINITIONS; POWERS OF BOARD; INITIATING A COMPLAINT; HEARING; PENALTIES; ENFORCEMENT OF ORDERS; JUDICIAL REVIEW; SUPPLEMENTAL ENFORCEMENT; PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION, THE ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND AN EFFECTIVE DATE.

City Clerk Howe read the title aloud.

City Attorney Mantzaris stated this is a request to create a Nuisance Abatement Board. This is a provision that is authorized under Florida Statute that allows for a municipality to create a board that would address specific issues related to activity on properties. The board would address specific criminal behaviors on properties. If a property has been used for certain criminal activity, it can be declared a nuisance by this established board. There are multiple ways the board can address the nuisance, setting requirements for the property up to and including the property being torn down.

The existing Code Enforcement Board would sit as the Nuisance Abatement Board, city staff would present their case and if a nuisance is found, the board can address that nuisance.

Mayor Murry opened the public hearing.

Charlene Forth, 939 W. Desoto Street – Not in support of creating the board.

Shawna Vaughn, 835 7th Street – Not in support of creating the board.

Dani Page, Tuscany Ridge – Not in support of creating the board.

Samii Taylor Yakovetik, Hartwood Reserve – Not in support of creating the board.

Charles Forth, 939 W. Desoto Street – Expressed concern for safety of the citizens who would sit on the board.

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Jenny Ray, 4062 Greystone Drive - Expressed concern for safety of those serving on this board.

Mayor Murry closed the public hearing.

City Attorney Mantzaris explained that only after extensive police activity at a particular location is it brought before the Nuisance Abatement Board. When it reaches a point of a certain amount of frequency, it would then be brought to the Nuisance Abatement Board to seek further action. The board only address the use of the property; criminal activity will be handled by the Police Department. These are quasi-judicial hearings like a court of law. The individuals are provided notice and are able to speak at the hearing.

Council discussed using the Code Enforcement Board as the Nuisance Abatement Board and members serving on both boards.

Deputy Police Chief Graczyk said that there would possibly be only a hand full of cases a year. The Police Department would prefer to be proactive.

Council Member Myers moved to approve Item No. 9, Ordinance No. 2024-024, Nuisance Abatement Board Final; Seconded by Council Member Pines. The motion passed by roll call vote 3-2 with Council Member Howard and Council Member Gonzalez opposing.

Item No. 10 – Ordinance No. 2024-026, *Land Development Code Amendment Final*

AN ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE, CHAPTER 117 SIGNS, SECTION 117-23 CHANGEABLE COPY SIGNS; PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION, THE ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, RECORDING, PUBLICATION AND AN EFFECTIVE DATE.

City Clerk Howe read the title aloud.

Development Services Director Henschel presented the item. Staff is proposing changes to the Land Development Code to allow for electronic messages on monument signs, which is currently prohibited per code. This ordinance allows for the use of electronic message signage within 25 percent of the permitted sign area. These message signs will be able to provide various display content on a timed basis. The intent is not to allow flashing lights to create distractions, but to allow expanded content/messages for commercial uses. The Planning and Zoning Commission recommended approval, 4-1.

Mayor Murry opened the public hearing.

Charlene Forth, 939 W. Desoto Street – She inquired about this coming before Council.

Development Services Director Henschel stated that this was previously spoken about and he received direction to bring it to Council.

Mayor Murry closed the public hearing.

Mayor Murry said that he has been asking staff to update the sign ordinance. Digital signs look cleaner and presents a better appearance for the city. Businesses have been asking for this update.

Council Member Howard would like to see this prohibited in mixed-use areas.

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Development Services Director Henschel explained that in a mixed-use area this would require a Conditional Use Permit or Planned Unit Development and implement conditions at that time.

City Attorney Mantzaris explained that Council could specifically write in to the Ordinance anything they wish to exclude. Under number 4, section 2 of the Ordinance you could add that it would be prohibited in mixed use.

Council Member Howard moved to approve Item No. 10, 2024-026, Land Development Code Amendment Final with the change of adding language to specifically prohibit in mixed use areas; seconded by Council Member Pines. The motion passed by roll call vote 5-0.

NEW BUSINESS

Item No. 11 – Enhancement of Pickleball Facilities

City Manager Bulthuis stated that Council held a workshop regarding this item and reviewed the options presented. Option 1 – Leave everything as is. Option 2 – Add pickleball lines to all tennis courts. Option 3 - Felter Park conversion. Option 4 – Add 6 additional pickleball courts at Arts and Recreation Center with the possible additions of lighting, restrooms and shade. Option 5 – Add lights to the six existing pickleball courts at the Arts and Recreation Center. All costs associated with the options are estimates; nothing has been designed. Once staff receives direction from Council, a design and budget will be done and will go out to bid.

Council Member Howard asked about converting the basketball courts at Palatlahaka Park to pickleball courts. This could be an immediate turnaround and fiscally responsible.

Parks and Recreation Director Forman stated that he would look at the size of the court.

Mayor Murry opened the public hearing.

Charlene Forth, 939 W. Desoto Street – Thanked Council Member Myers for this item coming back to Council.

Gabrielle Tucci, 1439 Muir Circle – The Arts and Recreation Center have become home to the pickleball community. She is asking for shade.

Joey Quant, 655 Shady Nook Drive – Option 4 is ideal.

Sophia O’Keefe, W. Minnehaha Avenue – Option 4 would be a great option.

Cheryl Chaplin, 3950 Liberty Hill Drive – Prefers option 4. It is an investment in the town.

Hope Feliciano, Reserve at Lost Lake – Option 4 is great and would like lights to play at night.

Mayor Murry closed the public hearing.

City Manager Bulthuis stated that a pickleball court is 44 x 20. The basketball court at Palatlahaka Park is 82 x 50 which could fit three pickleball courts.

Council discussed adding lights at the Arts and Recreation Center with the surrounding neighbors. Parks and Recreation Director Forman informed Council that a photometric study was conducted and adding lights will not affect the neighboring homes.

The consensus from Council was to add additional courts to the Arts and Recreation Center.

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Council Member Gonzalez moved to approve 6 additional pickleball courts, light all 12 courts and shade at the Arts and Recreation Center; seconded by Council Member Pines.

Council Member Myers asked if there are funds for this project. Mayor Murry then added if staff could bid for the whole project including parking and bathrooms.

City Manager Bulhuis said that there are funds for this project. To go to bid for the additional items would be a difference in design if Council only wants the courts, lights and shade.

Passed unanimously 5-0 with all members present voicing aye.

Item No. 12 - This item was addressed earlier in the meeting and tabled to July 23, 2024.

Item No. 13 – This item was addressed earlier in the meeting and tabled to June 25, 2024.

Item No. 14 – This item was addressed earlier in the meeting and tabled to June 25, 2024.

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ADJOURN: With no further comments, this meeting adjourned at 10:31pm.

APPROVED:

Tim Murry, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC
City Clerk

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CALL TO ORDER

The City Council met in a regular meeting on Tuesday, June 11, 2024 in the Clermont City Council Chambers. Mayor Murry called the meeting to order at 6:30pm with the following Council Members present: Council Members Gonzalez, Howard, Myers and Pines.

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

INVOCATION AND PLEDGE OF ALLEGIANCE

Cuqui Whitehead gave the invocation followed by the Pledge of Allegiance.

PRESENTATIONS

Lake County Commissioner Parks welcomed Council Member Tod Howard. At the Lake County Commission meeting, Commissioners approved the land acquisition referendum to be on the November ballot. In addition, Commissioners have approved to extend the Interlocal Service Boundary Agreement, to protect rural areas, up to 20 more years. The other cities within the agreement will now have to approve as well.

City Attorney Mantzaris stated that there would be a meeting next Tuesday with all of the attorneys to review language.

Lake County will be updating their Comprehensive Plan. It will be a two-year process starting with visioning and participation from all the cities.

Commissioner Parks updated Council on road construction plans for Hooks and US 27 intersection, Citrus Tower Boulevard repaving and Hancock Road extension. He spoke about the request for speed tables on The Crescent.

Council Member Howard asked if the County planned to build any pickleball courts. Commissioner Parks stated that the County is looking for partnership opportunities with Lake County cities to help fund pickleball courts around the County.

Deputy City Manager Davidoff informed Council that the County does have funding sources available and the City has requested \$100,000 for pickleball.

PUBLIC COMMENTS

Samii Yakivetik, 4480 Powderhorn Place – Spoke regarding candidate packets for Council.

Paula Hoisington, 564 E. Desoto Street – Requesting a workshop to discuss a Community Center. She asked if there is a process to request a workshop.

Mayor Murry addressed Ms. Hoisington and explained that upcoming workshops are to discuss other issues and Council prefers to keep workshops to one or two discussion items. With the budget workshops coming, Council has directed staff to schedule a workshop in October regarding the Community Center.

Ms. Hoisington asked about a written process to determine what issues will be on a workshop agenda.

Mayor Murry explained that Council has a workshop on a monthly basis, with some exceptions. He has spoken with Ms. Keyes on the issues they face with a Community Center and finding land.

Council Member Howard stated he has spoken to some Lake County School Board members regarding land the School Board owns. He will present any updates to Council once he has something.

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City Manager Bulthuis stated that staff has spoken to the Lake County School Board regarding land multiple times and told they are not interesting in selling.

AGENDA CHANGES

City Manager Bulthuis informed the Council of the following agenda changes:

Item No. 10 – Resolution No. 2024-008R, Waterbrooke Self-Storage CUP

City Manager Bulthuis informed the Council this item has been withdrawn.

Item No. 12 – Ordinance No. 2024-018, *First Baptist Church SSCPA Intro*

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

City Clerk Howe read the title aloud.

City Manager Bulthuis informed the Council this is a request to table the item to July 23, 2024.

Council Member Pines moved to table item 12, Ordinance No. 2024-018, *First Baptist Church SSCPA Intro* to July 23, 2024; seconded by Council Member Myers. Passed unanimously 5-0 with all members present voicing aye.

Item No. 13 – Ordinance No. 2024-019, *First Baptist Church Rezoning Intro*

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

City Clerk Howe read the title aloud.

City Manager Bulthuis informed the Council this is a request to table the item to July 23, 2024.

Council Member Pines moved to table item 13, Ordinance No. 2024-019, *First Baptist Church Rezoning Intro* to July 23, 2024; seconded by Council Member Myers. Passed unanimously 5-0 with all members present voicing aye.

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REPORTS

CITY MANAGER REPORT

City Manager Bulthuis –

- Hurricane season has started. Information is on our website, in the event a hurricane is threatening.
- Introduced Fire Chief Ezell to provide information on CPR classes.

Fire Chief Ezell presented a PowerPoint presentation. There will be a Community CPR Training Program. The goal with the program is to train 300-400 community members annually. There will be Family and Friends CPR, for individuals who wish to learn CPR and do not need certification and Heartsaver CPR, for those needing certification.

- Wine Stroll downtown on Friday.
- Juneteenth celebration on Saturday at Waterfront Park from 5 p.m. to 8 p.m.
- There will be two Council Members unable to attend the June 18, 2024 scheduled workshop. City Manager Bulthuis requested direction from Council to proceed or reschedule for a later date.

Mayor Murry stated that all Council Members should be present to discuss the review metrics for the City Manager and he would like to reschedule to a later date.

Council spoke about dates for the workshop and rescheduled to August 20, 2024.

CITY ATTORNEY REPORT

City Attorney Mantzaris –

- There was an injunction entered regarding the enforcement to file Form 6. Commission on Ethics stated that if you have filed Form 6, you do not have to file Form 1. Form 1 are due by July 1.

CITY COUNCIL REPORT

Council Member Myers –

- Recognized dads for Father's Day.
- This Saturday will be the Juneteenth celebration at Waterfront Park.

Council Member Pines – No report.

Council Member Gonzalez –

- Attended the Caribbean Festival.

Council Member Howard – No report.

Mayor Murry –

- The tax-free holiday on hurricane supplies ends on Friday.
- Thanked City Manager Bulthuis for removing the parking signs at McKinney Park.
- Reminded Council to sign up for Florida League of Cities conference.
- Will be attending the Juneteenth celebration.

Council Member Gonzalez inquired on the progress of the downtown parking study. City Manager Bulthuis stated that the results should be available in July.

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Mayor Murry asked for an update on the traffic issues on The Crescent.

Deputy Police Chief Graczyk stated that Public Works and the Police Department worked together on this issue. Message boards stating “new traffic pattern coming soon” are in and new stop signs installed on June 13, 2024.

CONSENT AGENDA

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

Item No. 1 – Meeting Minutes

Consider approval of the April 23, 2024 and May 14, 2024 City Council meeting and the May 21, 2024 City Council Workshop minutes.

Item No. 2 – Surplus Request

Consider declaring end-of-life inventory as surplus from Public Services, Police, and Information Technology Departments and providing disposal per the Procurement Policy.

Item No. 3 – Plat Approval
Black West Commercial

Consider approving a commercial plat consisting of 6.29 acres, platted into 2 lots and an interior private access drive.

Item No. 4 – Plat Approval
Plaza Collina Lot 9

Consider a request for a replat of Lot 9 within the Plaza Collina Development into 5 smaller commercial tracts.

Item No. 5 – Plat Approval
Wellness Ridge Phase 2

Consider approval of Wellness Ridge Phase 2 plat consisting of 230 residential lots within Wellness Way.

Item No. 6 – Piggyback Term Contract
Sanitary Sewer, Manhole, and Lift Station Wet Well Rehabilitation

Consider approval to piggyback the City of Casselberry term contract with Inliner Solutions, LLC.

Item No. 7 – Piggyback Contract
Elevator Repair and Maintenance Services

Consider piggybacking the OMNIA Partners term contract with KONE Inc.

Item No. 8 – Bid Award and Budget Amendment
Structural Demolition Services

Consider awarding Flo Construction Company to acquire the demolition of two city-owned properties in the budget amendment amount of \$123,749 from the cemetery fund.

Item No. 9 – Resolution No. 2024-024R
Emergency Declaration Services

Consider annual delegation authority for the Mayor to declare a state of emergency.

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Council Member Howard pulled Consent Item No. 5 for further discussion.

Charlene Forth pulled Consent Item No. 8 for further discussion.

Council Member Pines moved to approve Consent Agenda Items 1-4, 6-7 and 9 as presented; seconded by Council Member Myers. Passed unanimously 5-0 with all members present voicing aye.

Item No. 5 – Plat Approval, Wellness Ridge Phase 2

Council Member Tod Howard asked for clarification if the reclaimed/reuse water issue in that area has been resolved.

City Manager Bulthuis stated that there would be an agreement that will come before Council in the future.

Council Member Howard informed Council that he would not vote to approve anything in the Wellness Way area until the water issue is resolved.

Council Member Pines moved to approve Consent Agenda Item 5 as presented; Seconded by Council Member Myers. Passed 4-1 with Council Member Howard opposing.

Item No. 8 – Bid Award and Budget Amendment, Structural Demolition Services

Charlene Forth, 939 W. Desoto – She inquired about the use of cemetery funds for demolition.

City Manager Bulthuis explained that the city purchased two properties that are adjacent to Oak Hill cemetery to expand. The cemetery funds are appropriate to use for demolition and clearing the land for more burial spaces.

Council Member Pines moved to approve Consent Agenda Item 8 as presented; Seconded by Council Member Myers. Passed unanimously 5-0 with all members present voicing aye.

UNFINISHED BUSINESS

Item No. 10 – This item was withdrawn.

Item No. 11 – Variance Request, *The Harvest Market*

Development Services Director Henschel presented the item. The applicant has recently re-opened a produce market located at 511 West Highway 50. In doing so, the applicant has painted a large sign on the building that does not meet city code requirements. The applicant is requesting a variance to allow the additional signage to remain on their building.

In the City's Land Development Code, Under Signs, Chapter 117-15, the sidewall sign is limited to a maximum of 74 square feet in total area. The current size of the wall sign is approximately 490 square feet, which is approximately 14 feet wide and 35 feet high. This exceeds the code allotment by 416 square feet.

The applicant has indicated on the variance application that this sign is a mural. Staff have also reviewed this application under the City's sign code section for murals, Section 117-26. The main issue is that the property is not located in the Central Business District, and murals are prohibited outside the Central Business District.

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If the parcel were located within the CBD district, the side building sign would be considered a mural and would comply with code.

Section 101-246 of the Land Development Code requires a positive finding in the Review Criteria and Findings in order to grant a variance. Staff has reviewed the application as presented and finds the application does not meet a positive finding on the review criteria. Therefore, staff recommends denial of the variance request.

Ms. Ana Germeroth was present on behalf of the owner. The sign is the brand and is not a mural. The owner wants to display her brand.

Mayor Murry opened the public hearing.

Charlene Forth, 939 W. Desoto Street – this is the former Kim’s Cabbage Patch. Supported the variance request.

Rebecca Van Wagner, 4228 Fawn Meadows Circle – we have variances to increase the beauty of our city. We should change the rules or approve the variance.

Mayor Murry closed the public hearing.

Council Members spoke of their support for this variance. Council asked staff to widen the boundary that allows murals to include this area. If that were to take place then the painting on the building would be in compliance.

Development Services Director Henschel explained that murals are permitted in the core of the downtown. If we expand that to the Community Redevelopment Agency boundaries, it includes the commercial corridor on State Road 50.

Mayor Murry stated his concern that the sign ordinance is outdated.

Council Member Howard said he would like to approve the variance for one year. Within that time, Council can amend the sign code to include murals in the Community Redevelopment Agency boundary if they choose.

Mayor Murry asked City Attorney Mantzaris about extending the boundary.

City Attorney Mantzaris said that would be direction to staff on how you would like to move forward. The concern with putting an expiration on the variance is if Council does not change the code then the painting will not be in compliance. If that happens, the property will be in code violation.

City Attorney Mantzaris asked Council to move back to the variance request in front of them. It is within their right to grant a variance with an expiration date.

Council Member Gonzalez moved to approve Item 11, Variance Request, The Harvest Market, with the timeline of a year; Seconded by Council Member Howard. Passed unanimously 5-0 with all members present voicing aye.

Item No. 12 – This item was addressed earlier in the meeting and tabled to July 23, 2024.

Item No. 13 – This item was addressed earlier in the meeting and tabled to July 23, 2024.

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NEW BUSINESS

Item No. 14 – Variance Request, 160 E. Lakeshore Drive

Development Services Director Henschel presented the variance request. The homeowner is requesting a variance to the Land Development Code (LDC), Section 125-520, Special Setbacks, to allow for the construction of a driveway with non-permeable paver materials to encroach into the required five-foot side yard setback. The subject parcel is located at 160 E. Lakeshore Drive. The property is zoned R-1A, Single Family Residential, and the Future Land Use Designation is Low Density Residential. The variance request is to allow a driveway be constructed up to the property line instead of the minimum 5-foot requirement for residential driveways. The single family home was constructed in 1957 and has approximately 1,608 square feet of living area.

The applicant purchased the property in December 2019 with the existing conditions and the current second driveway has now become dilapidated and broken. There is no record of an issued permit for the pavers. The existing driveway is located three feet from the side yard property line. The Clermont code requires residential development to comply with the impervious surface ratio requirements and all single family lots are designed to provide sufficient drainage areas to ensure the runoff will be able to drain onto the subject parcel. The proposed sample driveway materials photo submitted in the application and considered non-permeable because of the solid concrete foundation required for driveways, which could provide inadequate drainage for the side yard. The applicant has provided letters of no objection from the neighbors that are included with this packet.

Section 101-246 of the Land Development Code requires a positive finding on the review criteria in order to grant a variance. Staff has reviewed the application as submitted and finds the application does not meet a positive finding on all review criteria. Therefore, staff recommends denial of the requested variance.

Staff did provide the applicant with the option of concreting the driveway from the current apron. That would allow for a three-foot setback along the side yard.

The applicant, Mr. Lindsey, stated that the pavers were there when he purchased the property so he assumed that was part of the driveway. Without concreting to the property line, it would be difficult to access the gate to the rear yard where he stores his jet skis. The contractor he has spoke to assured there would be proper drainage from the yard.

Mayor Murry opened the public hearing.

Charlene Forth, 939 W. Desoto Street – inquired about the issue with the drainage.

Mayor Murry stated his concern is if it would run in the neighbor's yard.

City Manager Bulthuis explained that the side yard setbacks are five feet so that there is green space. Impervious surfaces should not go right to the property line.

Ms. Forth expressed her concern with other lots not having green space and variances granted.

Mayor closed the public hearing.

Council Members Howard and Myers stated that granting this variance would set a precedence and they are not in support.

Council Member Gonzalez asked the applicant if he would be willing to do the three-foot setback.

Mr. Lindsey reiterated that without going to the property line he could not access the gate to the rear yard where he stores his jet skis.

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Council Member Howard said he would be in favor of having a small apron at the top of the driveway to get in and out of the gate.

Mr. Lindsey stated that he would be okay with that. He would need time to redesign and come back before Council.

Council Member Gonzalez moved to table Item No. 14, Variance Request, 160 E. Lakeshore Drive to July 23, 2024; Seconded by Council Member Myers. Passed unanimously 5-0 with all members present voicing aye.

Item No. 15 - Variance Request, 168 E. Lakeshore Drive

Development Services Director Henschel presented the variance request. The applicant and homeowner, Mr. James Phillips, lives at 168 E. Lakeshore Drive. The home was constructed in 1956 and is a single-story home with approximately 2,000 square feet of living area. The lot, Lake Highland Estates Lot 8, was created in 1955. This was before zoning regulations and prior to our current zoning code. The property is currently zoned R-1-A Single Family Low Density. The existing structure does not meet the current side yard setbacks on both sides of the existing home. R-1-A zoning requires 9 feet on the interior side yard setback and 35 feet from the street side setback, which is from Drew Avenue. The current structure is approximately 8 feet from the interior side yard setback and 9 feet from the street side yard setback. Mr. Phillips wishes to expand the current home by adding an addition. Plans were submitted to indicate a total of 1,687 square feet of renovation area is proposed. This includes converting the existing carport into a tandem garage and adding a new second story master suite over the existing home. The contractor and Mr. Phillips decided it was best to go vertical since a rear addition would encroach into the rear setback, which the home currently meets. The proposed addition would be built under the current confines of the existing side yard setback.

In order for Mr. Phillips to proceed, a variance request would have to be sought and granted. Mr. Phillips desires to keep the current side yard setbacks in order to proceed with the addition and has requested a variance for the side yard setbacks under Section 125-140(2). A review of homes in this area indicated several homes currently do not meet certain setbacks, such as front yard setback, side yard setback. Any additions to the structures would require a variance since a non-conforming structure would be enlarged. Due to the lack of zoning when these homes were built, the dimension of the lots when they were created, and the current zoning requirements, hardships are present.

Section 101-246 of the Land Development Code requires a positive finding on the review criteria in order to grant a variance. Staff has reviewed the application as submitted and finds the application does meet a positive finding on all the five criteria. Therefore, staff recommends approval of the variance request.

The applicant, Mr. Phillips requested approval. This would be the best way to enhance the property.

Mayor Murry opened the public hearing.

Charlene Forth, 939 W. Desoto Street – spoke in favor of this project.

Mayor Murry closed the public hearing.

Council spoke in support of this project. The older area of the city does not conform to today's requirements and the project is not changing the footprint.

Council Member Pines moved to approve Item No. 15, Variance Request, 168 E. Lakeshore; Seconded by Council Member Myers. Passed unanimously 5-0 with all members present voicing aye.

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Item No. 16 – Council Member Request

Council Member Howard stated that he thought this request would be discussed at the workshop along with Council Member Myers request for a formal review of the City Manager. It has been more than three years since the City Manager started and no metrics for a formal review were established.

The City entrusts the City Manager to manage daily operations of the city including implementing Council policy and resource management. Council Member Howard feels the City Manager has failed to meet the obligations. This failure has had a negative effect on the responsibilities of city government.

Transparency is eroded and includes the private meetings instead of workshop presentations, changes to the ordinance which requires Council questions be directed through the City Manager office. Financial management by way of the budget and project overruns, inefficient management of resources and poor planning is another issue were facing. Lastly, the adversary behavior demonstrated towards residents and businesses on multiple occasions is intolerable.

Lack of compliance with state mandates, such as the required financial reports has been an ongoing issue. The 2022 financial reports provided over a year late. There are additional concerns but believes this is enough evidence to ask for termination of the City Manager with cause.

Council Member Howard moved to terminate the City Manager based on Section 1D in the City Manager employment agreement; Seconded by Council Member Myers for discussion.

Council Member Pines stated that City Manager Bulthuis came to the city in November 2021 and not be liable for a 2022 financial report. The City Manager walked into numerous issues including lawsuits. There are no private meetings; the City Manager does meet with each individual council member prior to each Council meeting to answer questions regarding the agenda. Providing documents, which council has not had a chance to review, and then speaking on this issue is not something council was prepared to do.

Mayor Murry made a request to combine this into the August 20 workshop regarding the review metrics. He commended the City Manager for the job he has done and for his transparency.

City Attorney Mantzaris informed council that they could not adopt the motion that is on the table. The City Charter provides a process for termination of the City Manager and have to follow the process. The process requires adoption of a preliminary resolution, drafted and presented by a majority of council. The motion is premature unless you follow Section 31-B of the City Charter. The resolution would be adopted 30 days prior to the effective date. The City Manager gets an opportunity for a public hearing to determine the outcome. The motion before council is not consistent with the Charter.

Mayor Murry informed the public that this is not an action item therefore would not be open for public comment.

Council Member Gonzalez stated that he is not opposed to the City Manager having a formal review. A process is in place and council needs time to review the documents that Council Member Howard provided.

City Attorney Mantzaris reiterated that council could not take action on the motion before them. The motion is not consistent with the Charter.

Council Member Pines stated that Mr. Bulthuis has been transparent with the budget sessions and pulled all parties together to get Wellness Way on track.

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City Manager Bulhuis said that his job is to make councils job easier and successful. As for the private meetings with council members, the city has always met with council prior to meetings to go over the upcoming agenda. He stated that some of the issues brought up were before he became City Manager and he has had to deal with. The audit is behind, and was prior to him. The Finance department, now fully staffed, and the final audit will be complete by October.

Council Member Howard stated that council could work through it at a workshop.

Mayor Murry said the item would be on the August 20 workshop agenda.

Item No. 17 – Ordinance No. 2024-025, *Community Development District Intro*

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, FLORIDA, ESTABLISHING, ON THE PROPOSED PROPERTY KNOWN AS PARKSIDE TRAILS AND FURTHER DESCRIBED HEREIN, AND RECOGNIZING, THE PARKSIDE TRAILS COMMUNITY DEVELOPMENT DISTRICT, CREATED AND CHARTERED BY UNIFORM GENERAL LAW, THE UNIFORM COMMUNITY DEVELOPMENT DISTRICT ACT OF 1980, AS CODIFIED IN CHAPTER 190, FLORIDA STATUTES; ACKNOWLEDGING THE UNIFORM DISTRICT CHARTER EXPRESSED IN CHAPTER 190, FLORIDA STATUTES; AND DESIGNATING THE INITIAL MEMBERS OF THE DISTRICT BOARD OF SUPERVISORS; AND, DESIGNATING THE PROPOSED LAND AREA WITHIN WHICH THE DISTRICT MAY MANAGE AND FINANCE ITS BASIC INFRASTRUCTURE, SYSTEMS, FACILITIES, SERVICES, IMPROVEMENTS AND PROJECTS; PROVIDING FOR SEVERABILITY AND REPEAL, EFFECTIVE DATE, AND RECORDING.

City Clerk Howe read the title aloud.

Council Member Pines moved to introduce 2024-025, *Community Development District Intro*; seconded by Council Member Myers. Passed unanimously 5-0 with all members present voicing aye.

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ADJOURN: With no further comments, this meeting adjourned at 9:03 pm.

APPROVED:

Tim Murry, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC
City Clerk



CITY OF CLERMONT

AGENDA ITEM

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Meeting Date										
Tuesday, June 25, 2024										
Agenda Item Name										
Surplus Request										
Requested Action										
The Procurement Services Department requests approval to declare end-of-life inventory as surplus from the Communication and Public Services Department and provide disposal per the Procurement Policy.										
Staff Report										
The Procurement Services Department, on behalf of the Communication Department, and the Public Services Department, recommends approval of the above action. The following inventory has reached their end-of-life service, and approval to surplus these items is requested. <u>Communication Department</u> <table border="0"> <tr> <td>Qty.</td> <td>Property Description</td> </tr> <tr> <td>(1)</td> <td>Old Portable Speaker and Microphone</td> </tr> </table> <u>Public Services Department</u> <table border="0"> <tr> <td>Qty.</td> <td>Property Description</td> </tr> <tr> <td>(2)</td> <td>1,100 Gallon Bleach Tank</td> </tr> </table> The salvageable surplus property will be listed on GovDeals.com, an electronic public auction website for government property. The non-salvageable property will be disposed of appropriately.			Qty.	Property Description	(1)	Old Portable Speaker and Microphone	Qty.	Property Description	(2)	1,100 Gallon Bleach Tank
Qty.	Property Description									
(1)	Old Portable Speaker and Microphone									
Qty.	Property Description									
(2)	1,100 Gallon Bleach Tank									
Additional Analysis										
Fiscal Impact Summary										
The surplus property anticipated value is \$50.										
Fiscal Impact	Fund Number and Description	Available Budget Amount								
Exhibits Attached (copies of original agreements)										
1.	Public Services Disposal Form	Public Services Disposal Form .pdf								
2.	Communication Disposal Form	Communication Disposal Form .pdf								



PROPERTY DISPOSAL FORM

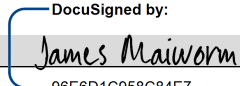
Dept. / Division: ENV. SVCS. / WATER Property Tag #: 10626 and 10617
 Contact Person: Duane Land Phone: _____
 Year / Make / Model: _____ Vehicle No. _____
 Miles / Hours: _____ Serial / VIN: _____
 Description of Property Two (2) 1,100 Gallon Bleach Tanks

☐ See attached form with multiple items listed. All items must include above information.

*****MUST CHECK ACTION BELOW (One Action Per Form)*****

- ☐ **CANNIBALIZED:** The equipment is in non-repairable condition but components parts of the equipment may be used to repair or replace parts on other pieces of equipment.
- ☐ **LOST / STOLEN:** Accidental loss or damage - disposition is unknown (Police report must be attached to this form).
- ☐ **TRADE-IN:** Returned to vendor. Submit any other information as to the asset(s) description, trade-in value, etc.
- ☐ **NON-REPAIRABLE:** A piece of equipment that is not repairable or not cost effective to repair.
- ☒ **OBSOLETE:** Refers to any item, material and software, which is of no use to the City or has expired its useful life.
- ☐ **SCRAP:** Any metallic material that can be dissolved to produce new metals.
- ☐ **ABANDONED:** Property which has been left behind by owner or unclaimed and recovered by the Police Department (abandoned property does not require City Council approval).

☐ **OTHER:** _____

Director Signature:  Date: 6/14/2024
DocuSigned by: 96E6D1C958C84E7...

*****This form must be sent to the Procurement Department to dispose of property*****

Date Approved by City Council: _____ Agenda Item: _____
 Method of Disposal: _____ Date Disposed: _____
 Procurement Director: _____ Date: _____
 Munis Asset Number: _____

DISPOSITION SUMMARY

1. The Department Director makes the determination that the equipment, item or material requires disposal. If the property being disposed of is capital (value of \$1,000 or greater), remove the asset tag sticker and submit it with completed Property Disposal Form to the Purchasing Department.
2. The Purchasing Department will process an agenda item for City Council approval.
3. When conducting a trade-in, the full cost of the new purchase must be budgeted by the Department (do not include the trade in value).
4. When disposal or trade-in is complete, the Purchasing Director will forward the completed form to the Finance Department.

DEFINITIONS

Surplus Property - All City property that is obsolete, excess, or no longer needed by the owning Department. All vehicles, equipment, desk, chairs, tables, office equipment, etc. shall be reported to the Purchasing Department for disposition coordination.



PROPERTY DISPOSAL FORM

Dept. / Division: CITY MANAGER Property Tag #: Unknown
Contact Person: Janet Contreras Phone: _____
Year / Make / Model: _____ Vehicle No. _____
Miles / Hours: _____ Serial / VIN: _____
Description of Property Speaker & Microphone

☐ See attached form with multiple items listed. All items must include above information.

*****MUST CHECK ACTION BELOW (One Action Per Form)*****

☐ **CANNIBALIZED:** The equipment is in non-repairable condition but components parts of the equipment may be used to repair or replace parts on other pieces of equipment.

☐ **LOST / STOLEN:** Accidental loss or damage - disposition is unknown (Police report must be attached to this form).

☐ **TRADE-IN:** Returned to vendor. Submit any other information as to the asset(s) description, trade-in value, etc.

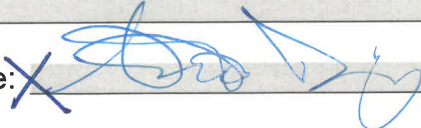
☐ **NON-REPAIRABLE:** A piece of equipment that is not repairable or not cost effective to repair.

☐ **OBSOLETE:** Refers to any item, material and software, which is of no use to the City or has expired its useful life.

☐ **SCRAP:** Any metallic material that can be dissolved to produce new metals.

☐ **ABANDONED:** Property which has been left behind by owner or unclaimed and recovered by the Police Department (abandoned property does not require City Council approval).

☒ **OTHER:** Department is no longer using, have offered to Parks & Rec but they do not need it.

Director Signature: 

Date: _____

*****This form must be sent to the Procurement Department to dispose of property*****

Date Approved by City Council: _____

Agenda Item: _____

Method of Disposal: _____

Date Disposed: _____

Procurement Director: _____

Date: _____

Munis Asset Number: _____

Revised 5/2/2023



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 2

Meeting Date		
Tuesday, June 25, 2024		
Agenda Item Name		
Proposal Award <i>Picnic Pavilions Design Build</i>		
Requested Action		
Requesting approval to award a contract between the City of Clermont and Lanier Plans, Inc. d/b/a KorKat to add pavilions to Palatlahaka Park, Waterfront Park and Lake Felter Park		
Staff Report		
The Parks and Recreation Department requested and was granted funding during the FY24 budgeting process to add picnic pavilions to Park Palatlahaka, Lake Felter Park and Waterfront Park by the City Council. The city has recently been awarded a \$50,000 FRDAP reimbursement grant to build a pavilion at Park Palatlahaka. Park Palatlahaka currently has one large pavilion that is shared on a first come, first served basis near the city's most popular playground. The city has been approved to receive a \$50,000 FRDAP grant to build an additional pavilion near the popular playground. The grant funds are to be received by the city after the project is complete. A new pavilion is also planned for Lake Felter Park. Lake Felter Park has an active playground, in addition to fields and courts. Currently, Lake Felter Park does not have a pavilion. A third pavilion is planned for Waterfront Park, a prominent location for picnics. All of these projects were discussed and approved by the City Council during the budget process and funding was approved.. Parks and Recreation staff frequently receive requests to use pavilions. The new pavilions will provide needed space for picnics and parties. The evaluation committee recommends approval of the above action. The Procurement Services Department issued a Request For Proposal (RFP) number 24-073 on March 29 to obtain the services of a qualified company to design and build picnic pavilions for three parks, Palatlahaka, Lake Felter, and Waterfront. The RFP was fully competitively bid, formally advertised, and complies with the City of Clermont Procurement Policy and Procedures. There were three (3) responses to the RFP. The contracted price for the three pavilions is \$163,154.95 An evaluation committee composed of three (3) city staff members reviewed and scored the proposals. The proposal from Lanier Plans, Inc. d/b/a KorKat received the most points and was selected for their qualifications, knowledge, and experience of installing pavilions. The price was deemed fair and reasonable in comparison to the other two proposals.		
Additional Analysis		
Fiscal Impact Summary		
The total cost of the contract award is \$163,154.95. The current year's approved budget has funds allocated towards these proposed picnic pavilions as approved by the City Council during the budget process in Parks and Recreation Infrastructure. In addition, the City has been awarded a \$50,000 FRDAP reimbursement grant for the pavilion at Palatlahaka Park.		
Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)	
1. RFP 24-073 Response Tabulation	RFP 24-073 Response Tabulation.pdf
2. RFP 24-073 Evaluation Summary	RFP 24-073 Evaluation Summary.pdf
3. RFP 24-073 Notice of Intent to Award	RFP 24-073 Notice of Intent to Award.pdf
4. Conceptual DDesign and Equipment	Conceptual DDesign and Equipment.pdf



RESPONSE TABULATION

RFP 24-073, PICNIC PAVILLIONS DESIGN-BUILD PROJECT
SOLICITATION DEADLINE: MAY 16, 2024 AT 2:00 P.M. (EST)

COMPANY NAME
Bliss Production & Services, Inc. – Lithia Springs, FL
Lanier Plans, Inc. d/b/a KorKat – Carrollton, GA
William Medley Construction, Inc. d/b/a Medley Sports Construction – Sorrento, FL



EVALUATION TABULATION
RFP No. RFP 24-073
Picnic Pavilions Design-Build Project
RESPONSE DEADLINE: May 16, 2024 at 2:00 pm

PHASE 1

EVALUATORS

Name	Title
Brian Forman	Parks and Recreation Director
James Maiworm	Assistant Director of Public Services
Joe McMahon	Public Service Manager

MEETING SUMMARY

The Evaluation Committee met on Monday, June 3, 2024, at 2:00 P.M. to receive the scoring of the proposals. Each evaluator scored the proposals individually through OpenGov. At the time of the meeting, the Procurement Director provided the score summary to the committee and proceeded to review the scores and provide their comments. The Evaluation Committee agreed on the score summary and opted to rank the proposals in the same order. The Evaluation Committee is recommending the award to Lanier Plans, Inc. d/b/a KorKat.



City of Clermont
Procurement Services
 Freddy Suarez, Procurement Services Director
 685 W. Montrose Street, Clermont, FL 34711

AGGREGATE SCORES SUMMARY

Vendor	Evaluator 1	Evaluator 2	Evaluator 3	Total Score (Max Score 100)
Lanier Plans Inc. dba KorKat	86.5	88.5	88.5	87.83
Bliss Products & Services, Inc.	78.5	81.5	88.5	82.83
Medley Sports Construction	79	75	78.5	77.5

VENDOR SCORES BY EVALUATION CRITERIA

Vendor	Introduction Letter 0-10 Points 10 Points (10%)	License and Insurance Pass / Fail 5 Points (5%)	Company Background and Length of Time in Business 0-10 Points 10 Points (10%)	Company Project Experience 0-10 Points 15 Points (15%)	Personnel Experience 0-10 Points 15 Points (15%)	Conceptual Design and Description of Equipment 0-10 Points 20 Points (20%)	Cost of Services 0-10 Points 10 Points (10%)	Warranty Information 0-10 Points 10 Points (10%)	Quality of Submittal 0-10 Points 5 Points (5%)
Lanier Plans Inc. dba KorKat	8.7	100%	8.3	8	8.3	9.3	9.7	8.7	8.7
Bliss Products & Services, Inc.	8.7	100%	9	9.3	8	8	6.3	8	7.7
Medley Sports Construction	8	100%	8	8	7.7	7.3	6.7	8	7.3



City of Clermont
Procurement Services
Freddy Suarez, Procurement Services Director
685 W. Montrose Street, Clermont, FL 34711

Vendor	Total Score (Max Score 100)
Lanier Plans Inc. dba KorKat	87.83
Bliss Products & Services, Inc.	82.83
Medley Sports Construction	77.5

INDIVIDUAL PROPOSAL SCORES

Bliss Products & Services, Inc.	
Introduction Letter 0-10 Points 10 Points (10%)	
Evaluator 1:	8
Evaluator 2:	9
Evaluator 3:	9
License and Insurance Pass / Fail 5 Points (5%)	
Evaluator 1:	Pass
Evaluator 2:	Pass
Evaluator 3:	Pass
Company Background and Length of Time in Business 0-10 Points 10 Points (10%)	
Evaluator 1:	9
Evaluator 2:	8
Evaluator 3:	10

Company Project Experience | 0-10 Points | 15 Points (15%)

Evaluator 1: 9

Evaluator 2: 9

Evaluator 3: 10

Personnel Experience | 0-10 Points | 15 Points (15%)

Evaluator 1: 8

Evaluator 2: 8

Evaluator 3: 8

Conceptual Design and Description of Equipment | 0-10 Points | 20 Points (20%)

Evaluator 1: 8

Evaluator 2: 8

Evaluator 3: 8

Cost of Services | 0-10 Points | 10 Points (10%)

Evaluator 1: 4

Evaluator 2: 6

Evaluator 3: 9

Warranty Information | 0-10 Points | 10 Points (10%)

Evaluator 1: 7

Evaluator 2: 8

Evaluator 3: 9

Quality of Submittal | 0-10 Points | 5 Points (5%)

Evaluator 1: 8

Evaluator 2: 8

Evaluator 3: 7

Submittal was not organized as requested. Had to jump back and forth for responses.

Lanier Plans Inc. dba KorKat

Introduction Letter | 0-10 Points | 10 Points (10%)

Evaluator 1: 8

Evaluator 2: 8

Evaluator 3: 10

License and Insurance | Pass / Fail | 5 Points (5%)

Evaluator 1: Pass

Evaluator 2: Pass

Evaluator 3: Pass

Company Background and Length of Time in Business | 0-10 Points | 10 Points (10%)

Evaluator 1: 8

Evaluator 2: 8

Evaluator 3: 9

Company Project Experience | 0-10 Points | 15 Points (15%)

Evaluator 1: 8

Evaluator 2: 8

Evaluator 3: 8

Personnel Experience | 0-10 Points | 15 Points (15%)

Evaluator 1: 8

Evaluator 2: 9

Evaluator 3: 8

Conceptual Design and Description of Equipment | 0-10 Points | 20 Points (20%)

Evaluator 1: 9

Evaluator 2: 10

Evaluator 3: 9

Cost of Services | 0-10 Points | 10 Points (10%)

Evaluator 1: 10

Evaluator 2: 10

Evaluator 3: 9

Warranty Information | 0-10 Points | 10 Points (10%)

Evaluator 1: 9

Evaluator 2: 8

Evaluator 3: 9

Quality of Submittal 0-10 Points 5 Points (5%)	
	Evaluator 1: 9
	Evaluator 2: 8
	Evaluator 3: 9

Medley Sports Construction	
Introduction Letter 0-10 Points 10 Points (10%)	
	Evaluator 1: 8
	Evaluator 2: 7
	Evaluator 3: 9

License and Insurance Pass / Fail 5 Points (5%)	
	Evaluator 1: Pass
	Evaluator 2: Pass
	Evaluator 3: Pass

Company Background and Length of Time in Business 0-10 Points 10 Points (10%)	
	Evaluator 1: 8
	Evaluator 2: 8
	Evaluator 3: 8

Company Project Experience | 0-10 Points | 15 Points (15%)

Evaluator 1: 8

Evaluator 2: 8

Evaluator 3: 8

Personnel Experience | 0-10 Points | 15 Points (15%)

Evaluator 1: 8

Evaluator 2: 7

Evaluator 3: 8

Conceptual Design and Description of Equipment | 0-10 Points | 20 Points (20%)

Evaluator 1: 8

Evaluator 2: 7

Evaluator 3: 7

Cost of Services | 0-10 Points | 10 Points (10%)

Evaluator 1: 6

Evaluator 2: 7

Evaluator 3: 7

Warranty Information | 0-10 Points | 10 Points (10%)

Evaluator 1: 8

Evaluator 2: 8

Evaluator 3: 8

Quality of Submittal 0-10 Points 5 Points (5%)	
	Evaluator 1: 8
	Evaluator 2: 7
	Evaluator 3: 7

Submittal does not follow requested format. All information is submitted as separate documents.



NOTICE OF INTENT TO AWARD
RFP No. RFP 24-073
Picnic Pavilions Design-Build Project

RESPONSE DEADLINE: May 16, 2024 at 2:00 pm

Monday, June 3, 2024

After the careful and thorough review of all responses received to solicitation number RFP 24-073 titled Picnic Pavilions Design-Build Project, the City hereby issues this Award Recommendation to the following company:

Lanier Plans Inc. dba KorKat

Sincerely,

Freddy L. Suarez, MPA, CPPB
Procurement Services Director



6. Conceptual Design and Description of Equipment

Model: Steelworx Square Shelter, 24', Model # SQ-24-SW

Manufacturing Mission: To provide all prefabricated components and installation instructions for a 24' square (measured from eave to eave) free standing bolt together, tubular steel constructed shelter kit.

Design Criteria: Structure is typically designed for a 30 lb live load and a 95-100 mph wind load capacity. All structural members are ASTM A-500 U.S. grade B steel. Welded connection plates shall be ASTM A-36 hot rolled steel. All welding performed to latest AWS standards by ASTM Certified welders and provided in accordance to same.

Tubular Steel Columns and Beams: Standard column dimensions shall be 5" x 5" x 3/16" tubular steel welded to 5/8" base plate (footing design provided separately). Perimeter and interior support beams are 5" x 5" to 5" x 7" with a thickness between 1/8" and 3/16" based on location and customer criteria. Economy Version (EV) of this shelter model for residential or less stringent design locations are available with smaller more economical member sizes.

Roof: Standard pitch is 4:12. Role formed metal roof decking is Kynar finished, 20 year warranted, 24 gauge ribbed steel attached to beams with engineered strength self tapping screws. Standing Seam and/or Multi Rib profiles available.

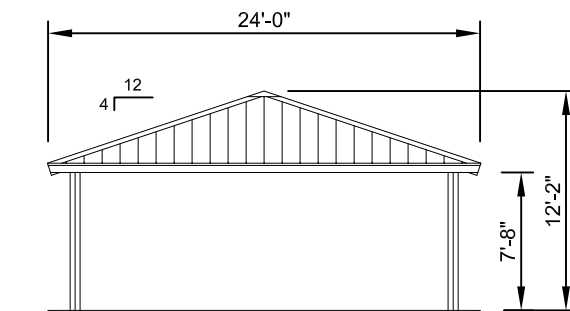
Frame Finish: Contaminates and oils are eliminated with welded raw steel being sand blasted to a white condition. Corrosion protective Polyester Powder coating electro-statically applied and cured to 450 degrees in our state of the art cure oven polyester power coating process. E-coat primer is also available at an additional charge.

Hardware: All structural hardware provided and to be A-325 or B7 as required.

Not Included: Concrete work of any kind, unloading of product and installation.

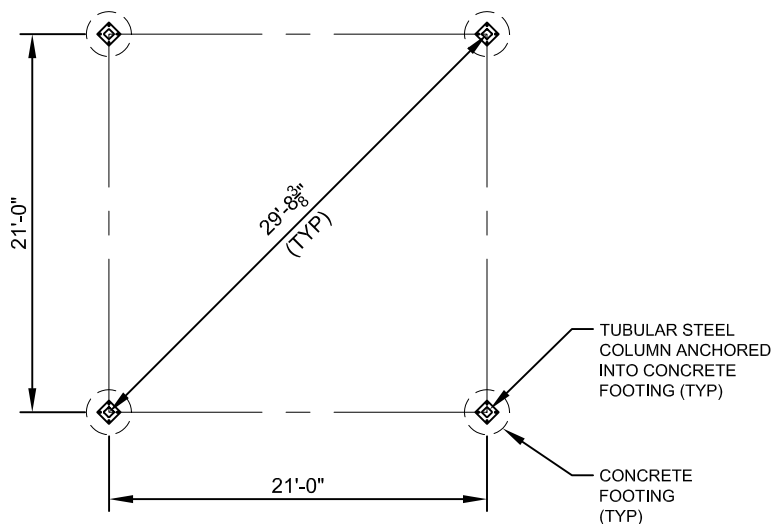
Additional Options:

- Flexibility of Design
 - Such as: Height and Pitch
- Additional Engineering
- Variety of Colors
- Decorative Railings, Lattice, Braces, Trim, etc.
- Cupolas and Rooftop Accs.
- Column Surrounds and Design Changes
- Lexan Wind Screens
- Tongue & Groove Roof Deck
- Standing Seam Roofing
- Composite Finished Ceiling
- Solar Lighting



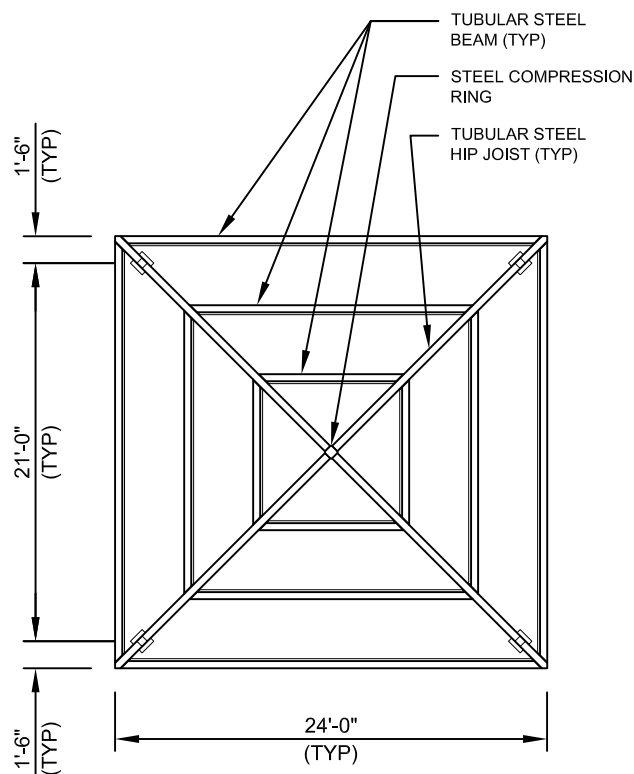
ELEVATION

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



FOOTING LAYOUT PLAN

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



FRAMING PLAN

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

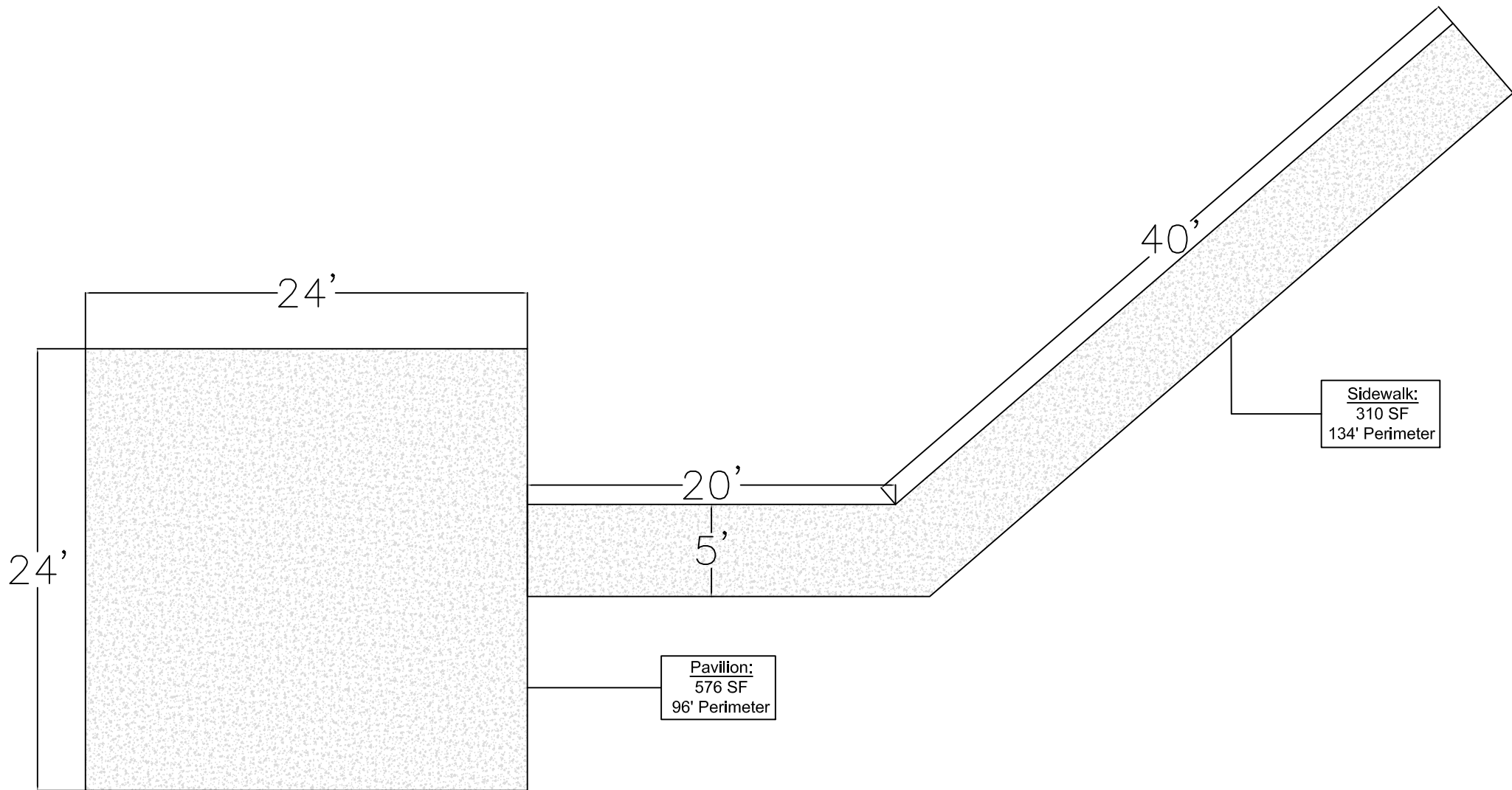


11800 East 9 Mile Road
Warren, MI 48089
Office: (586) 759-5490
Fax: (586) 754-9130
Toll Free: (800) 657-6118
Email: info@coverworx.net
www.CoverWorx.net

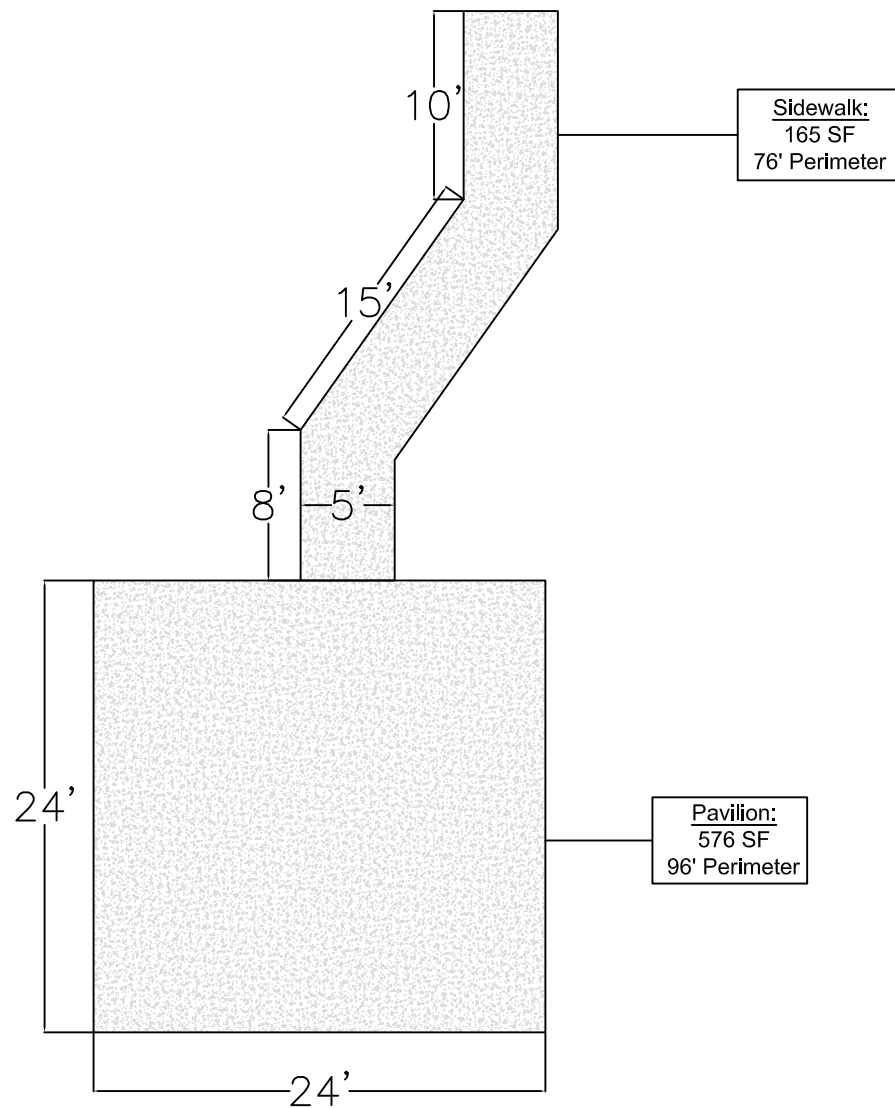
Steelworx Square Shelter - 24'

Model: SQ-24-SW

DESIGN SPECIFICATIONS



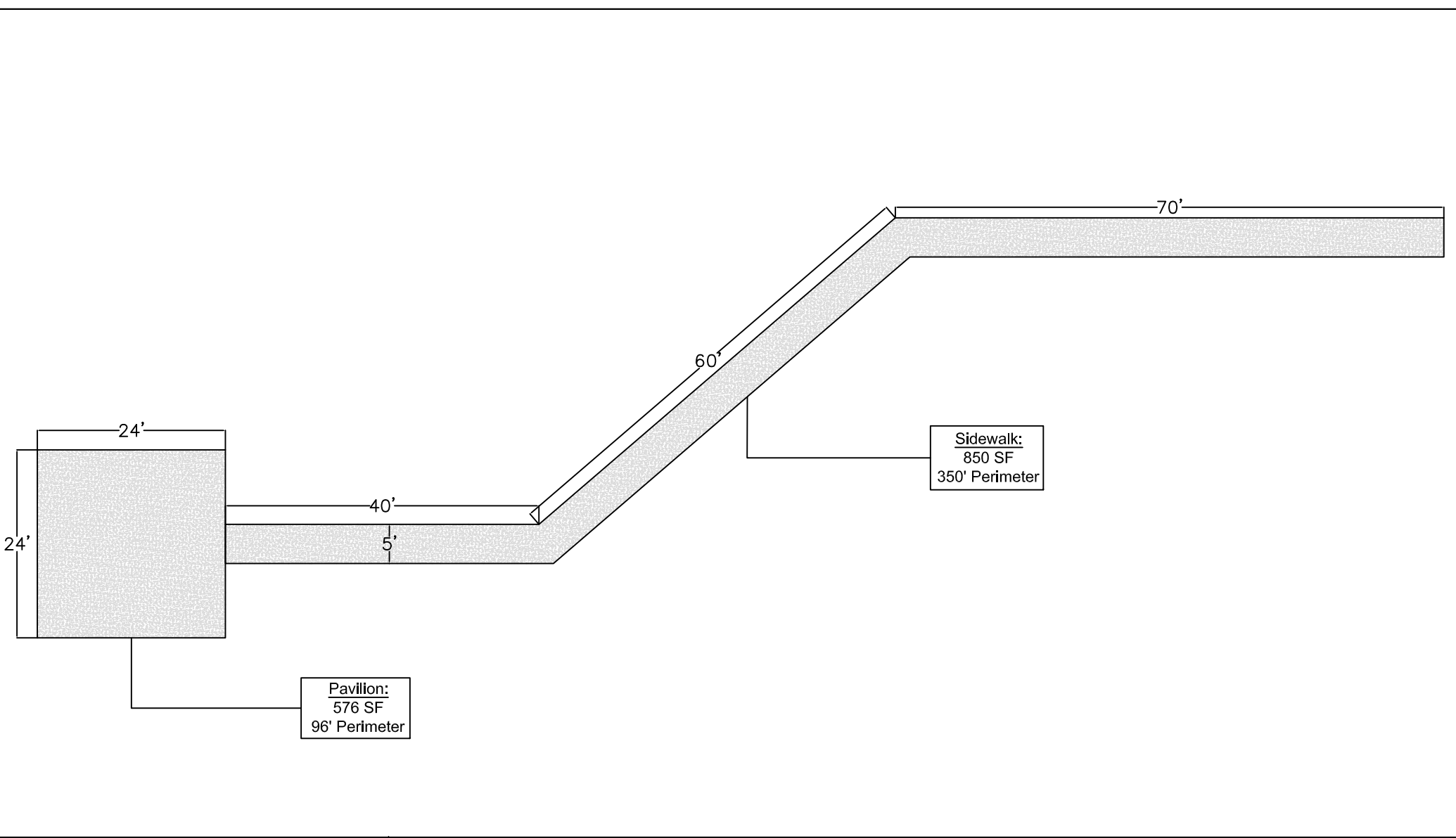
Project Name:City of Clermont - Palatlahaka Park		Surfacing: Concrete		Notes:	This design is the property of KorKat and may not be reproduced or used in any manner without the expressed written consent of KorKat.	 PLAYGROUNDS & SITE AMENITIES
Site Plan: SP-61680-1		Area:Varies	Perimeter : Varies			
Date: 05-03-2024		Fall Height: 0'	Scale:			
Drawn by: Jera Wein		Timbers:				



Sidewalk:
165 SF
76' Perimeter

Pavilion:
576 SF
96' Perimeter

Project Name:City of Clermont - Lake Felter Park		Surfacing: Concrete		Notes:	This design is the property of KorKat and may not be reproduced or used in any manner without the expressed written consent of KorKat.	 PLAYGROUNDS & SITE AMENITIES
Site Plan: SP-61680-2		Area:Varies	Perimeter : Varies			
Date: 05-03-2024		Fall Height: 0'	Scale:			
Drawn by: Jera Wein		Timbers:				



Project Name:City of Clermont - Waterfront Park		Surfacing: Concrete		Notes:	This design is the property of KorKat and may not be reproduced or used in any manner without the expressed written consent of KorKat.	 PLAYGROUNDS & SITE AMENITIES
Site Plan: SP-61680-3		Area:Varies	Perimeter : Varies			
Date: 05-03-2024		Fall Height: 0'	Scale:			
Drawn by: Jera Wein		Timbers:				

COVERWORX OUR STORY

COVERWORX RECREATIONAL ARCHITECTURE

Our Steelworx steel-frame shelters and structures are custom crafted from durable, high gauge tubular steel. The beauty and creativity behind every one of our Steelworx shelters comes from the years of experience held by our ASTM-certified welders, structural fabrication specialists and skilled design engineers who carefully handcraft to the highest industry quality standards. Utilizing a free-span design without the need for exposed fasteners, open truss members and no possibility for bird nesting, all shelters come ready to assemble with no cutting, welding, or painting required.

Standard finish is comprised of sand blasted, zinc-primed, 4-6 mil thick polyester powder coating available in a variety of standard colors. Roofing provided is a pre-cut high-quality 24 gauge steel panel, and is offered in a variety of colors and profiles.

A few of the virtually unlimited options for Steelworx shelters include handrails, overhead lattice round or custom designed support columns, Pine or Cedar Tongue and Groove overhead decking and cupolas. Corrugated and standing seam metal roofing available on all structures. Standard shapes available include Squares, Hexagonal, Octagonal, and Rectangular Open Gable or Hipped ends. Custom shapes, combinations of shapes, rounded or curved tops are always welcome and are an exciting way to add class and style to any landscape setting imaginable. Consider a Coverworx "Vented Top" option to your Steelworx structure. It's a functional way to address style or venting needs. The versatility of Coverworx structure design is only limited to your imagination!



STEELWORX SQUARES

4-SIDED CANOPIES



Steelworx Squares feature the look of a hip canopy with the added appeal of having four equal sides and a single peak. Larger square canopies will require additional columns around the perimeter.

STOCK & CUSTOM SHELTER OPTIONS, SEE PAGE 29-30
FOR SHELTER EXTRAS & FURNISHINGS, SEE PAGE 31-32
FRAME & ROOF COLOR OPTIONS, SEE PAGE 33-34



STANDARD SQUARE



VENTED SQUARE



SINGLE-POST SQUARE



2-POST SQUARE

COVERWORX COLORS

OPTIONS

All Coverworx Steel Frame, Metal Roof and Trim work panels are available in the colors below. Mix and match to create a look that suits your needs and expresses your style. Choose a frame finish as well as a metal roof color from the following options. Contact our Coverworx sales staff for custom color information and further details.

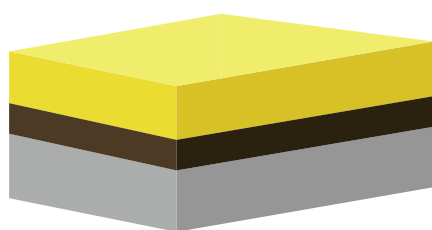
ROOF COLORS





POWDER COATING (FRAME) COLORS

Standard RAL Powder colors are also available for only frame color choices



POWDER COATING WITH ZINC RICH PRIMER AND TGIC POLYESTER

Shot blasted steel with factory applied zinc rich primer and TGIC Polyester (5-6 mil min. thickness on exterior and 3 mil min. thickness on interior).

Note: An Optional Super Durable TGIC and graffiti resistant TGIC color or clear coat is available for an upcharge.



Hartford Green



Brandywine



Evergreen



Roman Blue



Matte Black



Ash Grey



Surrey Beige



Regal White



Clay



Dark Bronze



Mansard Brown



Light Stone



Timber Tan



Charcoal



Patrician Bronze



Bone White



Sandstone



Slate Gray



Patina Green



Colonial Red



Medium Bronze



Brite Red



Regal Blue



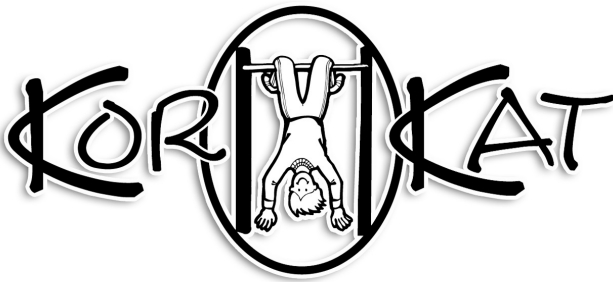
Autumn Red



Tudor Brown



7. Cost of Services



Lanier Plans, Inc. dba KorKat
221 Cable Industrial Way
Carrollton, GA 30117
770-214-9322

Estimate

Date 5/1/2024
Estimate # 53705

PLAYGROUNDS & SITE AMENITIES

Name & Address for Bill To:

City of Clermont
685 W Montrose St
Clermont, FL 34711

Ship To

City of Clermont
685 W Montrose St
Clermont, FL 34711

Project or PO #				Rep
				KL
Item	Description	Qty	Cost	Total
SQ-24-SW	PALATLAKAHA PARK PAVILION STEELWORX SQUARE 24X24 W/8' EAVE W/ 4:12 PITCH ROOF POLYESTER POWDER COATED FRAME W/24 GA MULTIRIB METAL ROOFING	1	25,509.00	25,509.00T
	SUBTOTAL			25,509.00
DISCOUNT 10%	REP DISCOUNT 10%		-10.00%	-2,550.90
DISCOUNT 5%	KORKAT DISCOUNT 5%		-5.00%	-1,275.45
	SUBTOTAL			21,682.65
ENGINEERED DRAWINGS	ENGINEERED DRAWINGS WITH CALCULATIONS	1	1,050.00	1,050.00
	SUBTOTAL			1,050.00
INSTALL-SHELTER	INSTALL-SHELTER	1	17,856.00	17,856.00
OTHER SURFACING	INSTALL OF CONCRETE PAD AND WALKWAY - 886 SF	1	10,632.00	10,632.00T
	SUBTOTAL			28,488.00
SQ-24-SW	LAKE FELTER PARK PAVILION STEELWORX SQUARE 24X24 W/8' EAVE W/ 4:12 PITCH ROOF POLYESTER POWDER COATED FRAME W/24 GA MULTIRIB METAL ROOFING	1	25,509.00	25,509.00T
	SUBTOTAL			25,509.00
DISCOUNT 10%	REP DISCOUNT 10%		-10.00%	-2,550.90
DISCOUNT 5%	KORKAT DISCOUNT 5%		-5.00%	-1,275.45
	SUBTOTAL			21,682.65
ENGINEERED DRAWINGS	ENGINEERED DRAWINGS WITH CALCULATIONS	1	1,050.00	1,050.00
	SUBTOTAL			1,050.00
INSTALL-SHELTER	INSTALL-SHELTER	1	17,856.00	17,856.00
OTHER SURFACING	INSTALL OF CONCRETE PAD AND WALKWAY - 741 SF		10,632.00	10,632.00T

Prices quoted are good for 15 days and are subject to total purchase except for shipping which is subject to market changes. Installation price assumes normal soil conditions and does not include rock excavation, unforeseen conditions, or replacement of bad soil conditions. Any additional work will be priced prior to the continuation of installation.

Please note that a 50% deposit is due at the time of order with any estimate that includes installation.
Payment of 100% is due at the time of order for all equipment purchases without installation.

Phone #

Fax #

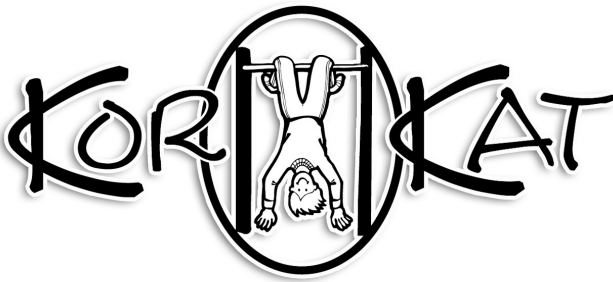
E-mail

Total

770-214-9322 770-214-9323

DeannaP@KorKat.com

Signature



Lanier Plans, Inc. dba KorKat
221 Cable Industrial Way
Carrollton, GA 30117
770-214-9322

Estimate

Date 5/1/2024
Estimate # 53705

PLAYGROUNDS & SITE AMENITIES

Name & Address for Bill To:

City of Clermont
685 W Montrose St
Clermont, FL 34711

Ship To

City of Clermont
685 W Montrose St
Clermont, FL 34711

Project or PO #				Rep
				KL
Item	Description	Qty	Cost	Total
	SUBTOTAL			28,488.00
SQ-24-SW	WATERFRONT PARK PAVILION STEELWORX SQUARE 24X24 W/8' EAVE W/ 4:12 PITCH ROOF POLYESTER POWDER COATED FRAME W/24 GA MULTIRIB METAL ROOFING	1	25,509.00	25,509.00T
	SUBTOTAL			25,509.00
DISCOUNT 10%	DISCOUNT 10%		-10.00%	-2,550.90
DISCOUNT 5%	DISCOUNT 5%		-5.00%	-1,275.45
	SUBTOTAL			21,682.65
ENGINEERED DRAWINGS	ENGINEERED DRAWINGS WITH CALCULATIONS	1	1,050.00	1,050.00
	SUBTOTAL			1,050.00
INSTALL-SHELTER	INSTALL-SHELTER	1	17,856.00	17,856.00
OTHER SURFACING	INSTALL OF CONCRETE PAD AND WALKWAY - 1,426 SF		10,632.00	10,632.00T
PERMITTING	PERMITTING FEE	1	2,000.00	2,000.00
FREIGHT	SHIPPING & HANDLING	1	7,493.00	7,493.00
	KORKAT CONTACT KRISTIN LIBBY 407-747-1669 KristinL@KorKat.com			
	Total sales tax calculated by AvaTax		0.00	0.00
	Select this as a transaction's tax to use AvaTax			0.00

Prices quoted are good for 15 days and are subject to total purchase except for shipping which is subject to market changes. Installation price assumes normal soil conditions and does not include rock excavation, unforeseen conditions, or replacement of bad soil conditions. Any additional work will be priced prior to the continuation of installation.

Please note that a 50% deposit is due at the time of order with any estimate that includes installation.
Payment of 100% is due at the time of order for all equipment purchases without installation.

Phone # 770-214-9322 Fax # 770-214-9323 E-mail DeannaP@KorKat.com **Total** \$163,154.95

Signature _____

Dates are estimates based on current information and subject to change. Any acceleration or delay in the process will impact subsequent dates.

Project name: CITY OF CLERMONT
Estimate Number: 53705

6/13/2024	Date will change if awarded the bid
6/13/2024	Contracts and Deposits, Final Colors
6/20/2024 to 6/27/2024	Ordering of Materials

Playgrounds:	
7/4/2024 to 8/22/2024	7/25/2024 12/12/2024 Playground Engineering Playground Permitting
Manufacturing:	
10/3/2024 to 10/10/2024	11/7/2024 11/14/2024 Steel Play Steel Play Custom
10/10/2024 to 7/4/2024	11/7/2024 7/11/2024 Steel Active Courses SRP Quick Ship Units
10/17/2024 to 10/17/2024	11/21/2024 11/21/2024 GFP (if metals/plastics are required) GFP Custom (if metals/plastics are required)
12/26/2024 to 10/17/2024	2/6/2025 11/21/2024 FX Play New Concept (Steel & Recycled) FX Play Previously Engineered & Manufactured (Steel)
10/24/2024 to 9/26/2024	11/28/2024 10/10/2024 FX Play Previously Manufactured (GFP/Recycled) Indoor Play
8/29/2024 to 10/17/2024	9/12/2024 11/7/2024 ActionFit Fitness Products Ascend Rope Products (Standard Models)
11/14/2024 to 11/14/2024	11/28/2024 12/12/2024 Ascend Rope Products (Custom Orders) Playdale Products (if shipping from UK)
11/14/2024 to 7/11/2024	12/26/2024 7/18/2024 Natural Elements Products Freenotes
8/22/2024 to 7/25/2024	8/29/2024 8/8/2024 Ultra Play Products Nature of Early Play - small orders
9/19/2024 to 10/17/2024	10/17/2024 11/14/2024 Nature of Early Play - midsized playground projects Nature of Early Play - large sized playground projects

Shades:	
7/25/2024 to 9/5/2024	8/8/2024 12/26/2024 Shade Engineering Shade Permitting
Manufacturing:	
11/7/2024 to 11/14/2024	11/14/2024 11/21/2024 Shade (Standard Orders) Shade (Modified Standard)
11/21/2024 to 1/9/2025	12/19/2024 1/23/2025 Shade (Highly Custom) Shade Sails (after dimensions received)
11/7/2024 to 11/7/2024	11/21/2024 Shade (Replacement Fabrics)

Shelters:	
6/27/2024 to 8/8/2024	7/11/2024 10/8/2024 Shelter Engineering Shelter Permitting
Manufacturing:	
10/17/2024 to 10/3/2024	10/31/2024 10/10/2024 Shelter Shelter (Coverworx)

Site Amenities:	
7/25/2024 to 8/1/2024	8/29/2024 9/12/2024 Site Amenities (Quick Ship - UltraLeisure) Site Amenities (New Recycled Products)
9/12/2024 to 9/26/2024	9/26/2024 11/7/2024 Site Amenities (Standard Orders) Site Amenities (Custom/Uptown)
9/26/2024 to 10/17/2024	11/7/2024 10/31/2024 Site Amenities (Uptown Recycled) UltraSite High End (Premium)
10/3/2024 to 9/5/2024	10/10/2024 9/19/2024 UltraSite Recycled Product UltraSite Wood, Bark Park Kits, and Standard Thermoplastic (any 8 colors)
7/25/2024 to 7/25/2024	8/1/2024 8/8/2024 UltraSite Bike Racks and Grills/Fire Rings UltraSite Bark Park a la carte
8/22/2024 to 9/5/2024	9/5/2024 9/19/2024 UltraSite Aluminum, Lettered Benches and All Other Thermoplastics UltraSite Human Fountains, Dog Fountains, and Combo
10/17/2024 to 10/17/2024	10/24/2024 UltraSite Recyled Bark Park Products Category (ReBark)

Delivery and Installation timeline begins after Permits obtained and Equipment is received

10/10/2024	Equipment receipt example based on latest date for Shade (Highly Custom) manufacture
****For Shade Sails only, use the latest date for Shade (Modified Standard)****	

Delivery and Installation	
10/11/2024 to 2/6/2025	10/31/2024 2/20/2025 Playgrounds, Shades, Shelters or Site Amenities Shade Sails

Surfacing	
11/7/2024 to 8/22/2024	12/12/2024 10/17/2024 Surfacing site with equipment installation Surfacing site <u>without</u> equipment installation
2/20/2025 to 2/20/2025	3/27/2025 Surfacing site with shade sail installation

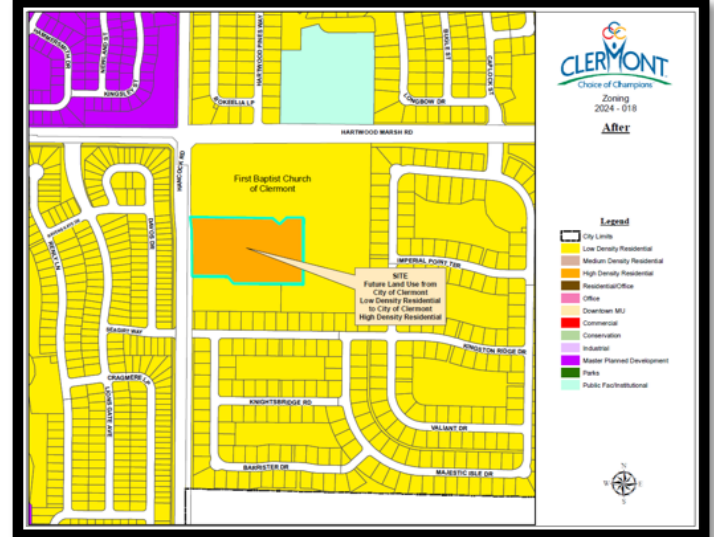
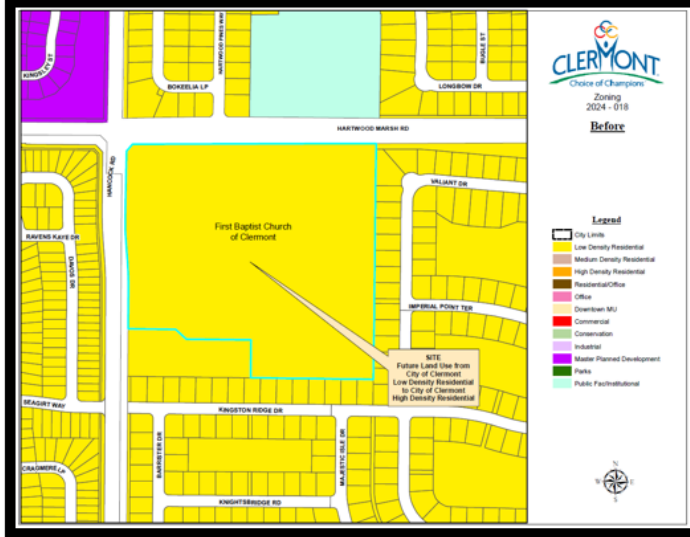


CITY OF CLERMONT

AGENDA ITEM

Page 1 of 2

Meeting Date	
Tuesday, June 25, 2024	
Agenda Item Name	
Ordinance No. 2024-018 <i>Final</i> <i>First Baptist Church SSCPA</i>	
Requested Action	
Recommend approval of Ordinance No. 2024-018	
Staff Report	
<i>This item was tabled at the May 28, 2024, City Council meeting. At the request of the applicant, this item has been tabled to August 13, 2024, for the Final Public Hearing.</i> The applicant/owner, First Baptist Church of Clermont, Inc., would like to develop an assisted living facility within their campus. Approximately 8 acres have been designated as a site in order to accomplish this. In order to be in compliance with the Comprehensive Plan, the land use must align with the request. The subject parcel is located on the southeast corner of Hartwood Marsh Road and Hancock Road. This request is being heard concurrently with a request for rezoning from the R-1 Single Family Residential to a Planned Unit Development (PUD) to allow for construction of an assisted living facility with a memory care unit and an Independent living component. On February 27, 2018, the City Council approved a Conditional Use Permit (Resolution No. 2018-03), which allowed for the construction of the church sanctuary, multipurpose buildings, Pre-K - 5th grade school, outdoor recreation fields and a parking garage to be used for the church facility. The approved Conditional Use Permit required a separate public hearing process for the Assisted Living Facility. The existing Low Density Residential land use does not permit assisted living facilities, and the applicant is requesting to change the land use designation from low density to high density residential. The proposed map amendment will change the future land use from Clermont Low Density Residential, which allows up to three (3) dwelling units per acre, to High Density Residential, which allows up to twelve (12) units per acre, and a variety of housing types with a (PUD) Planned Unit Development, which includes an Assistant Living Facility. The requested PUD ordinance will have specific conditions to limit density to 53 independent living units. <u>The Clermont Comprehensive Plan Objective 1.2:</u> The City shall consider the compatibility of adjacent future land use categories during the land use plan amendment process. The City shall consider potential maximum densities and intensities and the appropriate transition of uses, densities and intensities. <u>The Clermont Comprehensive Plan Policy 1.6.3: High Density Residential Land Use Category:</u> Areas delineated on the Future Land Use Map for high-density residential development shall accommodate a maximum of 12 dwelling units per acre; however, densities higher than eight units per acre shall require a conditional use permit. <u>Nursing homes, assisted living facilities and independent living facilities shall be permitted in high-density residential land use as a planned unit development (PUD) consistent with the land development regulations and may have a maximum intensity of 3.0 FAR.</u> With the companion Planned Unit Development ordinance, 2024-019, the applicant is requesting a change from Low Density to High Density with the end result of developing the 8.44 acre parcel for an assisted living, memory care and independent living facility. Policy 1.6.3 permits the applicant to develop this project in conformance with the City's Comprehensive Plan. The City has the ability to serve the project with applicable City services. The traffic impacts from this project are considered de minimis. The project is not in conflict with any provision of the City's Comprehensive Plan. Staff recommends approval of Ordinance 2024-018.	



Additional Analysis

Fiscal Impact Summary

None.

Fiscal Impact	Fund Number and Description	Available Budget Amount
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Exhibits Attached (copies of original agreements)

- | | |
|---|--|
| 1. 2024-018 - First Baptist Church SSCPA (05.21.2024) | 2024-018 - First Baptist Church SSCPA (05.21.2024).pdf |
| 2. 2024-018 First Baptist Church 8.44 Acre Ad | 2024-018 REVISED First Baptist Church 8.44 Acre - CPA Ad.pdf |



CITY OF CLERMONT
ORDINANCE NO. 2024-018

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

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

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

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

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

SECTION 1:

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

LEGAL DESCRIPTION:

A PORTION OF LAND LYING IN SECTION 10, TOWNSHIP 23 SOUTH, RANGE 26 EAST, OF LAKE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A NAIL & DISK LABELED "LB4709" MARKING THE WEST 1/4 CORNER OF SECTION 10, TOWNSHIP 23 SOUTH, RANGE 26 EAST, OF LAKE COUNTY, FLORIDA, THENCE RUN SOUTH 00°24'43" WEST ALONG THE WEST LINE OF SECTION 10, A DISTANCE OF 610.02 FEET; THENCE DEPARTING THE AFOREMENTIONED WEST LINE OF SECTION 10 RUN NORTH 89°46'15" EAST, A DISTANCE OF 26.24 FEET TO A POINT ON THE EAST RIGHT-OF-WAY OF HANCOCK ROAD PER OFFICIAL RECORD

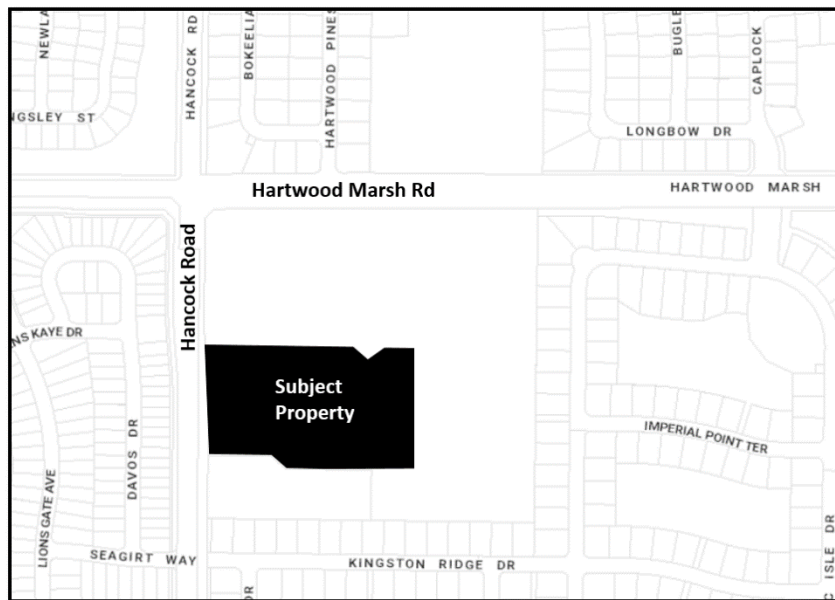
CITY OF CLERMONT
ORDINANCE NO. 2024-018

BOOK 4131, PAGE 136 AND THE POINT OF BEGINNING OF A PORTION OF LAND DESCRIBED BY THE FOLLOWING ELEVEN COURSES; THENCE RUN SOUTH 89°17'27" EAST A DISTANCE OF 586.18 FEET; THENCE RUN SOUTH 45°02'46" EAST, A DISTANCE OF 71.60 FEET; THENCE RUN NORTH 44°57'14" EAST, A DISTANCE OF 69.73 FEET; THENCE RUN SOUTH 89°17'27" EAST, A DISTANCE OF 123.55 FEET; THENCE RUN SOUTH 00°42'33" WEST, A DISTANCE OF 480.81 FEET; THENCE RUN NORTH 89°17'27" WEST, A DISTANCE OF 501.88 FEET; THENCE RUN NORTH 36°54'08" WEST, A DISTANCE OF 60.72 FEET; THENCE RUN NORTH 89°17'27" WEST, A DISTANCE OF 254.81 FEET RETURNING TO THE AFOREMENTIONED EAST RIGHT-OF-WAY LINE OF HANCOCK ROAD; THENCE RUN ALONG SAID EAST RIGHT-OF-WAY LINE NORTH 00°23'27" EAST, A DISTANCE OF 190.11 FEET TO A POINT OF CURVATURE, SAID CURVE HAVING A RADIUS OF 2143.48 FEET AND A CHORD BEARING OF NORTH 02°36'10" WEST, THENCE RUN ALONG SAID ARC TO THE LEFT A DISTANCE OF 226.42 FEET TO A POINT OF REVERSE CURVATURE; SAID CURVE HAVING A RADIUS OF 2023.46 FEET AND A CHORD BEARING OF NORTH 05°23'29" WEST; THENCE RUN ALONG SAID CURVE TO THE RIGHT A DISTANCE OF 16.77 FEET RETURNING TO THE POINT OF BEGINNING.

AREA CONTAINS 8.44 ACRES MORE OR LESS.

LOCATION:

2751 Hartwood Marsh Road
Property located in the vicinity of the southeast corner of
Hartwood Marsh Road and Hancock Road
(Portion of Alternate Key 1593905)
8.44+/- Acres





CITY OF CLERMONT
ORDINANCE NO. 2024-018

CHANGE IN FUTURE LAND USE DESIGNATION:
FROM: LOW DENSITY RESIDENTIAL
TO: HIGH DENSITY RESIDENTIAL

SECTION 2: CONFLICT

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

SECTION 3: SEVERABILITY

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

SECTION 4: ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR

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

SECTION 5: PUBLICATION AND EFFECTIVE DATE

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



CITY OF CLERMONT
ORDINANCE NO. 2024-018

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida, this 25th day of June, 2024.

CITY OF CLERMONT

Tim Murry, Mayor

ATTEST:

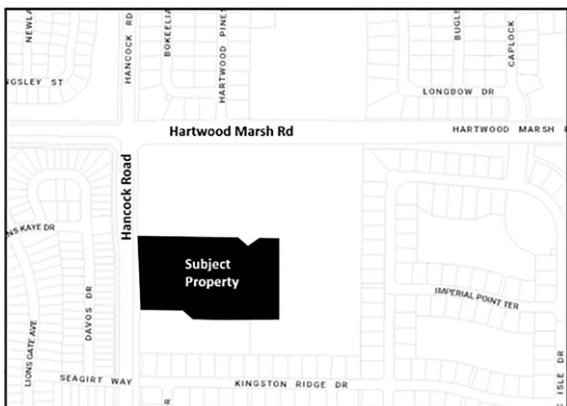
Tracy Ackroyd Howe, MMC
City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

CITY OF CLERMONT
NOTICE OF PROPOSED LAND USE CHANGE
Small-Scale Comprehensive Plan Amendment
ORDINANCE NO. 2024-018

The Clermont Planning and Zoning Commission will hold a public meeting on Tuesday, June 4, 2024 at 6:30 p.m., and a public hearing will be held before the Clermont City Council on Tuesday, June 25, 2024 at 6:30 p.m. to consider a proposed change to the City's Future Land Use Map. The map amendment would change the Future Land Use designation for the parcel below from Low Density Residential to High Density Residential.



LOCATION

2751 Hartwood Marsh Road

Property located in the vicinity of the southeast corner of
Hartwood Marsh Road and Hancock Road
(Portion of Alternate Key 1593905)
8.44+/- Acres

ORDINANCE NO. 2024-018

AN ORDINANCE OF THE CITY OF CLERMONT, FLORIDA, ADOPTING THE SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT FOR THE CITY OF CLERMONT, FLORIDA, PURSUANT TO THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING ACT, CHAPTER 163, PART II, FLORIDA STATUTES; SETTING FORTH THE AUTHORITY FOR ADOPTION OF THE SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT; SETTING FORTH THE PURPOSE AND INTENT OF THE SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT; PROVIDING FOR THE ADOPTION OF THE SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT; ESTABLISHING THE LEGAL STATUS OF THE SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT; PROVIDING FOR CONFLICT, SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND AN EFFECTIVE DATE.

The public hearings are held in the Council Chambers of City Hall, located at 685 W. Montrose Street, and are open to public comment. Please call (352) 394-4083, ext. 3 if you have any questions. All interested parties shall be given an opportunity to express their views on this matter.

The proposed amendment may be inspected at the City's Development Services Department (1st floor, City Hall) between 8 a.m. and 5 p.m. Monday-Friday.

Please be advised that under state law, any person deciding to appeal a decision made at the public hearings will need a record of the proceedings and may need to ensure a verbatim record is made.

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

Tracy Ackroyd Howe, MMC
City Clerk



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 2

Meeting Date	
Tuesday, June 25, 2024	
Agenda Item Name	
Ordinance No. 2024-019 <i>Final</i> <i>First Baptist Church Rezoning</i>	
Requested Action	
Recommend approval of Ordinance No. 2024-019	
Staff Report	
<i>This item was tabled at the May 28, 2024, City Council meeting. At the request of the applicant, this item has been tabled until August 13, 2024, for the Final Public Hearing.</i> The owner and applicant, First Baptist Church of Clermont, Inc., is requesting to rezone a 8.44+/- acre parcel from R-1 Single Family Medium Density to Planned Unit Development (PUD) to allow for the development of an Assisted Living Facility. The subject property is located on the southeast corner of Hartwood Marsh Road and Hancock Road. The current use of the property is a Master Planned Church Facility and Campus. The City Council approved on February 27, 2018, a Conditional Use Permit (Resolution No. 2018-03) to allow for a Master Planned Church Facility with ancillary uses to support the church ministry. The approved CUP included a Conceptual Plan, which identified multiple ancillary uses including a school, recreation field, multipurpose buildings and parking garage. The plan also included an Assisted Living Facility, which requires a separate public hearing approval process. The Assisted Living Facility (ALF) is not a permitted use in the R-1 zoning district and is not allowed by the Comprehensive Plan for Low Density Residential Future Land Use. Therefore, the applicant is also requesting to change the future land use designation from Low Density Residential to High Density Residential. Policy 1.6.3 within the City's Comprehensive Plan permits assisted living facilities in the High Density Residential land use as a Planned Unit Development. The applicant is requesting the Planned Unit Development zoning in order to comply with the land use policy and to also ensure the project is held to specific conditions within the PUD ordinance. The applicant has provided a conceptual site plan, prepared by Highland Engineering, Inc., which identifies a maximum of 160,000 total building square feet within this project. The proposed parking layout provides 31 spaces for 124 beds located in the assistant living and memory care buildings. The independent living portion will have a total of 53 units, and will be constructed in two phases. Phase one will be 27 units and future phase 2 will have 26 units. The one bedroom units are calculated at 1.5 parking space per unit, for a total of 80 parking spaces. The total project provides 112 onsite parking spaces. The maximum building height shall not exceed 55 feet at the highest elevation point. The project has been redesigned to provide lesser impact on the surrounding neighborhoods than the previous conceptual site plan that had the proposed project in the northeast corner of the site. The proposed development has been shifted to a more central portion of the overall church site, with the 8.44 acre parcel not directly adjacent to any residential uses. The applicant is not requesting any waivers to the Land Development Code as part of this proposal. Staff has reviewed the application and proposed project in regard to Section 125-486 Review Criteria for a Planned Unit Development. The proposed project will be accessed from Hancock Road, which is a County Urban Collector roadway and capacity is available. The project's traffic impact is considered "de minimis" under Lake Sumter's MPO guidelines and the applicant has requested an exemption from the required Traffic Impact Analysis Report. The City's utilities services have sufficient capacity to service the project. The placement of the three-story buildings to be located in the interior of the project and the 50-foot building setbacks will help minimize any impacts on adjoining properties. Staff recommends approval of Ordinance 2024-019.	



Additional Analysis

Fiscal Impact Summary

None.

Fiscal Impact

Fund Number and Description

Available Budget Amount

Exhibits Attached (copies of original agreements)

- | | | |
|----|---|---|
| 1. | 2024-019 Final PUD Rezoning-First Bapt Church (5.30.2024) | 2024-019 Final PUD Rezoning-First Bapt Church (5.30.2024).pdf |
| 2. | 2024-019 First Baptist Church 8.44 Acre - Rezone Ad | 2024-019 First Baptist Church 8.44 Acre - Rezone Ad.pdf |



CITY OF CLERMONT
ORDINANCE NO. 2024-019

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

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

SECTION 1:

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

LEGAL DESCRIPTION

A PORTION OF LAND LYING IN SECTION 10, TOWNSHIP 23 SOUTH, RANGE 26 EAST, OF LAKE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

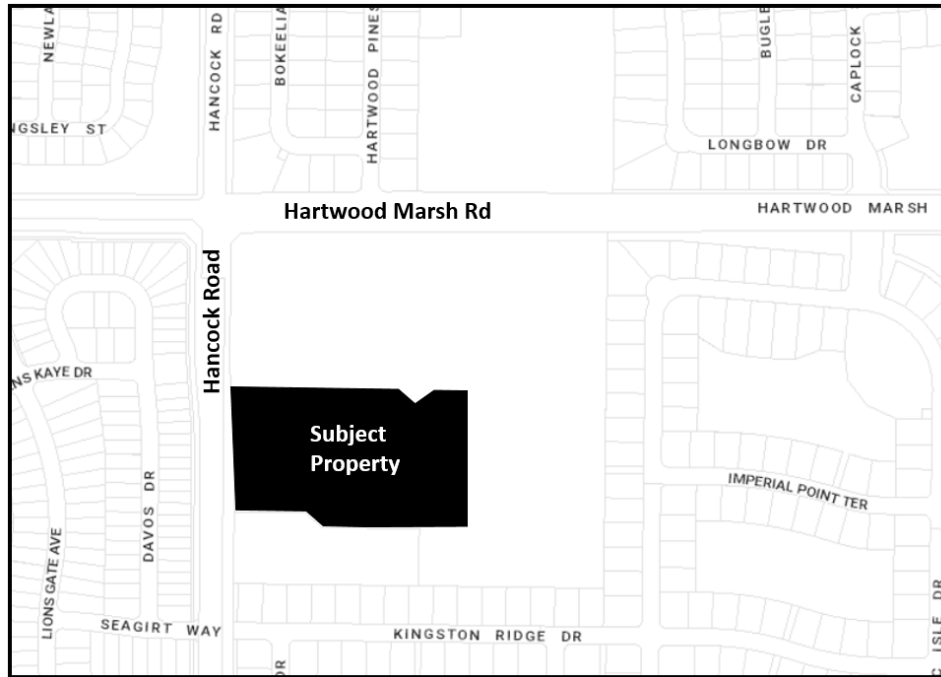
COMMENCE AT A NAIL & DISK LABELED "LB4709" MARKING THE WEST 1/4 CORNER OF SECTION 10, TOWNSHIP 23 SOUTH, RANGE 26 EAST, OF LAKE COUNTY, FLORIDA, THENCE RUN SOUTH 00°24'43" WEST ALONG THE WEST LINE OF SECTION 10, A DISTANCE OF 610.02 FEET; THENCE DEPARTING THE AFOREMENTIONED WEST LINE OF SECTION 10 RUN NORTH 89°46'15" EAST, A DISTANCE OF 26.24 FEET TO A POINT ON THE EAST RIGHT-OF-WAY OF HANCOCK ROAD PER OFFICIAL RECORD BOOK 4131, PAGE 136 AND THE POINT OF BEGINNING OF A PORTION OF LAND DESCRIBED BY THE FOLLOWING ELEVEN COURSES; THENCE RUN SOUTH 89°17'27" EAST A DISTANCE OF 586.18 FEET; THENCE RUN SOUTH 45°02'46" EAST, A DISTANCE OF 71.60 FEET; THENCE RUN NORTH 44°57'14" EAST, A DISTANCE OF 69.73 FEET; THENCE RUN SOUTH 89°17'27" EAST, A DISTANCE OF 123.55 FEET; THENCE RUN SOUTH 00°42'33" WEST, A DISTANCE OF 480.81 FEET; THENCE RUN NORTH 89°17'27" WEST, A DISTANCE OF 501.88 FEET; THENCE RUN NORTH 36°54'08" WEST, A DISTANCE OF 60.72 FEET; THENCE RUN NORTH 89°17'27" WEST, A DISTANCE OF 254.81 FEET RETURNING TO THE AFOREMENTIONED EAST RIGHT-OF-WAY LINE OF HANCOCK ROAD; THENCE RUN ALONG SAID EAST RIGHT-OF-WAY LINE NORTH 00°23'27" EAST, A DISTANCE OF 190.11 FEET TO A POINT OF CURVATURE, SAID CURVE HAVING A RADIUS OF 2143.48 FEET AND A CHORD BEARING OF NORTH 02°36'10" WEST, THENCE RUN ALONG SAID ARC TO THE LEFT A DISTANCE OF 226.42 FEET TO A POINT OF REVERSE CURVATURE; SAID CURVE HAVING A RADIUS OF 2023.46 FEET AND A CHORD BEARING OF NORTH 05°23'29" WEST; THENCE RUN ALONG SAID CURVE TO THE RIGHT A DISTANCE OF 16.77 FEET RETURNING TO THE POINT OF BEGINNING.

AREA CONTAINS 8.44 ACRES MORE OR LESS.

**CITY OF CLERMONT
ORDINANCE NO. 2024-019**

LOCATION:

2751 Hartwood Marsh Road
Property located in the vicinity of the southeast corner of
Hartwood Marsh Road and Hancock Road
(Portion of Alternate Key 1593905)
8.44+/- Acres



PROPERTY REZONING

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

SECTION 2: GENERAL CONDITIONS

This application for a Planned Unit Development to allow for a Senior Housing Facility (containing a mixture of Assisted Living, Memory Care and Independent Living Residential Units on the property described above (hereinafter the “Property”); be granted subject to the following conditions:

1. The conditions as set forth in this Planned Unit Development shall be legally binding upon any heirs, assigns and successors in title or interest.
2. The Property shall be developed in substantial accordance with EXHIBIT A: Conceptual Site Plan, dated 5/1/2024, prepared by Highland Engineering, Inc. Formal construction plans incorporating all conditions stated in this ordinance shall be submitted for review and approved by the Site Review Committee prior to the issuance of a zoning clearance or other development permits.



CITY OF CLERMONT
ORDINANCE NO. 2024-019

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 shall be installed by the developer in the utility easements, if required by the City, 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.
5. All Fire Department Access for the Project shall be provided in Accordance with the Florida Fire Prevention Code.

SECTION 3: LAND USES AND SPECIFIC CONDITIONS

This application for a Planned Unit Development (PUD) to allow for a Senior Housing Facility (containing a mixture of Assisted Living, Memory Care and Independent Living Residential Units on the property described above (hereinafter the "Property")); be granted subject to the following conditions:

1. The property shall be developed to allow for a Senior Housing Development with up to the maximum 160,000 total square feet for all buildings located within the project. The site shall be used for Assistant Living, Memory Care and Senior Independent Housing types. The project shall be developed in substantial accordance with the Preliminary Development Plan, prepared by Highland Engineering, Inc. identified as Exhibit A. The buildings shall be designed to comply with Clermont Architectural Design Standards. Any new development on the property must be submitted for site plan review and approved by the Site Review Committee prior to the issuance of a zoning clearance or other development permits. The conceptual site plans submitted with the Planned Unit Development application are not the approved construction plans. Any other uses of the property, other than as specified herein shall require an amendment to this PUD Ordinance by the City Council.
2. Any site development shall be required to comply with the Clermont Land Development Regulations and all building must be designed to meet the Clermont Architectural Design Standards.
3. The development shall be required to provide an additional 30 percent of landscape buffers plant materials to ensure adequate screening from the low density residential zoning districts.
4. Any future development of the site which shall include new development, any increases to the existing buildings square footage, additional permitted uses, modifications, and redevelopments will be required to amend this Planned Unit Development.



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5. The building height shall not exceed the maximum 55 feet allowed by the Land Development Regulation.
6. The maximum density for the independent living portion will not exceed 53 units based upon the Preliminary Development Plan. This will be done in two phases. Phase 1 will consist of 27 units and future phase 2 will consist of 26 units. Any increase in this shall require an amendment to the PUD.
7. An environmental assessment addressing habitat and species shall be submitted to the City during the construction plan approval stage of the overall project and prior to any development activities. Applicable permits for any gopher tortoises and associated burrow commensal species or other endangered species found on the property must be received from the appropriate regulatory agencies prior to the initiation of the development activity.
8. The project shall be developed in accordance with the City of Clermont Utility Standards.
9. The development will be served with a primary connection point at Hancock Road. An emergency ingress/egress only access point with a Fire Department approved entry system shall be installed. The final location shall be at the discretion of the City's Fire Chief or designee.
10. Topsoil and/or soil amendments will be required prior to any landscape planting to help reduce the irrigation needs to maintain healthy plant materials. Landscaping and screening shall be in accordance with the Comprehensive Plan and LDC, as amended.
11. The maintenance of the drainage basins, landscaping and other outdoor amenities shall be the responsibility of the Owner/Developer of the property.
12. In order to minimize glare and reduce light trespass and overhead sky glow, all lighting fixtures within the project shall be designed to comply with the Clermont Land Development Regulations.
13. This Planned Unit Development shall expire as to the Senior Housing Facility approval in the event that significant continuous development actions authorized or required hereunder do not occur for a period of two (2) years after the date that this Planned Unit Development is approved by the City Council and becomes legally effective.

SECTION 4: PUBLIC SERVICES

1. The Developer shall connect to the existing City sanitary sewer system at connection point or points approved by the City.
2. The route of any off-site lines shall be according to engineering plans produced by the developer and approved by the City.



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3. Any proposed City-maintained utilities that are not located within a dedicated public right-of-way shall be placed in a utility easement dedicated to the City. Easements shall be provided at no expense to the City and in a form acceptable to the City.
4. The Developer shall be responsible for all costs of on-site and off-site sanitary sewer systems improvements, including, but not limited to design, material, permitting, connection and installation of sufficient size lines, lift stations, property for city maintained facilities and other appurtenances necessary to allow the City to provide utility services for the project.
5. Any existing dedicated City of Clermont utilities must stay in service throughout construction. If the construction requires that the utilities be relocated or altered, the Developer shall prepare plans, permit the project and construct the modification at the Developer's expense.
6. The Developer shall reimburse the City for all costs related to review of hydraulic modeling related to the project.
7. The City shall provide water and sewer services for the Property based on ability to serve at the time of construction.
8. In the event the City chooses to oversize the lines or appurtenances, the City shall provide to the Owner the specifications regarding sizes to be included in the final improvement plans. The City shall be responsible for the difference in cost of materials to oversize the line if the City chooses to oversize based on plans and cost estimates provided by Owner to City, and approved in advance by the City. Reimbursement to Owner for the cost hereunder shall be in the form of water and/or sewer impact fee credits or cash reimbursement. The Owner shall provide to the City a cost estimate for materials for the minimum size lines and appurtenances and a cost estimate for materials for the approved oversize. Cost estimate shall be contractor's bid as certified by Owner's project engineer. The City shall review and either approve or reject the costs within thirty (30) days from the date the Owner provides to the City. Prior to the commencement of construction, Owner and City shall agree on the cost difference, which will be eligible for reimbursement as set forth herein.
9. All utilities shall be designed and installed as per the City's specifications or as amended and approved by City staff.
10. Garbage and recycling collection shall be with a private company. The City will not provide this service for commercial development.

SECTION 5: CONFLICT

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



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SECTION 6: 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 7: 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 8: RECORDING

This Ordinance shall be recorded in the Public Records of Lake County, Florida. Recording fees will be at the expense of the applicant.

SECTION 9: PUBLICATION AND EFFECTIVE DATE

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



CITY OF CLERMONT
ORDINANCE NO. 2024-019

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida
on this 25th day of June, 2024.

CITY OF CLERMONT

Tim Murry, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC
City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney



CLERMONT-HANCOCK ROAD SENIOR HOUSING COMMUNITY

VIEW 2



CLERMONT-HANCOCK ROAD SENIOR HOUSING COMMUNITY

VIEW 3



LEGAL NOTICE

On Tuesday, June 4, 2024 at 6:30 PM the Clermont Planning & Zoning Commission will consider the enactment of the following proposed ordinance, and on Tuesday, June 25, 2024 at 6:30 PM at a public hearing the request will be held before the Clermont City Council for Final Adoption.

ORDINANCE NO. 2024-019

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

LOCATION

2751 Hartwood Marsh Road
Property located in the vicinity of the southeast corner of
Hartwood Marsh Road and Hancock Road
(Portion of Alternate Key 1593905)
8.44+/- Acres



LEGAL DESCRIPTION

A PORTION OF LAND LYING IN SECTION 10, TOWNSHIP 23 SOUTH, RANGE 26 EAST, OF LAKE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A NAIL & DISK LABELED "LB4709" MARKING THE WEST 1/4 CORNER OF SECTION 10, TOWNSHIP 23 SOUTH, RANGE 26 EAST, OF LAKE COUNTY, FLORIDA, THENCE RUN SOUTH 00°24'43" WEST ALONG THE WEST LINE OF SECTION 10, A DISTANCE OF 610.02 FEET; THENCE DEPARTING THE AFOREMENTIONED WEST LINE OF SECTION 10 RUN NORTH 89°46'15" EAST, A DISTANCE OF 26.24 FEET TO A POINT ON THE EAST RIGHT-OF-WAY OF HANCOCK ROAD PER OFFICIAL RECORD BOOK 4131, PAGE 136 AND THE POINT OF BEGINNING OF A PORTION OF LAND DESCRIBED BY THE FOLLOWING ELEVEN COURSES; THENCE RUN SOUTH 89°17'27" EAST A DISTANCE OF 586.18 FEET; THENCE RUN SOUTH 45°02'46" EAST, A DISTANCE OF 71.60 FEET; THENCE RUN NORTH 44°57'14" EAST, A DISTANCE OF 69.73 FEET; THENCE RUN SOUTH 89°17'27" EAST, A DISTANCE OF 123.55 FEET; THENCE RUN SOUTH 00°42'33" WEST, A DISTANCE OF 480.81 FEET; THENCE RUN NORTH 89°17'27" WEST, A DISTANCE OF 501.88 FEET; THENCE RUN NORTH 36°54'08" WEST, A DISTANCE OF 60.72 FEET; THENCE RUN NORTH 89°17'27" WEST, A DISTANCE OF 254.81 FEET RETURNING TO THE AFOREMENTIONED EAST RIGHT-OF-WAY LINE OF HANCOCK ROAD; THENCE RUN ALONG SAID EAST RIGHT-OF-WAY LINE NORTH 00°23'27" EAST, A DISTANCE OF 190.11 FEET TO A POINT OF CURVATURE, SAID CURVE HAVING A RADIUS OF 2143.48 FEET AND A CHORD BEARING OF NORTH 02°36'10" WEST, THENCE RUN ALONG SAID ARC TO THE LEFT A DISTANCE OF 226.42 FEET TO A POINT OF REVERSE CURVATURE; SAID CURVE HAVING A RADIUS OF 2023.46 FEET AND A CHORD BEARING OF NORTH 05°23'29" WEST; THENCE RUN ALONG SAID CURVE TO THE RIGHT A DISTANCE OF 16.77 FEET RETURNING TO THE POINT OF BEGINNING.

AREA CONTAINS 8.44 ACRES MORE OR LESS.

PROPERTY REZONING

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

All public meetings are 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 AM and 5:00 PM.

All interested parties shall 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



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 2

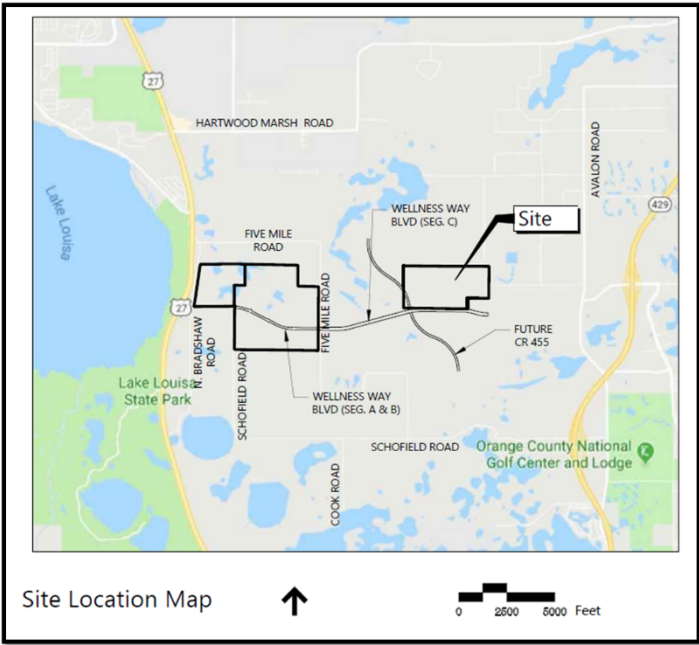
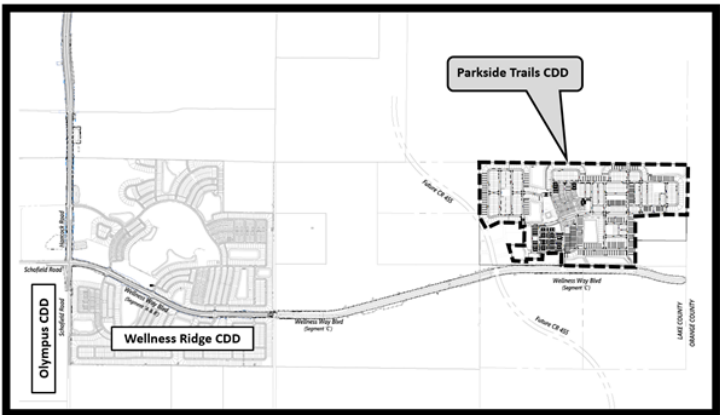
Meeting Date	
Tuesday, June 25, 2024	
Agenda Item Name	
Ordinance No. 2024-025 <i>Final</i> <i>Community Development District</i>	
Requested Action	
Recommend approval of Ordinance No. 2024-025	
Staff Report	
The City received a petition to establish a Community Development District (CDD) from Pulte Home Company, LLC on March 26, 2024. A CDD is a funding mechanism used by developers to pay for infrastructure and project improvements in the development of a specific project. This will be the third CDD requested within the City of Clermont in the Wellness Way Area.	
 Site Location Map  The property is approximately 255 acres of land for the residential portion. The project, Parkside Trails, received Council approval under the former name of Chicone property for annexation, comprehensive plan amendment and a PUD rezoning in October 2022. The project will consist of up to 948 residential dwelling units. Pulte is moving forward with getting the infrastructure in place to support the development, such as water, sewer, roads, stormwater, and roadway lighting. Exhibit 6, within the petition, shows the CDD facilities, estimated costs and entity. The highlighted areas are where the city is named as an entity. The City will own and maintain utility infrastructure that has been constructed to City standards. City staff has reviewed the petition and recommends approval of Ordinance 2024-025, Parkside Trails.	

Exhibit 6 – CDD Facilities & Estimated Costs

Improvement	Estimated Cost	Financing Entity	Ownership Entity	Maintenance Entity
Master Development				
Stormwater Management System Improvements	\$ 13,780,000.00	CDD	CDD	CDD
Roadways*	\$ 9,750,000.00	CDD	CDD	CDD
Water & Wastewater Utilities	\$ 10,680,000.00	CDD	City	City
Lift Station & Forcemain	\$ 920,000.00	CDD	City	City
Reclaimed Water Main Utilities	\$ 4,450,000.00	CDD	CDD	CDD
Reclaimed Well & Pump Infrastructure	\$ 525,000.00	CDD	CDD	CDD
Hardscape, Landscape & Irrigation**	\$ 4,500,000.00	CDD	CDD	CDD
Offsite Utilities	\$ 3,750,000.00	CDD	City	City
Undergrounding of Electric***	\$ 1,900,000.00	CDD	CDD	CDD
subtotal	\$ 50,255,000.00			
Other				
Soft Costs (10%)	\$ 5,025,500.00	N/A	N/A	N/A
Contingency (15%)	\$ 7,538,250.00	N/A	N/A	N/A
TOTAL	\$ 62,818,750.00			

*Roadways reflects all public roads located within the boundaries of the CDD, including sidewalks within the public rights-of-way. To the extent there are private roadways within the CDD, such private roads and sidewalks will be privately funded, owned, and maintained and are not included in the CDD financing plan. Off-Site Roadway Construction is intended to be privately funded and is not included in the CDD financing plan.

** Includes landscaping and signage within public rights-of-way and entry monuments and signage, if any, located within the boundaries of the CDD.

***The CDD intends to lease streetlights through an agreement with Electric Provider. Accordingly, the CDD will not finance the lights but instead will fund them through an annual operations assessment. However, the CDD's improvement plan may include the differential cost of undergrounding the electric utilities.

Additional Analysis

Fiscal Impact Summary

None.

Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Ord 2024-025- Parkside Trails CDD DRAFT final	Ord 2024-025- Parkside Trails CDD DRAFT final.pdf	
2. Petition to Establish Parkside Trails CDD (City of Clermont) with Exhibits - 5.28.24	Petition to Establish Parkside Trails CDD (City of Clermont) with Exhibits - 5.28.24.pdf	
3. Tear Sheet for First Publication (5.28.24) - Parkside Trails	Tear Sheet for First Publication (5.28.24) - Parkside Trails.pdf	



CITY OF CLERMONT
ORDINANCE NO. 2024-025

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, FLORIDA, ESTABLISHING, ON THE PROPOSED PROPERTY KNOWN AS PARKSIDE TRAILS AND FURTHER DESCRIBED HEREIN, AND RECOGNIZING, THE PARKSIDE TRAILS COMMUNITY DEVELOPMENT DISTRICT, CREATED AND CHARTERED BY UNIFORM GENERAL LAW, THE UNIFORM COMMUNITY DEVELOPMENT DISTRICT ACT OF 1980, AS CODIFIED IN CHAPTER 190, FLORIDA STATUTES; ACKNOWLEDGING THE UNIFORM DISTRICT CHARTER EXPRESSED IN CHAPTER 190, FLORIDA STATUTES; AND DESIGNATING THE INITIAL MEMBERS OF THE DISTRICT BOARD OF SUPERVISORS; AND, DESIGNATING THE PROPOSED LAND AREA WITHIN WHICH THE DISTRICT MAY MANAGE AND FINANCE ITS BASIC INFRASTRUCTURE, SYSTEMS, FACILITIES, SERVICES, IMPROVEMENTS AND PROJECTS; PROVIDING FOR SEVERABILITY AND REPEAL, EFFECTIVE DATE, AND RECORDING.

WHEREAS, the City of Clermont, Florida received on March 26, 2024 a petition (the “Petition”) for Establishment of the Parkside Trails Community Development District of less than 2,500 acres located entirely within the municipal boundaries of the City of Clermont, hereinafter the “District”, as provided pursuant to Chapter 190, Florida Statutes, from Pulte Home Company, LLC (the “Petitioner”); and

WHEREAS, it has been determined that the Petition contains the requisite information as mandated by Section 190.005(2), Florida Statutes, and Section 190.005(1)(a), Florida Statutes; and

WHEREAS, the Petitioner has obtained the written consent to the establishment of the District by the owners of 100% of the real property described in Exhibit A, attached; and

WHEREAS, the decision of the City Council to establish the District is a quasi-legislative decision authorized by Chapter 190, Florida Statutes, and the City of Clermont’s home rule authority and Article VIII of the Florida Constitution; and

WHEREAS, the City of Clermont has reviewed factors as required by Chapter 190, Florida Statutes, and will consider such factors prior to the final adoption of the subject ordinance, and upon such review has determined that the establishment of the District is in the best interest of the City of Clermont, for the orderly growth of the City of Clermont in an efficient manner for their existing and future health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Clermont in lawful session assembled, as follows:

SECTION 1. Findings of Fact and Considerations

The City of Clermont has reviewed the petition, and the representations, information, statements and evidence presented at the public hearing by Petitioner or on Petitioner’s behalf and makes the



CITY OF CLERMONT
ORDINANCE NO. 2024-025

following Findings of Fact:

- a. The statements contained within the Petition are true and correct.
- b. The Petition for and establishment of the District is not inconsistent with the State Comprehensive Plan or City's comprehensive plan.
- c. The area of land within the District is of sufficient size, sufficiently compact and sufficiently contiguous to be developable as one functional interrelated community.
- d. The District is the best alternative available for delivering community development services and facilities to the area that will be served by the District.
- e. The community development services and facilities of the District will be compatible with the capacity and uses of existing local and regional community development services and facilities.
- f. The area to be served by the District is amenable to separate independent special-district government.

SECTION 2. Establishment of District

Based on the above findings and consideration, the City Council of the City of Clermont does hereby grant the Petition and there is hereby established the District for all purposes consistent with, and as authorized by Chapter 190, Florida Statutes, and all other applicable laws. The City does further hereby acknowledge the uniform district charter set forth in Chapter 190, Florida Statutes.

SECTION 3. Establishment of District Boundary

The external boundary for the District shall include and incorporate all property as more particularly described in Exhibit A, attached hereto and incorporated herein, all such property (255.32 acres more or less) being located entirely within the municipal boundaries of the City of Clermont. No real property within the external boundaries of the District is to be excluded.

SECTION 4. Appointment of Initial Board of Supervisors

The City Council of the City of Clermont does hereby appoint the following individuals as the initial Board of Supervisors to serve for a period not to exceed ninety (90) days after the creation of the District upon which a new Board of Supervisors will be elected as provided by law. The initial Board of Supervisors shall be:

- a. Aaron Struckmeyer
- b. Mary Burns
- c. Jeff Farhood



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- d. Richard Jerman
- e. Dan Edwards

SECTION 5. Charter; Powers

The District shall be governed by the provisions of Chapter 190, Florida Statutes, as amended. The District shall have, and the District Board of Supervisors may exercise, all powers and functions granted pursuant to Sections 190.011 and 190.012(1)(3) and (4), Florida Statutes, as amended from time to time, subject to the regulatory jurisdiction and permitting authority of all applicable governmental bodies, agencies and special districts having authority with respect to any area included in the District. In addition, the City Council of the City of Clermont hereby consents to the District's Board of Supervisors exercise of all other special powers to finance, fund, plan, establish, acquire, construct, reconstruct, enlarge or extend, equip, operate, and maintain systems, facilities and basic infrastructure within, and outside of, the boundaries of the District as described under and authorized by Section 190.012(2), Florida Statutes.

SECTION 6. City Comprehensive Plan and Land Development Code

The District shall be governed by the development and construction standards of the City of Clermont Comprehensive Plan and the City of Clermont Land Development Code on its construction as if it were a developer.

SECTION 7. Severability and Repeal

All ordinances, agreements, or resolutions and parts thereof in conflict herewith to the extent of such conflicts are hereby repealed. If any phrase, clause, sentence, paragraph, section or subsection of this ordinance shall be declared unconstitutional or invalid by a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect the remaining phrases, clauses, sentences, paragraphs, sections or subsections of this Ordinance.

SECTION 8. Effective Date

This Ordinance shall be published as provided by law and shall become law and shall take effect on the date of its Second Reading and Final Passage.

SECTION 9. Recording

A certified copy of the ordinance may be filed with the Clerk of the Circuit Court of Lake County, Florida, and duly recorded among the Public Records of Lake County, Florida at the Petitioner's expense.

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 25th day of June, 2024.

CITY OF CLERMONT

Tim Murry, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC
City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Exhibit A

LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN SECTIONS 23 AND 24, TOWNSHIP 23 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA

MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 24, THENCE RUN SOUTH 00°21'15" WEST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER FOR A DISTANCE OF 1368.18 FEET; THENCE DEPARTING SAID EAST LINE RUN SOUTH 89°49'30" WEST FOR A DISTANCE OF 20.47 FEET TO A POINT ON A NON TANGENT CURVE, CONCAVE NORTHEASTERLY HAVING A RADIUS OF 130.00 FEET, WITH A CHORD BEARING OF NORTH 66°44'18" WEST, AND A CHORD DISTANCE OF 62.54 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 27°50'08" FOR A DISTANCE OF 63.16 FEET TO A POINT ON A NON TANGENT LINE; THENCE RUN SOUTH 87°22'34" WEST FOR A DISTANCE OF 4.55 FEET; THENCE RUN SOUTH 89°53'13" WEST FOR A DISTANCE OF 292.57 FEET; THENCE RUN NORTH 89°44'51" WEST FOR A DISTANCE OF 291.28 FEET; THENCE RUN NORTH 89°16'46" WEST FOR A DISTANCE OF 282.81 FEET; THENCE RUN SOUTH 89°28'16" WEST FOR A DISTANCE OF 381.74 FEET; THENCE RUN SOUTH 89°09'02" WEST FOR A DISTANCE OF 2.40 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 24; THENCE RUN SOUTH 00°14'32" WEST ALONG SAID WEST LINE FOR A DISTANCE OF 1291.88 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH HALF OF SAID SECTION 24 AND THE NORRTH RIGHT OF WAY LINE OF WELLNESS WAY AS RECORDED IN OFFICIAL RECORDS BOOK 6235, PAGES 346 THROUGH 352 AND OFFICIAL RECORDS BOOK 6240, PAGES 1087 THROUGH 1181; THENCE RUN NORTH 89°32'55" WEST ALONG SAID SOUTH LINE AND NORTH RIGHT OF WAY LINE FOR A DISTANCE OF 1695.86 FEET; THENCE DEPARTING SAID SOUTH LINE, RUN THE FOLLOWING COURSES AND DISTANCES ALONG SAID NORTH RIGHT OF WAY LINE: NORTH 86°41'03" WEST FOR A DISTANCE OF 40.02 FEET; THENCE RUN NORTH 89°32'55" WEST FOR A DISTANCE OF 200.63 FEET; THENCE RUN SOUTH 87°35'29" WEST FOR A DISTANCE OF 6.00 FEET; THENCE DEPARTING SAID NORTH RIGHT OF WAY LINE, RUN NORTH 00°00'00" EAST FOR A DISTANCE OF 68.72 FEET; THENCE RUN SOUTH 89°44'00" EAST FOR A DISTANCE OF 55.66 FEET; THENCE RUN NORTH 00°16'00" EAST FOR A DISTANCE OF 234.40 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 25.00 FEET, WITH A CHORD BEARING OF NORTH 44°44'00" WEST, AND A CHORD DISTANCE OF 35.36 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" FOR A DISTANCE OF 39.27 FEET TO THE POINT OF TANGENCY; THENCE RUN NORTH 89°44'00" WEST FOR A DISTANCE OF 479.00 FEET; THENCE RUN SOUTH 00°16'00" WEST FOR A DISTANCE OF 160.00 FEET; THENCE RUN NORTH 89°44'00" WEST FOR A DISTANCE OF 410.00 FEET; THENCE RUN SOUTH 00°16'00" WEST FOR A DISTANCE OF 45.00 FEET; THENCE RUN NORTH 89°44'00" WEST

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LESS AND EXCEPT: THE WESTERLY 45.00 FEET OF THE SOUTHERLY 35.00 FEET OF THE NORTHERLY 48.00 FEET OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 24, TOWNSHIP 23 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA.

CONTAINING 11,121,835 SQUARE FEET OR 255.32 ACRES, MORE OR LESS.

**BEFORE THE CITY COUNCIL
CITY OF CLERMONT, FLORIDA**

**PETITION TO ESTABLISH PARKSIDE TRAILS
COMMUNITY DEVELOPMENT DISTRICT**

Petitioner, Pulte Home Company, LLC (hereafter “**Petitioner**”), hereby petitions the City Council of the City of Clermont pursuant to the “Uniform Community Development District Act of 1980,” Chapter 190, *Florida Statutes*, to establish a Community Development District with respect to the land described herein. In support of this petition, Petitioner states:

1. Location and Size. The proposed Parkside Trails Community Development District (the “**District**”) is located entirely within the City of Clermont, Florida (the “**City**”). **Exhibit 1** depicts the general location of the proposed District. The proposed District covers approximately 255.32 acres of land, generally located north of Schofield Road, east of 5 Mile Road, south of W. Phil C. Peters Road, and west of the Orange County line. The metes and bounds description of the external boundaries of the proposed District is set forth in **Exhibit 2**.

2. Excluded Parcels. There is no land within the external boundaries of the proposed District which is to be excluded from the District.

3. Landowner Consent. Petitioner has obtained written consent to establish the District from the owners of one hundred percent (100%) of the real property located within the proposed District in accordance with Section 190.005, *Florida Statutes*. Documentation of this consent is contained in **Exhibit 3**.

4. Initial Board Members. The five persons designated to serve as initial members of the Board of Supervisors of the proposed District are as follows:

Name: Aaron Struckmeyer
Address: 4901 Vineland Road, Suite 500 Orlando, Florida 32811

Name: Mary Burns

Address: 4901 Vineland Road, Suite 500 Orlando, Florida 32811

Name: Jeff Farhood

Address: 4901 Vineland Road, Suite 500 Orlando, Florida 32811

Name: Richard Jerman

Address: 1750 W. Broadway, Suite 111, Oviedo, Florida 32765

Name: Dan Edwards

Address: 1750 W. Broadway, Suite 111, Oviedo, Florida 32765

All of the above-listed persons are residents of the State of Florida and citizens of the United States of America.

5. Name. The proposed name of the District is the Parkside Trails Community Development District.

6. Future Land Uses. The general distribution, location, and extent of the land uses proposed for the District by future land use plan element of the applicable Future Land Use Plan is identified on **Exhibit 4**. The proposed land uses for lands contained within the proposed District are consistent with the City's approved Future Land Use Plan.

7. Major Water and Wastewater Facilities and Outfalls. There are no existing major trunk water mains, reclaim lines, sewer interceptors and outfalls for the lands to be included within the proposed District. **Exhibit 5** shows the proposed major trunk water mains, reclaim lines, sewer interceptors and outfalls for the lands to be included within the proposed District.

8. District Facilities and Services. **Exhibit 6** identifies the type of facilities Petitioner presently expects the proposed District to finance, construct, acquire or install and identifies the costs associated with the same. At present, these improvements are estimated to be made, constructed and installed in seven (7) phases over the time period from March 1, 2024, through April 1, 2031. Actual construction timetables and expenditures will likely vary, due in

part to the effects of future changes in the economic conditions upon costs such as labor, services, materials, interest rates and market conditions.

9. Statement of Estimated Regulatory Costs. **Exhibit 7** is the statement of estimated regulatory costs (“**SERC**”) prepared in accordance with the requirements of section 120.541, *Florida Statutes*. The SERC is based upon presently available data. The data and methodology used in preparing the SERC accompany it.

10. Authorized Agent. The Petitioner is authorized to do business in the State of Florida. The authorized agents for the Petitioner are Tucker F. Mackie and Ryan J. Dugan. See **Exhibit 8** - Authorization of Agent. Copies of all correspondence and official notices should also be sent to:

Tucker F. Mackie, Esq.
Ryan J. Dugan, Esq.
KUTAK ROCK LLP
107 West College Avenue
Tallahassee, Florida 32301

11. This petition to establish the Parkside Trails Community Development District should be granted for the following reasons:

a. Establishment of the District and all land uses and services planned within the proposed District are not inconsistent with applicable elements or portions of the effective State Comprehensive Plan or the local Comprehensive Plan.

b. The area of land within the proposed District is part of a planned community. It is of a sufficient size and is sufficiently compact and contiguous to be developed as one functional and interrelated community.

c. The establishment of the District will prevent the general body of taxpayers in the City from bearing the burden for installation of the infrastructure and the maintenance of the

above-described facilities within the development encompassed by the District. The District is the best alternative for delivering community development services and facilities to the proposed community without imposing an additional burden on the general population of the local general-purpose government. Establishment of the District in conjunction with a comprehensively planned community, as proposed, allows for a more efficient use of resources.

d. The community development services and facilities of the District will not be incompatible with the capacity and use of existing local and regional community development services and facilities. In addition, the establishment of the District will provide a perpetual entity capable of making reasonable provisions for the operation and maintenance of the District services and facilities.

e. The area to be served by the proposed District is amenable to separate special-district government.

WHEREFORE, Petitioner respectfully requests the City Council of the City of Clermont to:

- a. schedule a public hearing in accordance with the requirements of section 190.005(2)(b), *Florida Statutes*;
- b. grant the petition and adopt an ordinance establishing the District pursuant to Chapter 190, *Florida Statutes*;
- c. consent to the District's exercise of certain additional powers to finance, fund, plan, establish, acquire, construct, enlarge or extend, equip, operate, and maintain systems and facilities for: parks and facilities for indoor and outdoor recreation, cultural, and educational uses and for security, including, but not limited to, guardhouses, walls, fences and gates, electronic intrusion-detection systems, and

patrol cars, when authorized by proper governmental agencies, as authorized and described by sections 190.012(2)(a) and (d), *Florida Statutes*.

- c. grant such other relief as appropriate.

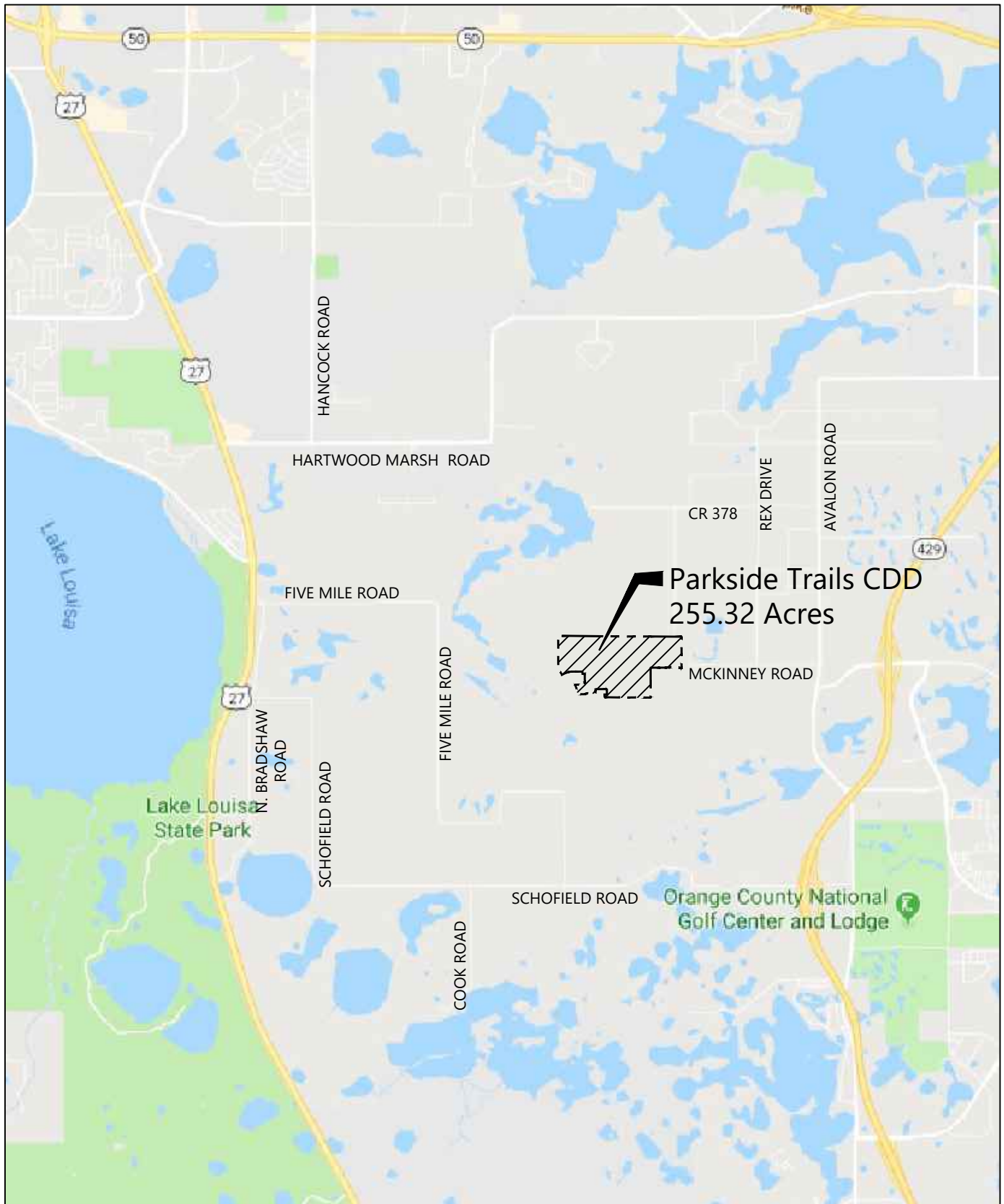
RESPECTFULLY SUBMITTED, this 26th day of March 2024.

KUTAK ROCK LLP



Tucker F. Mackie
Florida Bar No. 041023
Ryan J. Dugan
Florida Bar No. 93207
107 West College Avenue
Tallahassee, Florida 32301
850.692.7306
Counsel for Petitioner

1



0 3000 6000



Location Map
Parkside Trails CDD
City of Clermont, Florida

Exhibit 1

December 1, 2023

2

A PARCEL OF LAND LYING IN SECTIONS 23 AND 24, TOWNSHIP 23 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA

MORE PARTICULARLY DESCRIBED AS:

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CONTAINING 11,121,835 SQUARE FEET OR 255.32 ACRES, MORE OR LESS.



Legal Description
Parkside Trails CDD
City of Clermont, Florida

Exhibit 2

December 1, 2023

3

**CONSENT AND JOINDER OF LANDOWNER
TO ESTABLISHMENT OF A COMMUNITY DEVELOPMENT DISTRICT**

The undersigned is the owner of certain lands portions of which are more fully described in **Exhibit A**, attached hereto (the "Property").

The undersigned understands and acknowledges that Pulte Home Company, LLC, a Michigan limited liability company ("Petitioner") intends to submit a petition to establish a Community Development District in accordance with the provisions of Chapter 190, *Florida Statutes*.

As an owner of lands which are intended to constitute the Community Development District, the undersigned understands and acknowledges that pursuant to the provisions of section 190.005, *Florida Statutes*, the Petitioner is required to include the written consent to the establishment of the Community Development District of one hundred percent (100%) of the owners of the lands to be included within the Community Development District.

The undersigned hereby consents to the establishment of a Community Development District which will include the Property within the lands to be a part of the Community Development District and agrees to further execute any documentation necessary or convenient to evidence this consent and joinder during the application process for the establishment of the Community Development District.

The undersigned acknowledges that the consent will remain in full force and effect until the Community Development District is established or a written revocation is issued, whichever shall first occur. The undersigned further agrees that it will provide to the next purchaser or successor in interest of all or any portion of the Property a copy of this consent form and obtain, if requested by Petitioner, consent to establishment of the Community Development District in substantially this form.

The undersigned hereby represents and warrants that it has taken all actions and obtained all consents necessary to duly authorize the execution of this consent and joinder by the officer executing this instrument.

[signatures on following page]

Executed this 22nd day of March, 2024.

JEN FLORIDA 47 LLC,
a Florida limited liability company



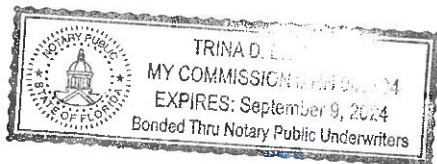
By: Dan Edwards
Its: Vice President

STATE OF FLORIDA
COUNTY OF SEMINOLE

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 22nd day of MARCH, 2024, by DAN EDWARDS, as VICE PRESIDENT of JEN FLORIDA 47 LLC, who is ☒ personally known to me or ☐ produced _____ as identification.



(Official Notary Signature & Seal)



Print Name: Trina D Dziawior
Notary Public, State of Florida HH 040734
Exp: 9/9/2024

Exhibit A

A PARCEL OF LAND LYING IN SECTIONS 23 AND 24, TOWNSHIP 23 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA

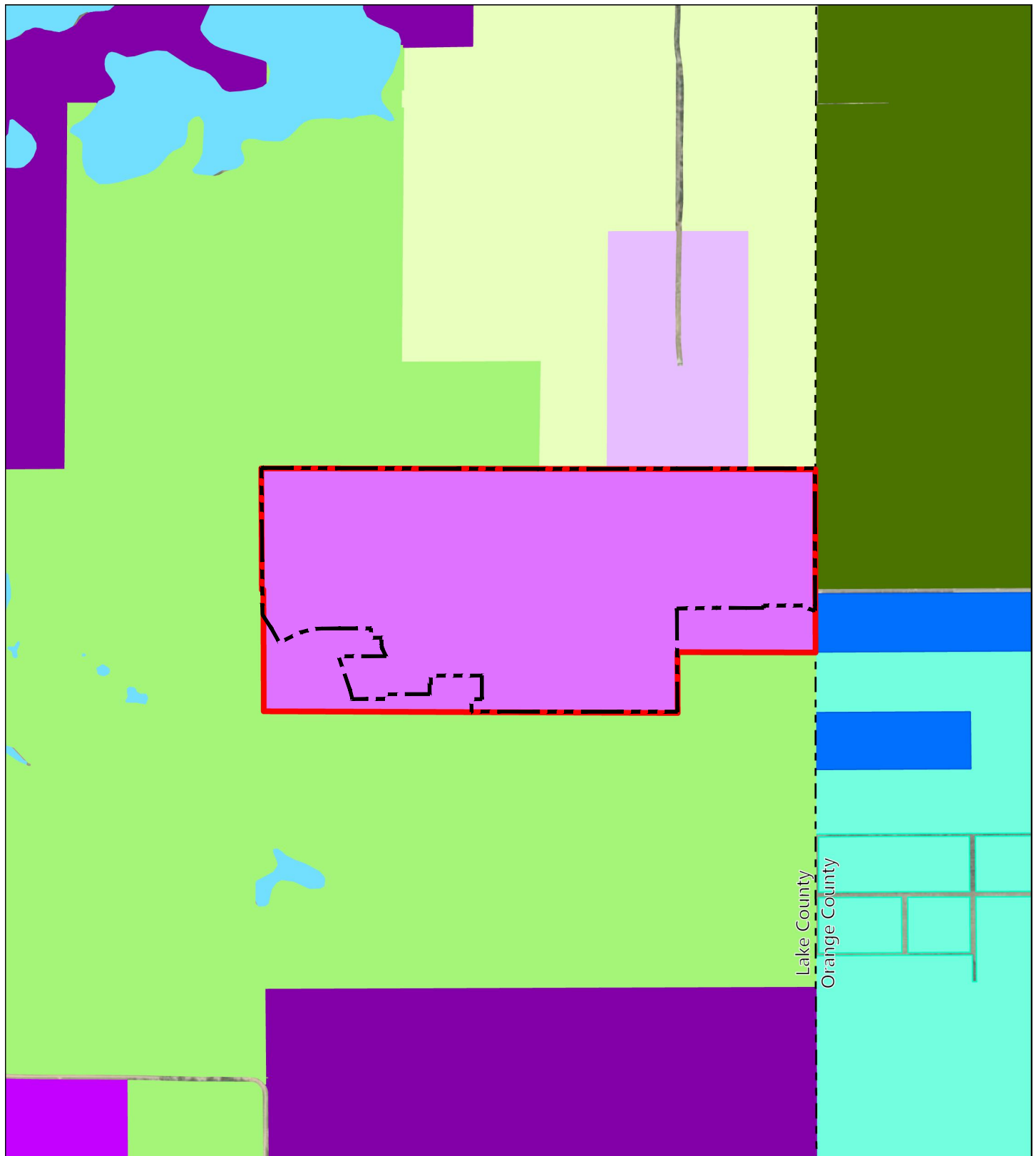
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BEGINNING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 24, THENCE RUN SOUTH 00°21'15" WEST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER FOR A DISTANCE OF 1368.18 FEET; THENCE DEPARTING SAID EAST LINE RUN SOUTH 89°49'30" WEST FOR A DISTANCE OF 20.47 FEET TO A POINT ON A NON TANGENT CURVE, CONCAVE NORTHEASTERLY HAVING A RADIUS OF 130.00 FEET, WITH A CHORD BEARING OF NORTH 66°44'18" WEST, AND A CHORD DISTANCE OF 62.54 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 27°50'08" FOR A DISTANCE OF 63.16 FEET TO A POINT ON A NON TANGENT LINE; THENCE RUN SOUTH 87°22'34" WEST FOR A DISTANCE OF 4.55 FEET; THENCE RUN SOUTH 89°52'13" WEST FOR A DISTANCE OF 292.57 FEET; THENCE RUN NORTH 89°44'51" WEST FOR A DISTANCE OF 291.28 FEET; THENCE RUN NORTH 89°16'46" WEST FOR A DISTANCE OF 282.81 FEET; THENCE RUN SOUTH 89°28'16" WEST FOR A DISTANCE OF 381.74 FEET; THENCE RUN SOUTH 89°09'02" WEST FOR A DISTANCE OF 2.40 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 24; THENCE RUN SOUTH 00°14'32" WEST ALONG SAID WEST LINE FOR A DISTANCE OF 1291.88 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH HALF OF SAID SECTION 24 AND THE NORTH RIGHT OF WAY LINE OF WELLNESS WAY AS RECORDED IN OFFICIAL RECORDS BOOK 6235, PAGES 346 THROUGH 352 AND OFFICIAL RECORDS BOOK 6240, PAGES 1087 THROUGH 1181; THENCE RUN NORTH 89°32'55" WEST ALONG SAID SOUTH LINE AND NORTH RIGHT OF WAY LINE FOR A DISTANCE OF 1695.86 FEET; THENCE DEPARTING SAID SOUTH LINE, RUN THE FOLLOWING COURSES AND DISTANCES ALONG SAID NORTH RIGHT OF WAY LINE: NORTH 86°41'03" WEST FOR A DISTANCE OF 40.02 FEET; THENCE RUN NORTH 89°32'55" WEST FOR A DISTANCE OF 200.63 FEET; THENCE RUN SOUTH 87°35'29" WEST FOR A DISTANCE OF 6.00 FEET; THENCE DEPARTING SAID NORTH RIGHT OF WAY LINE, RUN NORTH 00°00'00" EAST FOR A DISTANCE OF 68.72 FEET; THENCE RUN SOUTH 89°44'00" EAST FOR A DISTANCE OF 55.66 FEET; THENCE RUN NORTH 00°16'00" EAST FOR A DISTANCE OF 234.40 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 25.00 FEET, WITH A CHORD BEARING OF NORTH 44°44'00" WEST, AND A CHORD DISTANCE OF 35.36 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" FOR A DISTANCE OF 39.27 FEET TO THE POINT OF TANGENCY; THENCE RUN NORTH 89°44'00" WEST FOR A DISTANCE OF 479.00 FEET; THENCE RUN SOUTH 00°16'00" WEST FOR A DISTANCE OF 160.00 FEET; THENCE RUN NORTH 89°44'00" WEST FOR A DISTANCE OF 410.00 FEET; THENCE RUN SOUTH 00°16'00" WEST FOR A DISTANCE OF 45.00 FEET; THENCE RUN NORTH 89°44'00" WEST FOR A DISTANCE OF 335.69 FEET TO A POINT ON A NON TANGENT CURVE, CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 559.65 FEET, WITH A CHORD BEARING OF NORTH 13°47'47" WEST, AND A CHORD DISTANCE OF 87.01 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 08°55'02" FOR A DISTANCE OF 87.10 FEET TO A POINT ON A NON TANGENT LINE; THENCE RUN NORTH 18°23'46" WEST FOR A DISTANCE OF 344.25 FEET TO A POINT ON A NON TANGENT CURVE, CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 970.00 FEET, WITH A CHORD BEARING OF NORTH 18°19'11" WEST, AND A CHORD DISTANCE OF 2.58 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00°09'09" FOR A DISTANCE OF 2.58 FEET TO A POINT ON A NON TANGENT LINE; THENCE RUN SOUTH 89°44'00" EAST FOR A DISTANCE OF 456.83 FEET; THENCE RUN NORTH 24°44'00" WEST FOR A DISTANCE OF 77.24 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE NORTHEASTERLY HAVING A RADIUS OF 100.00 FEET, WITH A CHORD BEARING OF NORTH 12°14'08" WEST, AND A CHORD DISTANCE OF 43.25 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 25°00'00" FOR A DISTANCE OF 43.63 FEET TO THE POINT OF TANGENCY; THENCE RUN NORTH 00°16'00" EAST FOR A DISTANCE OF 336.64 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 25.00 FEET, WITH A CHORD BEARING OF NORTH 45°16'00" EAST, AND A CHORD DISTANCE OF 35.36 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" FOR A DISTANCE OF 39.27 FEET TO A POINT ON A NON TANGENT LINE; THENCE RUN NORTH 89°44'00" WEST FOR A DISTANCE OF 597.57 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 500.00 FEET, WITH A CHORD BEARING OF SOUTH 77°06'42" WEST, AND A CHORD DISTANCE OF 227.59 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 28°18'36" FOR A DISTANCE OF 229.60 FEET TO THE POINT OF TANGENCY; THENCE RUN SOUTH 63°57'24" WEST FOR A DISTANCE OF 167.26 FEET TO A POINT ON A NON TANGENT CURVE, CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 2310.00 FEET, WITH A CHORD BEARING OF NORTH 18°51'37" WEST, AND A CHORD DISTANCE OF 404.96 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 10°03'26" FOR A DISTANCE OF 405.48 FEET TO THE POINT ON A NON TANGENT LINE, SAID POINT BEING ON THE WEST LINE OF THE EAST 15.00 FEET OF THE NORTHEAST QUARTER OF AFORESAID SECTION 23; THENCE RUN NORTH 00°01'36" EAST ALONG SAID WEST LINE FOR A DISTANCE OF 1417.83 FEET TO A POINT ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 23; THENCE RUN SOUTH 89°56'38" EAST ALONG SAID NORTH LINE FOR A DISTANCE OF 15.00 FEET TO THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF AFORESAID SECTION 24; THENCE RUN SOUTH 89°20'55" EAST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER FOR A DISTANCE OF 2656.52 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 24; THENCE RUN SOUTH 89°42'53" EAST ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER FOR A DISTANCE OF 2671.37 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT: THE WESTERLY 45.00 FEET OF THE SOUTHERLY 35.00 FEET OF THE NORTHERLY 48.00 FEET OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 24, TOWNSHIP 23 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA.

CONTAINING 11,121.835 SQUARE FEET OR 253.32 ACRES, MORE OR LESS.

4



▬ Subject Property
- - - County Boundary
■ Water Bodies

Proposed Clermont FLU
■ Master Planned Development
 Lake County FLU
■ Public Service Facility

Rural
■ Wellness Way 2
■ Wellness Way 3
■ Wellness Way 4

Orange County FLU
■ Rural Settlement 1/5
■ Institutional
■ Village



0 2500 5000

Sources:
 Lake County GIS
 Orange County GIS
 State of Florida, USDA FSA, GeoEye, Maxar
 Page 100

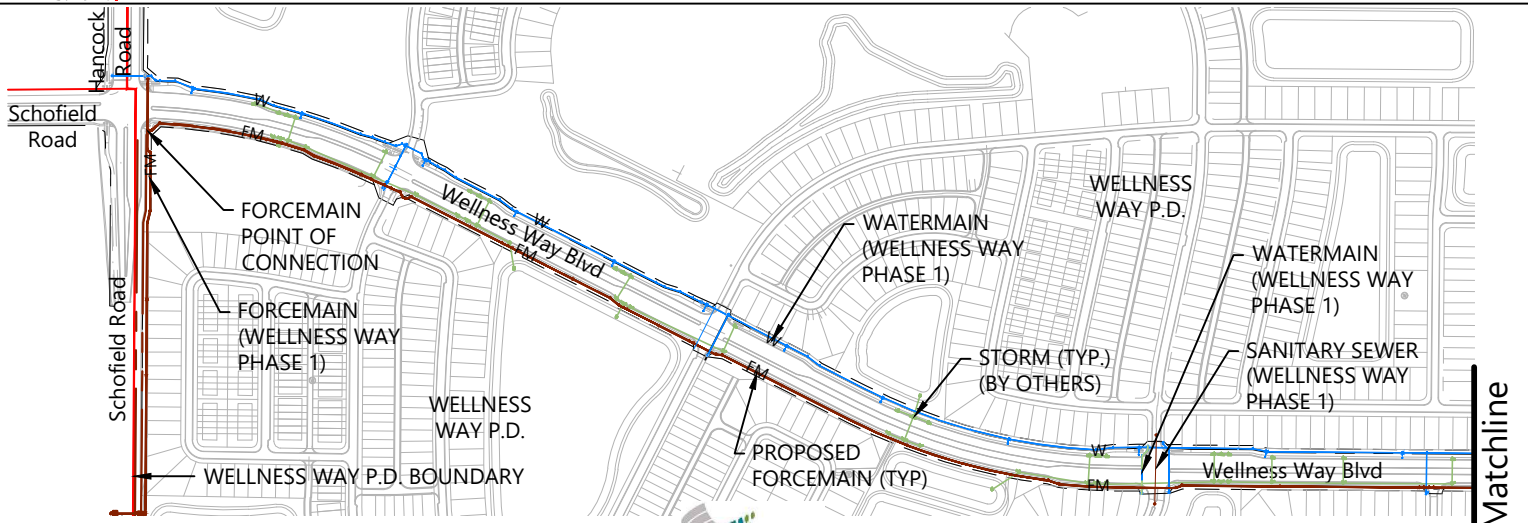
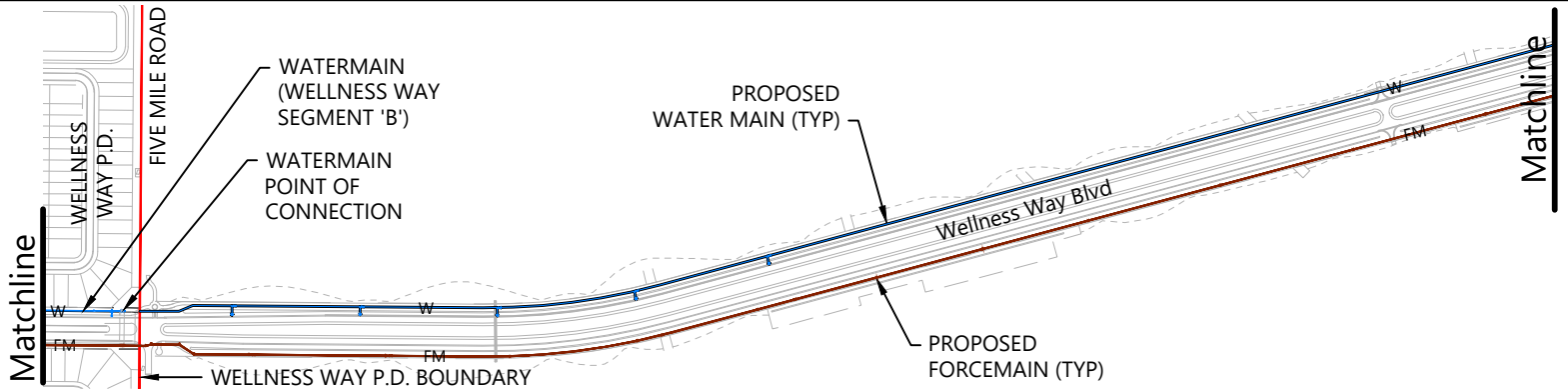
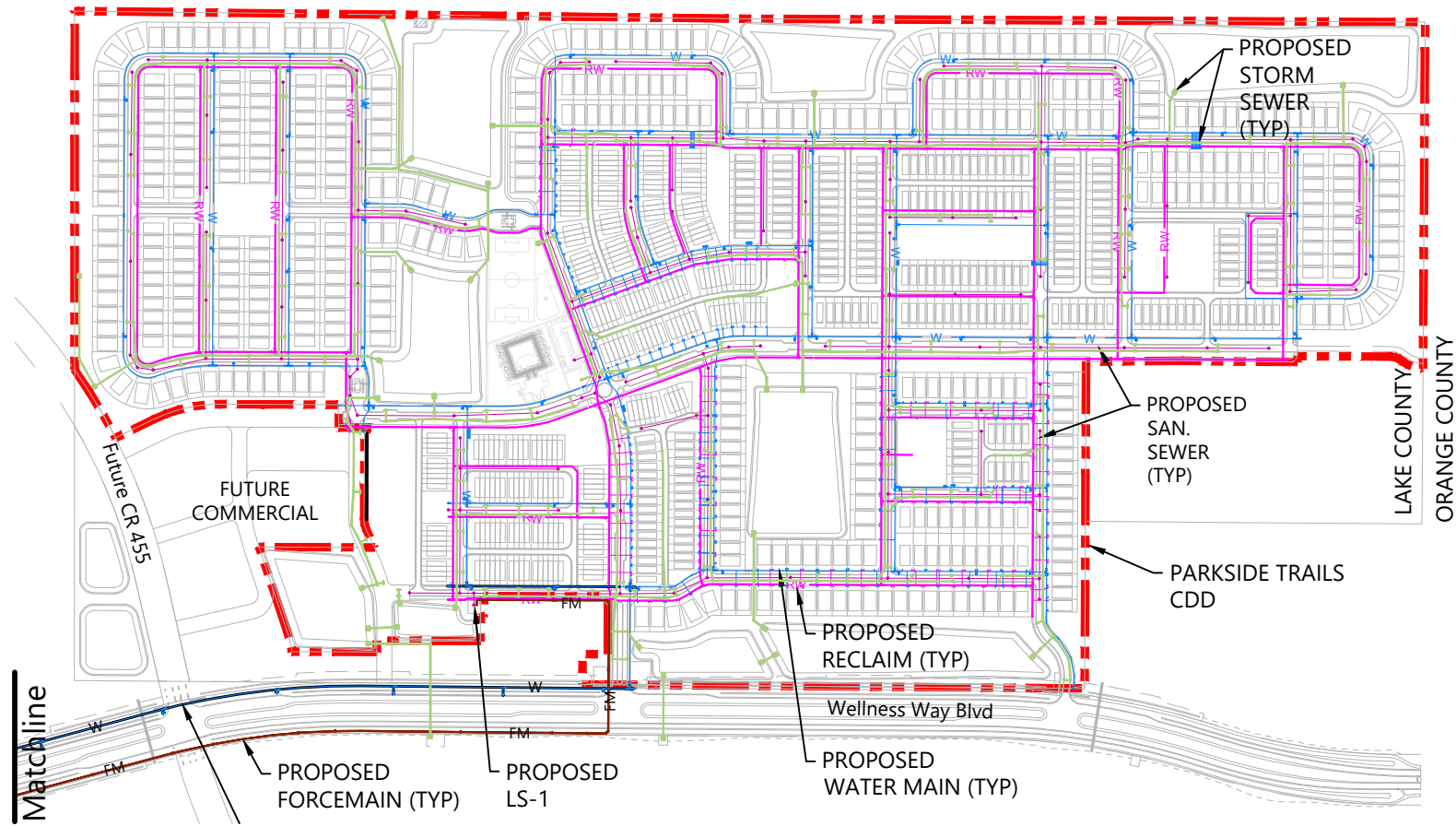


Proposed FLU
 Parkside Trails CDD
 City of Clermont, Florida

Exhibit 4

December 1, 2023

5



0 350 700



Drainage & Utilities
Parkside Trails CDD
City of Clermont, Florida

Exhibit 5

December 1, 2023

6

Exhibit 6 – CDD Facilities & Estimated Costs

Improvement	Estimated Cost	Financing Entity	Ownership Entity	Maintenance Entity
Master Development				
Stormwater Management System Improvements	\$ 13,780,000.00	CDD	CDD	CDD
Roadways*	\$ 9,750,000.00	CDD	CDD	CDD
Water & Wastewater Utilities	\$ 10,680,000.00	CDD	City	City
Lift Station & Forcemain	\$ 920,000.00	CDD	City	City
Reclaimed Water Main Utilities	\$ 4,450,000.00	CDD	CDD	CDD
Reclaimed Well & Pump Infrastructure	\$ 525,000.00	CDD	CDD	CDD
Hardscape, Landscape & Irrigation**	\$ 4,500,000.00	CDD	CDD	CDD
Offsite Utilities	\$ 3,750,000.00	CDD	City	City
Undergrounding of Electric***	\$ 1,900,000.00	CDD	CDD	CDD
subtotal	\$ 50,255,000.00			
Other				
Soft Costs (10%)	\$ 5,025,500.00	N/A	N/A	N/A
Contingency (15%)	\$ 7,538,250.00	N/A	N/A	N/A
TOTAL	\$ 62,818,750.00			

*Roadways reflects all public roads located within the boundaries of the CDD, including sidewalks within the public rights-of-way. To the extent there are private roadways within the CDD, such private roads and sidewalks will be privately funded, owned, and maintained and are not included in the CDD financing plan. Off-Site Roadway Construction is intended to be privately funded and is not included in the CDD financing plan.

** Includes landscaping and signage within public rights-of-way and entry monuments and signage, if any, located within the boundaries of the CDD.

***The CDD intends to lease streetlights through an agreement with Electric Provider. Accordingly, the CDD will not finance the lights but instead will fund them through an annual operations assessment. However, the CDD's improvement plan may include the differential cost of undergrounding the electric utilities.



CDD Facilities & Estimated Costs
Parkside Trails CDD
City of Clermont, Florida

Exhibit 6
January 16, 2024

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STATEMENT OF ESTIMATED REGULATORY COSTS

1.0 Introduction

1.1 Purpose and Scope

This Statement of Estimated Regulatory Costs (“SERC”) supports the petition to form the **Parkside Trails Community Development District** (the “District”). The proposed District comprises approximately 255.32 acres of land located within the City of Clermont, Florida (hereafter “City”). The project is planned for approximately 948 residential units constructed in seven (7) phases. The limitations on the scope of this SERC are explicitly set out in Section 190.002(2)(d), Florida Statutes, as follows:

“That the process of establishing such a district pursuant to uniform general law shall be fair and based only on factors material to managing and financing the service delivery function of the district, so that any matter concerning permitting or planning of the development is not material or relevant.”

1.2 Overview of the Parkside Trails Community Development District

The District is designed to provide community infrastructure, services, and facilities along with operation and maintenance of such facilities and services to the lands within the District. The District will encompass approximately 255.32 acres.

The Development plan for the proposed lands within the District includes approximately 948 residential units. Such uses are authorized for inclusion within the District. A Community Development District (“CDD”) is an independent unit of special purpose local government authorized by Chapter 190, Florida Statutes, to plan, finance, construct, operate and maintain community-wide infrastructure in planned community developments. CDD’s provide a “solution to the state’s planning, management and financing needs for delivery of capital infrastructure to service projected growth without overburdening other governments and their taxpayers.” Section 190.002(1)(a), Florida Statutes.

A CDD is not a substitute for the local, general purpose, government unit, e.g., the City/County in which the CDD lies. A CDD does not have the permitting, zoning or general police powers possessed by general purpose governments. A CDD is an alternative means of financing, constructing, operating, and maintaining community infrastructure for planned developments, such as Parkside Trails. The scope of this SERC is limited to evaluating the consequences of approving the petition to establish the District.

1.3 Requirements for Statement of Estimated Regulatory Costs

According to Section 120.541(2), Florida Statutes, a statement of estimated regulatory costs must contain:

(a) An economic analysis showing whether the rule directly or indirectly: is likely to have an adverse impact on economic growth, private sector job creation or employment, or private sector investment in excess of \$1 million in the aggregate within 5 years after the implementation of the rule; is likely to have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the rule; or is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule.

(b) A good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a general description of the types of individuals likely to be affected by the rule.

(c) A good faith estimate of the cost to the agency¹, and to any other state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state and local revenues.

(d) A good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local governmental entities, required to comply with the requirements of the rule. As used in this paragraph, “transactional costs” are direct costs that are readily ascertainable based upon standard business practices, and include filing fees, the cost of obtaining a license, the cost of equipment required to be installed or used or procedures required to be employed in complying with the rule, additional operating costs incurred, and the cost of monitoring and reporting, and any other costs necessary to comply with the rule.

(e) An analysis of the impact on small businesses as defined by Section 288.703, Florida Statutes, and an analysis of the impact on small cities defined by Section 120.52, Florida Statutes. The impact analysis for small businesses must include the basis for the agency’s decision not to implement alternatives that would reduce adverse impacts on small businesses.

(f) Any additional information that the agency determines may be useful.

(g) In the statement or revised statement, whichever applies, a description of any good faith written proposal submitted under Section 120.541(1)(a), Florida Statutes, and either a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule.

2.0 Adverse impact on economic growth, business competitiveness or increased regulatory costs, in excess of \$1 million.

The creation of the District will not meet any of the triggers in Section 120.541(2)(a), Florida Statutes. The basis for this determination is provided in the discussions in Section 3.0 through Section 6.0 of this SERC.

¹ For the purposes of this SERC, the term “agency” means the City of Clermont and the term “rule” means the ordinance(s) which Clermont will enact in connection with the creation of the District.

3.0 A good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a general description of the types of individuals likely to be affected by the rule.

As noted above, the Parkside Trails Community Development District is a community designed for approximately 948 residential units. Formation of the District would put all of these units under the jurisdiction of the District. Prior to sale of any units, all of the land owned by the Developer and any other landowner will also be under the jurisdiction of the District.

4.0 Good faith estimate of the cost to state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state and local revenues.

4.1 Costs of Governmental Agencies of Implementing and Enforcing Rule

State Government Entities

There will be only modest costs to various State governmental entities to implement and enforce the proposed formation of the District. The District as proposed will encompass under 2,500 acres, therefore the City is the establishing entity under sections 190.005(2), (2)(e), Florida Statutes. The modest costs to various State entities to implement and enforce the proposed rule relate strictly to the receipt and processing of various reports that the proposed District is required to file with the State and its various entities. The costs to those State agencies that will receive and process the District's reports are very small, because the District is only one of many governmental units that are required to submit the various reports. Therefore, the marginal cost of processing one additional set of reports is inconsequential. Additionally, pursuant to section 189.018, Florida Statutes, the proposed District must pay an annual fee to the State of Florida Department of Economic Opportunity, which offsets such costs.

City of Clermont

The City and its staff will process and analyze the petition, conduct a public hearing with respect to the petition, and vote upon the petition to establish the District. These activities will absorb some resources. However, the filing fee required by Chapter 190, Florida Statutes, is anticipated to cover the costs for review of the petition for establishment.

These costs to the City are modest for a number of reasons. First, review of the petition to establish the District does not include analysis of the project itself. Second, the petition itself provides much of the information needed for a staff review. Third, local governments already possess the staff needed to conduct the review without the need for new or additional staff. Fourth, there is no capital required to review the petition. Finally, local governments routinely process similar petitions for land uses and zoning charges that are far more complex than is the petition to establish a community development district.

The annual costs to the City because of the establishment of the District are minimal. The proposed District is an independent unit of local government. The only annual costs the City faces are the minimal costs of receiving and reviewing the various reports that the District is required to provide to the City. Furthermore, the City will not incur any quantifiable on going costs resulting from the

on-going administration of the District. As previously stated, the District operates independently from the City, and all administrative and operating costs incurred by the District relating to the financing and construction of infrastructure are borne entirely by the District and its landowners.

4.2 Impact on State and Local Revenues

Adoption of the proposed rule will have no negative impact on State and local revenues. The District is an independent unit of local government. It is designed to provide community facilities and services to serve the development. It has its own sources of revenue. No state or local subsidies are required or expected.

In this regard it is important to note that any debt obligations incurred by the District to construct infrastructure or facilities, or for any other reason, are not debts of the State of Florida or the City. In accordance with Florida law, debts of the District are strictly the District's own responsibility.

5.0 A good faith estimate of the transactional costs that are likely to be incurred by individuals and entities required to comply with the requirements of the ordinance.

Table 1 provides an outline of the various facilities and services the proposed District may provide. The master public infrastructure that may be financed by the District includes: onsite roadways; stormwater improvements; onsite and offsite potable water, wastewater, and reclaimed water utilities; electrical undergrounding; and landscape, and hardscape & irrigation.

**Table 1.
Parkside Trails CDD Proposed Facilities and Services**

District Infrastructure	Construction	Ownership	Capital Financing	Operations & Maintenance
Onsite Roadways and Alleys	District	District	District Bonds	District
Stormwater System	District	District	District Bonds	District
Onsite and Offsite Water & Wastewater Systems	District	City	District Bonds	City
Reclaimed Utilities	District	District	District Bonds	District
Electrical Undergrounding	District	District	District Bonds	District
Landscape, Hardscape, & Irrigation	District	District	District Bonds	District

Key: City = Clermont and District = Parkside Trails CDD

The petitioner has estimated the design and development costs for providing the capital facilities. The cost estimates are shown in Table 2 below. Total development costs for these facilities are estimated to be approximately \$62,818,750. The District may issue special assessments or other revenue bonds to fund the development of these facilities. These bonds would be repaid through non-ad valorem assessments levied on all developable properties in the District that may benefit from the District's capital improvement program.

Table 2. Cost Estimate for District Facilities

Infrastructure	Total Budget Estimate
Onsite Roadways	\$9,750,000
Master Stormwater System	13,780,000
Onsite and Offsite Water, Wastewater & Reclaimed Water Sys	19,800,000
Reclaimed Well and Pump	525,000
Electrical Undergrounding	1,900,000
Landscape, Hardscape, & Irrigation	4,500,000
Professional Fees and Permitting	5,025,500
Contingency	7,538,250
TOTAL	\$62,818,750

Landowners in the District may be required to pay non-ad valorem assessments levied by the District to secure the debt incurred through bond issuance. In addition to the levy of non-ad valorem assessments for debt service, the District may also impose non-ad valorem assessments to fund the operation and maintenance of the District and its facilities and services.

It is important to recognize that buying property in the District is completely voluntary. Ultimately, all owners and users of property within the District choose to accept the non-ad valorem assessments as a tradeoff for the numerous benefits and facilities that the District provides.

A CDD provides property owners with the option of having a higher level of facilities and services financed through self-imposed charges. The District is an alternative means to finance necessary community facilities and services. District financing is no more expensive, and often less expensive, than the alternatives of a municipal service taxing unit (MSTU), a neighborhood association, or through developer equity and/or bank loans.

In considering these costs it shall be noted that occupants of the lands to be included within the District will receive four major classes of benefits.

First, those property owners and businesses in the District will receive a higher level of public services sooner than would otherwise be the case.

Second, a District is a mechanism for assuring that the community services and amenities will be completed concurrently with development of lands within the District. This satisfies the revised growth management legislation, and it assures that growth pays for itself without undue burden on other consumers. Establishment of the District will ensure that these landowners pay for the provision of facilities, services and improvements to these lands.

Third, a District is the sole form of governance which allows District landowners, through landowner voting and ultimately electoral voting for resident elected boards, to determine the type, quality and expense of the District services they receive, provided they meet the City's overall requirements.

Fourth, the CDD has the ability to maintain infrastructure better than a Homeowners' Association ("HOA") because it is able to offer a more secure funding source for maintenance and repair costs through assessments collected on the county tax bill pursuant to section 197.3632, Florida Statutes.

The cost impact on the ultimate landowners in the District is not the total cost for the District to provide infrastructure services and facilities. Instead, it is the incremental costs above what the landowners would have paid to install infrastructure via an alternative financing mechanism. Given the low cost of capital for a CDD, the cost impact to landowners is negligible. This incremental cost of the high-quality infrastructure provided by the District is likely to be fairly low.

6.0 An analysis of the impact on small businesses as defined by Section 288.703, Florida Statutes, and an analysis of the impact on small counties and small cities as defined by Section 120.52, Florida Statutes.

There will be no impact on small businesses because of the formation of the District. If anything, the impact may be positive. This is because the District must competitively bid many of its contracts, affording small businesses the opportunity to bid on District work, and may also result in a need for additional retail and commercial services that afford small businesses and opportunity for growth.

The City of Clermont has an estimated population greater than 10,000 according to the most recent federal U.S. Census (2010). Therefore, the City is not defined as a "small" City according to Section 120.52(18), Florida Statutes.

7.0 Any additional useful information.

The analysis provided above is based on a straightforward application of economic theory, especially as it relates to tracking the incidence of regulatory costs and benefits. Inputs were received from the Developer's Engineer and other professionals associated with the Developer.

8.0 In the statement or revised statement, whichever applies, a description of any good faith written proposal submitted under Section 120.541(1)(a), Florida Statutes, and either a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule.

There have been no good faith written proposals submitted to the agency as described in section 120.541(1)(a), Florida Statutes.

Prepared by:

Governmental Management Services - Central Florida, LLC

January 16, 2024

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AUTHORIZATION OF AGENT

This letter shall serve as a designation of Tucker F. Mackie and Ryan J. Dugan of Kutak Rock LLP, whose address is 107 West College Avenue, Tallahassee, Florida 32301, to act as agents for Pulte Home Company, LLC, a Michigan limited liability company, with regard to any and all matters pertaining to the Petition to the City Council of the City of Clermont, Florida, to establish a Community Development District pursuant to Chapter 190, *Florida Statutes*. The petition is true and correct. This authorization shall remain in effect until revoked in writing.

Witnessed:

PULTE HOME COMPANY, LLC,
a Michigan limited liability company

Print Name: BERNARD SULLIVAN

Print Name: Amy Steiger

By: AARON STRUCKMEYER
Its: PERSON-AND DOCUMENT

STATE OF FLORIDA
COUNTY OF Orange

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 20th day of March 2024, by Aaron Struckmeyer as Director-Land Developer of Pulte Home Company, LLC, a Michigan limited liability company, who appeared before me this day in person, and who is either personally known to me, or produced _____ as identification.



JUSTIN LEE GRAUER
Notary Public
State of Florida
Comm# HH412522
Expires 6/19/2027

NOTARY PUBLIC, STATE OF FLORIDA

Name: Justin Lee Grauer
(Name of Notary Public, Printed, Stamped or Typed
as Commissioned)

Orlando Sentinel

OPINION

TWO VIEWPOINTS: PUERTO RICO

A call for civil rights: End colonialism in Puerto Rico

For 107 years, Puerto Ricans have lived as second-class U.S. citizens.

Just last month, the U.S. Commission for Civil Rights' Puerto Rico Advisory Committee released a memorandum highlighting the subjugation of Puerto Rico and revealing continuing disparities faced by its 3.2 million U.S. citizens. The memo exposed a sad yet undeniable reality: Puerto Ricans have been subjected to more than 100 years of structural and racial discrimination at the hands of Congress and the Supreme Court due to territorial status: federal voting rights, Medicare, Social Security and veterans' benefits are just a few examples.

Members of Congress can solve this legacy of territorial oppression by supporting the Senate and House versions of the Puerto Rico Status Act.

The U.S. Commission on Civil Rights' Puerto Rico Advisory Committee was established in 2022 to investigate civil rights issues affecting residents of Puerto Rico. Its memorandum included testimony and insights from diverse stakeholders from the island, including constitutional law scholars, veterans, civil society leaders and citizens. The document shines light on the systemic political discrimination faced by Puerto Ricans on the island for the past century, which includes having no vote for president, representation in the Senate or a voting member of the House of Representatives despite having a population greater than 19 states.

The memorandum also exposes how for more than a century the Supreme Court has legislated from the bench through the Insular Cases, denying Puerto Rico's path to statehood and justifying Congress' discrimination under federal laws and programs. Underneath this dark web of century-old federal case law, which is still in effect, lies a worldview where Puerto Rico residents are seen as "alien races" unable to understand Anglo-Saxon forms of government.

The committee plans to investigate these disparities and present recommendations to end inequality and civil rights violations stemming from Puerto Rico's



George H. Laws Garcia

territory status.

My recommendation is simple: Congress must pass the Puerto Rico Status Act to give the 3.2 million U.S. citizens a binding vote to choose their political future outside of the colonial territory status.

While the civil rights violations highlighted in the memorandum are not making national headlines, the situation in Puerto Rico is dire, with more than 700,000 people leaving due to inequality and lack of opportunities, tearing apart families and communities.

One cause of this outmigration highlighted in the memorandum is Puerto Rico's unequal treatment under Medicare, which has deprived residents on the island of quality care due to local health-care professionals receiving reimbursement rates "43 percent below the national average."

As Puerto Rico works to recover from the devastating natural disasters and fiscal and political crises of recent years, all Americans must take notice of the pressing need to address the civil rights violations being perpetuated by Congress on behalf of the American people to their fellow U.S. citizens in Puerto Rico. Voters in Puerto Rico have spoken up at the polls demanding change and an end to the territory status three times in the last decade. Continuing to ignore them is a price too high to pay in the fragile state of American democracy.

There remains time for Congress to listen to voters on the island by passing the Puerto Rico Status Act, which, if passed, would allow America to reconcile its colonial history with Puerto Rico. Now it's time for all Americans who believe in the fundamental promises of American democracy, equality and justice to have their voices heard by Congress to support and pass this legislation. The civil rights of your fellow U.S. citizens depend on it, and so does the future of American democracy.

George H. Laws Garcia is the executive director of the Puerto Rico Statehood Council — PR51st and a former acting director of the Puerto Rico Federal Affairs Administration. He wrote this for InsideSources.com.

Statehood would add to US debt, tip power balance

Every so often, whether Puerto Rico should be granted statehood becomes a hot topic, especially inside D.C.'s Beltway. Historically, the people of Puerto Rico have generally voted against becoming the 51st state. However, that has not stopped many from advocating for Puerto Rican statehood, which would assuredly result in two more Democratic senators and a handful of new Democratic representatives.

In 1898, after the Spanish-American War, Puerto Rico was officially designated as an "unincorporated territory," which matters because unincorporated territories, unlike incorporated territories, are not considered to become potential states in the future. Alaska and Hawaii, on the other hand, were granted the status of incorporated territories in 1912 and 1898, respectively. As such, both were granted statehood in 1959.

More important, it would be unwise to make Puerto Rico the 51st state because the island is an economic basket case. Puerto Rico is drowning in more than \$140 billion of debt. If Puerto Rico were to become a state, that \$140 billion would be absorbed by the U.S. government and added to the \$34.5 trillion national debt. The United States spends more than \$1 trillion yearly on interest payments on the national debt, more than we spend on the entire military budget. We cannot afford any more debt.

Unfortunately, the average per-capita income in Puerto Rico is \$24,560. This is significantly lower than the per-capita income in the United States (\$65,423) and well below the per-capita income of Mississippi (\$48,110), which ranks as the poorest state in the nation.

So, if Puerto Rico were granted statehood, the 3.2 million people living on the island would immediately become eligible for all federal social safety net benefits, such as the Supplemental Nutrition Assistance Program. This would add a huge new load to programs like SNAP, which



Chris Talgo

are already overburdened and skyrocketing in cost.

On the political front, several potential pitfalls associated with Puerto Rican statehood could create even more problems in the future. First and foremost, if Puerto Rico were to become a state, it would incentivize other territories and the District of Columbia to pursue statehood. This would further upset the delicate balance of political power because it would likely result in total Democratic control of Congress and the executive branch.

As then-Senate Majority Leader Mitch McConnell said in 2019, when the issue of D.C. and Puerto Rico statehood reached an apex in the Democratic-controlled House of Representatives, "They plan to make the District of Columbia a state — that'd give them two new Democratic senators — Puerto Rico a state, that would give them two more new Democratic senators. So, this is full-bore socialism on the march in the House. And yeah, as long as I'm the majority leader of the Senate, none of that stuff is going anywhere."

McConnell is right. If Puerto Rico became a state, it would likely result in decades of Democratic political control.

We also must recognize that granting statehood is an arduous process that necessitates several steps, including a referendum among the people, passage by both houses of Congress, and the signature of the president. Given that Puerto Rico is not an incorporated territory, the people of Puerto Rico seem mostly apathetic on statehood, Congress is unlikely to agree on this issue anytime soon, and there is no guarantee of presidential authorization, it looks like the entire notion of Puerto Rican statehood in the not-too-distant future will simply have to remain a pipe dream.

Chris Talgo is the editorial director at The Heartland Institute. He wrote this for InsideSources.com.

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NOTICE OF PUBLIC HEARINGS

City of Clermont City Council

Petition to Establish the Parkside Trails Community Development District

DATE:

JUNE 11, 2024 (FIRST READING)

JUNE 25, 2024 (SECOND READING)

TIME:

6:30PM

LOCATION:

City Hall – Council Chambers

685 W. Montrose Street

Clermont, Florida 34711

In compliance with the provisions of Chapter 190, *Florida Statutes*, public hearings will be held by the City Council for the City of Clermont, Florida (the "Council") on **June 11, 2024 (Fist Reading)** and **June 25, 2024 (Second Reading)**, both at 6:30 p.m., in the **City Hall – Council Chambers, 685 W. Montrose Street, Clermont, Florida, 34711**, to consider the following proposed Ordinance 2024-025:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, FLORIDA, ESTABLISHING, ON THE PROPOSED PROPERTY KNOWN AS PARKSIDE TRAILS AND FURTHER DESCRIBED HEREIN, AND RECOGNIZING, THE PARKSIDE TRAILS COMMUNITY DEVELOPMENT DISTRICT, CREATED AND CHARTERED BY UNIFORM GENERAL LAW, THE UNIFORM COMMUNITY DEVELOPMENT DISTRICT ACT OF 1980, AS CODIFIED IN CHAPTER 190, FLORIDA STATUTES; ACKNOWLEDGING THE UNIFORM DISTRICT CHARTER EXPRESSED IN CHAPTER 190, FLORIDA STATUTES; AND DESIGNATING THE INITIAL MEMBERS OF THE DISTRICT BOARD OF SUPERVISORS; AND, DESIGNATING THE PROPOSED LAND AREA WITHIN WHICH THE DISTRICT MAY MANAGE AND FINANCE ITS BASIC INFRASTRUCTURE, SYSTEMS, FACILITIES, SERVICES, IMPROVEMENTS AND PROJECTS; PROVIDING FOR SEVERABILITY AND REPEAL, EFFECTIVE DATE, AND RECORDING.

The proposed Parkside Trails Community Development District (the "District") is comprised of approximately 255.32 acres, generally located north of Schofield Road, east of 5 Mile Road, south of W. Phil C. Peters Road, and west of the Orange County line, as further depicted in the attached map. The Petitioner has proposed to establish the District to plan, finance, acquire, construct, operate and maintain infrastructure and community facilities which may be authorized by the District under Florida law, including but not limited to: stormwater improvements, roadways, water and wastewater utilities, lift station and forcemain, reclaimed water main utilities, reclaimed well and pump infrastructure, hardscape, landscape and irrigation, offsite utilities, undergrounding of electric, and other infrastructure.

Any affected individual or governmental entity shall be given an opportunity at the public hearing to appear and present oral or written comments for or against the Petition. Written comments filed with the Council will be considered and will be made a matter of record at the public hearing. **Persons wishing to appeal any decision made by the Council at the above-referenced public hearing are hereby notified they may need to ensure that a verbatim record of these proceedings is made, including the testimony and any documentary evidence on which an appeal may be based.**

In accordance with the Americans with Disabilities Act of 1990 (ADA) and Section 286.26, *Florida Statutes*, if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, such person shall, not later than two (2) business days prior to the proceedings, call (352) 394-4081 for assistance. Si usted requiere ayuda especial bajo la ley de Americanos con Incapacidades de 1990, por favor llame al (352) 394-4081.

A copy of the proposed Ordinance and Petition are open to public inspection during normal business hours between 8:00 a.m. and 5:00 p.m., Monday through Friday, at the Clerk's Office, 685 W. Montrose Street, Clermont, Florida, 34711.

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AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, June 25, 2024		
Agenda Item Name		
Lien Reduction Request 780 W. Hwy. 50		
Requested Action		
Staff Report		
This request is for a Lien Reduction for the Burger King Restaurant (Alt Key #3693353) located at 780 West Hwy 50. This parcel is approximately 1.07 acres and is zoned C-2 General Commercial with a future land use of Commercial. The current owner is Burger King Company LLC #2170. The code case started in 2022 for issues surrounding storm water erosion and was cited under section "Storm Drainage and Grading/Drainage." It went before the Code Enforcement Board in July 2022 where fines were assessed at \$250.00 per day. Due to continued non-compliance, a lien was created in July 2023 with an amount owed of \$73,000.00 (C2202-000137). The parcel came into compliance in April 2024 after 766 days due to FDOT and several contractors being involved. The total amount owed is \$147,750.00. All notices and orders were sent to the owner(s); and, as of today, the property is still in compliance. The applicant is proposing a full waiver of the amount owed. City staff and several departments were involved, including FDOT and the Public Services Department. Therefore, staff is recommending 20% (\$29,550) of the amount owed.		
Additional Analysis		
Fiscal Impact Summary		
None.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Location Map	Location Map.docx	
2. Application	Application.pdf	

Location Map
780 West Highway 50





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Code Enforcement Lien Reduction Request Form

BY COMPLETING THIS FORM, YOU ARE MAKING STATEMENTS UNDER OATH. FAILURE TO BE TRUTHFUL IS A VIOLATION OF FLORIDA STATUTES PERTAINING TO PERJURY, WHICH IS A FELONY PUNISHABLE BY UP TO 15 YEARS IMPRISONMENT (F.S. 837.02).

INSTRUCTIONS:

- Please complete the entire form. Failure to provide complete information will delay consideration of your request.
- A request for reduction of a Code Compliance fine/lien will not be considered until the property is deemed to be in full compliance by the Code Enforcement Supervisor or other code enforcement staff.
- Be specific when writing your request statement.
- Please deliver this completed form to the City of Clermont Code Enforcement Division, ATTN: Evie Wallace, Code Enforcement Manager at 685 West Montrose St Clermont, FL 34711 or email packet to ewallace@clermontfl.org to the attention of Evie Wallace.
- The reduction request will then be sent for Code Enforcement review to verify that all criteria for consideration under the Annual Lien Forgiveness Program are met.
- Once it has been verified that your request meets all criteria for consideration, you will be contacted by Code Enforcement to facilitate the case to be heard before the Clermont City Council. It will be at the discretion of the council to consider a reduction. If a full payment of the reduced amount is not received by the City by the date determined by City Council, it could result in the reinstatement of the full amount of the Code Enforcement fine/lien.
- **Please be advised that the State of Florida has a broad public records law (Ch. 119, Fla. Stat.) and this form and all of its attachments submitted to the City are public records and subject to public disclosure unless an express statutory exemption applies.**



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Applicant's Name: ADISER ORLANDO LLC	Applicant's Phone Number: 689-710-0120
Applicant's Mailing Address: jpedraglio@adiserorlando.com	
Authorized Representative's Name (who will be present at the Hearing): Eddie Alvarez	
Current Property Owner's Name: Burger King Company LLC	
Current Property Owner's Mailing Address: propertymanagement@rbi.com	
Current Property Owner's Phone Number: (917) 858-3514	
Name of Property Owner when lien was assessed: Burger King Company LLC	
Name of Person who lived at the property when the lien was placed: Adiser Orlando LLC, dba Burger King restaurant #2170	
Reason(s) violation(s) were not corrected before lien(s) were placed: As it was an underground issue, upon being notified of the issue, we immediately started to seek for the right solution. In February 2022, as soon as we became aware of the issue with the stormwater system, we immediately began to work with the City to address the same. Throughout February 2022, we spoke with code enforcement and FDOT on numerous occasions to determine the cause of the soil erosion and ascertain the appropriate repairs necessary. We also hired various specialists, contractors and engineers to assist us with this project, performed different tests and studied different alternatives – all of which took time. We communicated all of our findings with the City and maintained the City apprised throughout the process. The technical recommendation was to build a retention pond, which implied the demolition of the whole parking lot to redirect rain drainage to the new pond. Despite our diligent efforts to timely comply with the notice of violation, due to the extent of the work required and the numerous roadblocks we encountered in correcting same, we were unable to fully comply and cure the violation within the short time period allotted. When the City placed the lien on the property, we were waiting for City approval of the drawings and specifications for the proposed work. Code enforcement considered applying the lien just to ensure the property couldn't be sold and to ensure the problem was finally going to be fixed.	
Is money held in escrow pending the lien reduction/release Hearing: ☐ Yes ☒ No	



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Proposed Reduced Fine Amount Proposed to be Paid: We do not believe we deserve any fine.

Does this lien reduction relate to the sale of the property? (If yes, a Closing Disclosure Statement or HUD Settlement Statement must be attached) ☐ Yes ☒ No

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

I, Juan Carlos Pedraglio – Adiser Orlando LLC, do hereby submit this request for Reduction/Elimination of the fines and/or liens, and in support offer the following statement:

Our company took possession of this restaurant in April 2021. It was not until February 2022 that we became aware of the ongoing situation (which we later learned may have commenced sometime in 2016, if not earlier) and that it was never fixed or handled by the former tenant.

Manhole near Highway 50 had collapsed, and water/sand was being sent directly to the highway. When advised by the City, we immediately hired 2 different companies to perform the assessments and provide us with the different alternatives that could solve the problem. We inserted cameras inside the collapsed manhole and showed them to the City inspectors. The companies concluded that the stormwater system had been clogged for approximately ten (10) years and, as a result, the manhole leading to the stormwater system had deteriorated and roots from nearby trees were growing through the system. As you can imagine, having only occupied the Property for one (1) year, we were surprised to learn about this approximately ten (10) year old issue that had progressively worsened over time. Although this matter predated our occupancy of the Property, we proceeded to find a solution.

Finally, the recommendation was to eliminate the manhole and build a retention pond on the back of the parking lot. To do so, we had to completely destroy our parking lot, insert new rain drains and redirect all new pipes to the pond, along with creating a whole new landscape for the entire lot. The next obstacle was finding the engineer to perform the work. We met with several engineers between September 2022 and January 2023, none of which wanted to take on the project due to its complexities.

Once we hired an engineer that was willing to perform the work and they commenced doing so, we had to close our restaurant for more than 6 months, which caused a huge financial and commercial loss to our company. In addition to the expenses incurred in hiring various contractors, specialists, engineers, attorneys, etc. and the cost of the work being performed. The entire project (without construction) has cost over \$100,000 to complete.

We diligently and actively pursued this matter, which significantly predates us, despite all the obstacles that we encountered since February 2022. Moreover, it would have been impossible to correct the violations within the allotted period of time given that City officials, FDOT and several contractors and engineers were unable to find a solution for over six (6) months and then, once a potential solution was identified, certain engineers did not want to take on the project due to its complexities. Accordingly, we ask that the City grant us an extension to the August Compliance Date and waive all the fines assessed against the Property in connection therewith.



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We feel that we should not be responsible for the fines/lien – or responsible for a significantly reduced sum – because this problem had existed since at least 2016 (which is easy to prove just by looking at Google map pictures), and despite it predating us, we were tasked with devising and implementing a solution within an exceedingly compressed timeframe, necessitating significant financial investment on our part (almost \$1.5M)

The outcome of our efforts is a rejuvenated site, featuring an advanced rain drainage system unparalleled by any neighboring property. This not only enhances the aesthetic appeal of the city but also significantly contributes to the safety of motorists traversing Highway 50. Through this endeavor, we have not only addressed a critical infrastructural need but have also added value to the community at large.

A handwritten signature in black ink, appearing to read 'Juan Carlos Pedraglio'.

Signature:

Date: April 2, 2024

Printed Name: Juan Carlos Pedraglio – Adiser Orlando LLC

THIS SECTION TO BE COMPLETED BY A CITY OF CLERMONT OFFICIAL

Code Enforcement Case Number: C2202 000137	Property Address: 780 Hwy 50
Name of Property Owner when lien was placed: Burger King	



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Violation(s): <i>Sec. 94-227 Maintenance of Installed Systems</i> <i>IPC 507.1, 302.2 Grading + Drainage, 34-63 NOTICE TO</i>	
Case was presented to the Special Magistrate on: <i>CEB July 18, 2022</i> <i>ABATE</i>	
Daily Fine Imposed: \$ <i>250</i>	Number of Days Fine Ran: <i>591</i>
Date Fine Began: <i>8/19/22</i>	Date Fine Ended: <i>4/1/24</i>
Total Amount Due: \$ <i>147,750⁰⁰</i>	Number of Days the Property was in Violation: <i>766</i>
Is the violation a heightened health or safety concern: ☐ Yes ☒ No	
Has the Property Owner been cooperative with Code Compliance: ☒ Yes ☐ No	
Costs Expended on this Case by Code Enforcement post Special Magistrate Hearing:	
Costs Expended on this Case by _____ Department post Special Magistrate Hearing:	
Costs Expended on this Case by _____ Department post Special Magistrate Hearing:	
Costs Expended on this Case by _____ Department post Special Magistrate Hearing:	

20% = \$7,380.⁵⁰



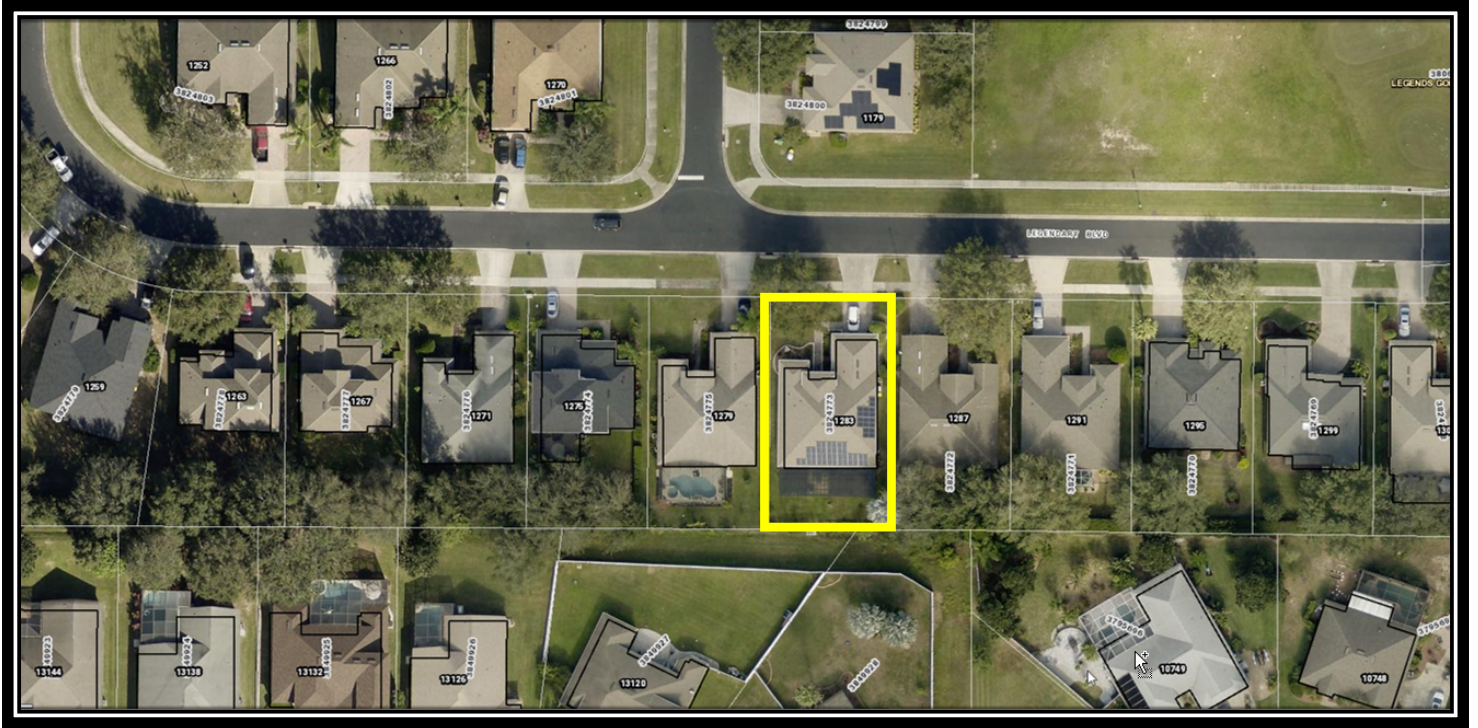
CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, June 25, 2024		
Agenda Item Name		
Lien Reduction Request 1283 Legendary Blvd.		
Requested Action		
Staff Report		
This is a request for a Lien Reduction on a Single Family Residence located inside the Beacon Ridge neighborhood at the Legends Community located at 1283 Legendary Blvd (Alt key# 3824773). It was previously owned by Mr. Daniel Boyan who recently passed away, and currently his heirs have control of the property. The family has retained an attorney, Mr. Cameron White, who has been in contact with the City. The parcel is zoned PUD (Planned Unit Development) with a future land use of Master Planned Development. The case started in November 2021 for an unpermitted pergola in the backyard, cited under "Building Permit Required". After several attempts to have the owner permit the pergola, the case went before the code enforcement board in May 2022. The Code Board assessed fines of \$150 per day until compliance was met. On May 19, 2023, due to non-compliance and fines that continued to accrue, a lien was created by the Code Enforcement Board. The parcel came into compliance on May 7, 2024, after 689 days with a total amount owed of \$103,350.00. Mr. White, who is representing the property, is requesting a lien reduction since the property is in compliance and the family is attempting to sell the residence. The applicant is proposing a lien payout of \$1,000.00, the amount owed which staff agreed to due to the circumstances of the case.		
Additional Analysis		
Fiscal Impact Summary		
None.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Location Map	Location Map.docx	
2. 1283 Legendary Blvd Application	1283 Legendary Blvd Application.pdf	

Location Map
1283 Legendary Blvd.





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Code Enforcement Lien Reduction Request Form

BY COMPLETING THIS FORM, YOU ARE MAKING STATEMENTS UNDER OATH. FAILURE TO BE TRUTHFUL IS A VIOLATION OF FLORIDA STATUTES PERTAINING TO PERJURY, WHICH IS A FELONY PUNISHABLE BY UP TO 15 YEARS IMPRISONMENT (F.S. 837.02).

INSTRUCTIONS:

- Please complete the entire form. Failure to provide complete information will delay consideration of your request.
- A request for reduction of a Code Compliance fine/lien will not be considered until the property is deemed to be in full compliance by the Code Enforcement Supervisor or other code enforcement staff.
- Be specific when writing your request statement.
- Please deliver this completed form to the City of Clermont Code Enforcement Division, ATTN: Evie Wallace, Code Enforcement Manager at 685 West Montrose St Clermont, FL 34711 or email packet to ewallace@clermontfl.org to the attention of Evie Wallace.
- The reduction request will then be sent for Code Enforcement review to verify that all criteria for consideration under the Annual Lien Forgiveness Program are met.
- Once it has been verified that your request meets all criteria for consideration, you will be contacted by Code Enforcement to facilitate the case to be heard before the Clermont City Council. It will be at the discretion of the council to consider a reduction. If a full payment of the reduced amount is not received by the City by the date determined by City Council, it could result in the reinstatement of the full amount of the Code Enforcement fine/lien.
- **Please be advised that the State of Florida has a broad public records law (Ch. 119, Fla. Stat.) and this form and all of its attachments submitted to the City are public records and subject to public disclosure unless an express statutory exemption applies.**



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Applicant's Name: <i>Greg Toplitz</i>	Applicant's Phone Number: <i>(909) 261-3495</i>
Applicant's Mailing Address: <i>11520 Wills Creek Road, San Diego, CA 92131</i>	
Authorized Representative's Name (who will be present at the Hearing): <i>Cameron White</i>	
Current Property Owner's Name: <i>Estate of Daniel L. Boyan</i>	
Current Property Owner's Mailing Address: <i>c/o Law Office of Cameron H.P. White, P.A., 9100 Conroy-Windermere Rd., Ste. 200, Windermere, FL 34786</i>	
Current Property Owner's Phone Number: <i>c/o Law Office of Cameron H.P. White, P.A., (407) 792-6011</i>	
Name of Property Owner when lien was assessed: <i>Daniel L. Boyan</i>	
Name of Person who lived at the property when the lien was placed: <i>Daniel L. Boyan</i>	
Reason(s) violation(s) were not corrected before lien(s) were placed: <i>Mr. Boyan's severe mental illness impaired his decision-making abilities, as evidenced by his arrest record.</i>	
Is money held in escrow pending the lien reduction/release Hearing: ☐ Yes ☒ No	
Proposed Reduced Fine Amount Proposed to be Paid: <i>\$1,000.00</i>	
Does this lien reduction relate to the sale of the property? (If yes, a Closing Disclosure Statement or HUD Settlement Statement must be attached) ☐ Yes ☒ No	

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

I, Greg Toplitz, do hereby submit this request for Reduction/Elimination of the fines and/or liens, and in support offer the following statement:



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We wish to bring to your attention that the homeowner, Daniel L. Boyan, passed away on January 2, 2024. It was only several months subsequent to this event that we were made aware of the existing Code Violation concerning the construction of an unpermitted deck and pergola on the property. Upon discovery of this issue, we proactively engaged our probate attorney to consult with both the City Attorney and the Association's attorney. This was done to meticulously ascertain the requisite steps needed to rectify the situation and ensure full compliance with all relevant regulations. Immediately upon understanding our remedial options, we acted decisively to address and resolve the violation. We trust that our prompt and thorough response underscores our commitment to resolving this matter efficiently and responsibly, and we respectfully request your cooperation in facilitating a swift resolution.

Signature: Greg Toplit
Printed Name: Greg Toplit

Date: May 8, 2024



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THIS SECTION TO BE COMPLETED BY A CITY OF CLERMONT OFFICIAL

Code Enforcement Case Number: C2111-000009	Property Address: 1283 Legendary Blvd
Name of Property Owner when lien was placed: Daniel Boyan	
Violation(s): Building Permit Required	
Case was presented to the Special Magistrate on: May 16, 2022	
Daily Fine Imposed: \$ 150	Number of Days Fine Ran: 689
Date Fine Began: 6.17.22	Date Fine Ended: 5.7.24
Total Amount Due: \$ 103,350.00	Number of Days the Property was in Violation: 914
Is the violation a heightened health or safety concern: ☐ Yes ☒ No	
Has the Property Owner been cooperative with Code Compliance: ☐ Yes ☒ No until now w/ new Att through Probate	
Costs Expended on this Case by Code Enforcement post Special Magistrate Hearing:	

10% = \$10,335
1% = \$1,000



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Costs Expended on this Case by _____ Department post Special Magistrate Hearing:
Costs Expended on this Case by _____ Department post Special Magistrate Hearing:
Costs Expended on this Case by _____ Department post Special Magistrate Hearing:

