



**CITY OF CLERMONT
COUNCIL MEETING AGENDA
6:30 PM, Tuesday, May 24, 2016**

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. For items listed on the agenda, each speaker will be permitted 5 minutes to address the Council. For non-agenda items, each speaker will be permitted 3 minutes to address the Council. These time limits may be changed by the Mayor. Thank you for participating in your City Government.

CALL TO ORDER

INVOCATION & PLEDGE OF ALLEGIANCE

PRESENTATIONS

LakeXpress

Citizens Academy

Quarterly Budget Presentation

PROCLAMATION

Election Proclamation

PUBLIC COMMENTS

REPORTS

CONSENT AGENDA

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

Item No. 1 - Plat Approval

Consider approval of The Moorings plat.

Item No. 2 - Event Fee Variance & Open Container

Consider a 100% fee variance of staff and grounds fees with an open container area to the Greater Clermont Cancer Foundation for the Music Festival. Recommend grounds fee waiver and open container; applicant pays staff fees.

Item No. 3 - Event Road Closure & Open Container

Consider allowing the Clermont Downtown Partnership's Mega Food Truck Rally to be held in Downtown Clermont along with a road closure and an open container area on June 18, 2016 from 12:00 PM to 9:00 PM

Item No. 4 - Event & Road Closure

Consider allowing the Clermont Downtown Partnership's Farmer's Market to be held in Downtown Clermont along with a road closure every Sunday from 6:00 AM to 4:30 PM for 12 months.

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6:30 PM, Tuesday, May 24, 2016**

Item No. 5 - Resolution No. 2016-16

Consider approval of the revised Property Control Policy.

Item No. 6 - Resolution No. 2016-17

Consider application of 2016 Florida Division of Cultural Affairs Cultural Facilities Program Grant in the amount of \$500,000 for the West Lake Wetlands (Victory Pointe) Event Area with a stipulation of matching funds.

UNFINISHED BUSINESS

Item No. 7 - Ordinance No. 2016-18 *Final*
WaterBrooke

Consider ordinance to annex 28.6 +/- acres for property located at the northeast corner of Hancock Road and Lost Lake Road.

Item No. 8 - Ordinance No. 2016-19 *Transmittal*
WaterBrooke

Consider ordinance transmittal for a comprehensive plan amendment to change the future land use from Lake County Regional Commercial to Low Density Residential for property located northeast of the corner of Hancock Road and Lost Lake Road.

Item No. 9 - Ordinance No. 2016-20 *Final*
WaterBrooke

Consider ordinance to change the zoning from UE Urban Estate to Planned Unit Development for property located at the northeast corner of Hancock Road and Lost Lake Road for the entire subdivision.

Item No. 10 - Ordinance No. 2016-17 *Final*
The Vue

Consider ordinance to change the zoning from C-2 General Commercial and Urban Estate to Planned Unit Development for property located south of Highway 50 and west of Miss Florida Avenue and north of Hooks Street.

Item No. 11 - Ordinance No. 2016-21 *Final*
The Vue

Consider ordinance to close the right-of-way on property located south of Highway 50, north and south of Hooks Street, and west of Miss Florida Avenue.

**CITY OF CLERMONT
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6:30 PM, Tuesday, May 24, 2016**

NEW BUSINESS

Item No. 12 - Resolution No. 2016-15
The Vue

Consider a conditional use permit to allow for multi-family residential for property located south of Highway 50, west of Miss Florida Avenue and north of Hooks Street.

Item No. 13 - Resolution No. 2016-12
Walmart

Consider a conditional use permit (Resolution 1316) amendment to allow for an expansion to the existing building located at 1450 Johns Lake Road.

Item No. 14 - Resolution No. 2016-13
Real Life Christian Church

Consider a conditional use permit (Resolution 2012-28) amendment to allow for an additional vehicle access point located at 1501 Steves Road.

Item No. 15 - Resolution No. 2016-14
Magic Moments
Table to June 28, 2016

Consider a conditional use permit to allow a daycare facility in the Central Business District located at 756 West Avenue.

Item No. 16 - Variance Request
Hyundai of Central Florida

Consider variance request to allow a building façade to exceed 100 feet horizontally without a 3-foot architectural offset.

Item No. 17 - Ordinance No. 2016-22 *Introduction*

Consider ordinance introduction to create City Code Chapter 55 , "Parks and Recreation Areas" and to define guidelines for those areas.

ADJOURN

Any person wishing to appeal any decision made by the City Council at this meeting will need a record of the proceedings. For that purpose, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. In accordance with the Americans with Disabilities Act (ADA), if any person with a disability defined by the ADA needs special accommodation to participate in this proceeding, then not later than two business days prior to the proceeding he/she should contact Clermont, City Clerk's Office, 352-241-7330.

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

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, May 24, 2016		
Agenda Item Name		
Citizens Academy		
Requested Action		
Recognize and thank members of the first Citizens Academy for this interest and commitment to the City of Clermont.		
Staff Report		
About 25 residents of greater Clermont attended the inaugural Citizens Academy, which included six weeks of in-depth tours and presentations by staff. The course included: Week 1 - City government; Week 2 - Clermont Police Department; Week 3 - Clermont Fire Department; Week 4 - Environmental Services Department; Week 5 - Finance and Development Services Departments; Week 6 - Parks and the Clermont Arts & Recreation Center and graduation.		
Additional Analysis		
Citizens and department heads will be asked to complete evaluations. Those will be analyzed before the next academy in the fall.		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		

City of Clermont
Mayor's Proclamation

The General Election of the City of Clermont shall be held on the 8th day of November, 2016, between the hours of 7:00 a.m. and 7:00 p.m. Eastern Standard Time at the Clermont City Center, 620 W. Montrose Street; Kings Ridge Clubhouse, 1900 Kings Ridge Boulevard; Legends Clubhouse, 1690 Legendary Boulevard; Cooper Memorial Library, 2525 Oakley Seaver Drive; Family Christian Center, 2500 S. US Hwy. 27, Summit Greens Clubhouse, 1190 Summit Greens Boulevard; Sundance Apartments Gymnasium, 1601 Johns Lake Road; Heritage Hills Clubhouse, 3195 Heritage Hills Boulevard; Clermont Arts and Recreation Center, 3700 S. US Hwy 27; and Clermont Baptist Church, 16115 Old Highway 50. The purpose of this election is to elect:

City Council Member Seat 1	(Two Year Term)
City Council Member Seat 3	(Two Year Term)
City Council Member Seat 5	(Two Year Term)

A primary election will be held on the 30th day of August, 2016, if there are more than two candidates who qualify for any one of the above seats.

Election Qualifying begins on Monday, June 20, 2016 at 12:00p.m.
(Noon) and closes on Friday, June 24, 2016 at 12:00p.m. (Noon)

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Clermont to be affixed on this 24th day of May 2016.

Mayor Gail L. Ash

ATTEST: _____
Tracy Ackroyd Howe, City Clerk



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, May 24, 2016		
Agenda Item Name		
Plat Approval		
Requested Action		
Recommend approval of The Moorings plat.		
Staff Report		
The plat has been reviewed and approved by the City Engineer and Contracting Engineer.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1.	Plat	The Moorings plat.pdf

Moorings of Clermont

A Replot of a portion of Lots 11, 14 and 15, Block "BB", of the City of Clermont as recorded in Plat Book 3, Page 5, and
A Portion of Section 30, Township 22 South, Range 26 East, Lake County, Florida, lying South of Lakeshore Drive.

DESCRIPTION:
THAT PORTION OF SOUTH 1/2 OF LOT 11, BLOCK "BB", THE CITY OF CLERMONT AS RECORDED IN PLAT BOOK 3, PAGE 5, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, LYING EASTERLY OF MIDDLETON PARK SUBDIVISION AS RECORDED IN PLAT BOOK 13, PAGE 44, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.
AND
LOTS 14 AND 15, BLOCK "BB", THE CITY OF CLERMONT, AS RECORDED IN PLAT BOOK 3, PAGE 5, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, LESS THE EAST 300.00 FEET THEREOF.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE SOUTHWEST CORNER OF THE EAST 300 FEET OF LOT 15, BLOCK "BB" CITY OF CLERMONT, AS RECORDED IN PLAT BOOK 3, PAGE 5, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE N.00°59'36"E, ALONG THE WEST LINE OF THE EAST 300 FEET OF LOTS 14 AND 15 OF SAID BLOCK "BB" A DISTANCE OF 673.20 FEET TO THE NORTHWEST CORNER OF THE EAST 300 FEET OF LOT 14 OF SAID BLOCK "BB"; THENCE S.89°57'25"W, ALONG THE NORTH LINE OF SAID LOT 14 AND THE NORTH LINE OF THE NORTH 1/2 OF LOT 11, OF SAID BLOCK "BB", A DISTANCE OF 431.92 FEET TO THE NORTHEAST CORNER OF MIDDLETON PARK, RECORDED IN PLAT BOOK 13, PAGE 44, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE SOUTHERLY ALONG THE EASTERLY LINE OF SAID MIDDLETON PARK THE FOLLOWING COURSES: S.00°00'42"W, 188.11 FEET TO THE POINT OF CURVATURE OF A NON-TANGENT CURVE, CONCAVE EASTERLY AND HAVING A RADIAL BEARING AND DISTANCE OF N.89°38'04"E, 240.82 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THRU A CENTRAL ANGLE OF 22°22'15", AN ARC DISTANCE OF 94.03 FEET, AND A CHORD BEARING AND DISTANCE OF S.11°33'03"E, 93.43 FEET TO THE END OF SAID CURVE, SAID POINT HAVE A RADIAL BEARING OF N.67°15'50"E; THENCE S.22°26'17"E, 71.43 FEET TO THE POINT OF CURVATURE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 329.01 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THRU A CENTRAL ANGLE OF 39°16'07" AN ARC DISTANCE OF 225.49 FEET TO THE POINT OF TANGENCY; THENCE S.16°49'49"W, 36.81 FEET TO THE SOUTHEAST CORNER OF AFORESAID MIDDLETON PARK; THENCE DEPARTING SAID EAST LINE OF MIDDLETON PARK AND RUN ALONG THE NORTH RIGHT OF WAY OF LAKE SHORE DRIVE, S.73°14'35"E, 247.26 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 465.22 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THRU A CENTRAL ANGLE OF 17°09'32" AN ARC DISTANCE OF 139.32 FEET TO THE POINT OF BEGINNING.

AND
COMMENCE AT A CONCRETE MONUMENT AT THE NORTHWEST CORNER OF THE SOUTHEAST 1/4 OF SECTION 30, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA; THENCE N.89°35'16"E, ALONG THE NORTH LINE OF THE SAID SOUTHEAST 1/4, A DISTANCE OF 95.37 FEET TO A CONCRETE MONUMENT AND THE POINT OF BEGINNING; THENCE N.13°11'16"E, 9.54 FEET TO A CONCRETE MONUMENT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF LAKESHORE DRIVE; THENCE N.73°14'35"W, ALONG THE SAID RIGHT-OF-WAY LINE, 147.15 FEET TO A POINT THAT IS EAST 50.00 FEET ALONG THE SAID RIGHT-OF-WAY LINE FROM THE NORTHEAST CORNER OF LOT 8, MIDDLETON PARK, AS RECORDED IN PLAT BOOK 13, PAGE 44, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE S.00°00'00"E TO THE WATERS OF LAKE MINNEHAHA; THENCE SOUTHEASTERLY ALONG AND WITH SAID WATERS TO A POINT THAT IS S13°11'16"W OF THE POINT OF BEGINNING; THENCE N.13°11'16"E, TO THE POINT OF BEGINNING.

NOTES:

- ALL DISTANCES SHOWN ARE IN UNITS OF FEET, UNLESS OTHERWISE STATED.
- (NR) = NON-RADIAL LINE, ALL LOT LINES ARE RADIAL UNLESS STATED.
LE = LICENSED BUSINESS
DE = DRAINAGE EASEMENT
- = SET PERMANENT REFERENCE MONUMENT, MARKED #4423, UNLESS NOTED OTHERWISE
■ = FOUND PERMANENT REFERENCE MONUMENT, MARKED #4423.
- ⊙ = SET PERMANENT CONTROL POINT (NAIL & DISC MARKED #4423).
- A 10 FOOT UTILITY EASEMENT IS RESERVED ADJACENT (INCLUDING TRACT "A") TO ALL RIGHT-OF-WAY LINES & FRONT LOT LINES. A 7.5 FOOT WIDE DRAINAGE AND UTILITY EASEMENT IS RESERVED ALONG ALL SIDE AND REAR LOT LINES.
- THE BEARINGS SHOWN HEREON ARE BASED ON THE ASSUMED BEARING OF S89°57'25"W, ALONG THE NORTH BOUNDARY OF LOT 14, BLOCK "BB".
- ALL PUBLICLY DEDICATED UTILITY EASEMENTS MAY BE USED FOR GAS, ELECTRICAL, TELEPHONE, CABLE TELEVISION AND OTHER PUBLIC UTILITIES.
- TRACT "A" TO BE DEDICATED TO THE MOORINGS OF CLERMONT HOMEOWNERS ASSOCIATION, INC. AND RESERVED FOR STORMWATER MANAGEMENT.
- TRACT "B" TO BE DEDICATED TO THE MOORINGS OF CLERMONT HOMEOWNERS ASSOCIATION, INC. AND RESERVED FOR COMMON AREA AND RECREATION.
- THE MOORINGS OF CLERMONT HOMEOWNERS ASSOCIATION, INC. WILL BE RESPONSIBLE FOR MAINTENANCE OF ALL COMMON AREAS AND THE STORMWATER DRAINAGE SYSTEM TO INCLUDE BUT NOT LIMITED TO ALL PIPES AND DETENTION AREAS.

NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPERLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

STATEMENT OF REVIEWER

Pursuant to Section 177.081, Florida Statutes, I have reviewed this plat for conformity to Chapter 177, Florida Statutes, and find that said plat complies with the requirements of that chapter.

Dated: _____

Blackburn Surveying, Inc.
L.B. # 6528
642 WEST HIGHWAY 50
P.O. Box 121022
Clermont, Florida 34712
(352) 394-4417
Fax (352) 394-7058

SHEET 1 OF 2

PLAT BOOK:
PAGE:

DEDICATION Moorings of Clermont

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, being the owner in fee simple of the lands described herein do hereby dedicate the following for the purposes thereon expressed, subject to the general notes contained herein.

1. TO THE MOORINGS OF CLERMONT HOMEOWNER'S ASSOCIATION, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION:
Tract "A", Tract "B" and all roads shown hereon**
**Said roads are subject to the following:
perpetual right of ingress and egress by the residents of Moorings of Clermont, their tenants, invitees and licensees, together with those providers of sanitation, postal, fire and law enforcement and emergency medical services, their vehicles and personnel; said roads are also subject to utility easements as further stated below.

2. TO THE CITY OF CLERMONT:
A utility easement is hereby granted over, across and upon the roadways and those areas designated as utility easements shown hereon.

3. TO THE PROVIDERS OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES:
A utility easement is hereby granted over, across and upon the roadways and those areas designated as utility easements shown hereon.

4. TO THE PROVIDERS OF SANITATION, POSTAL, FIRE, LAW ENFORCEMENT AND EMERGENCY MEDICAL SERVICES, THEIR VEHICLES AND PERSONNEL:
A perpetual right of ingress and egress over and across roadways shown hereon.

NO PART OF THE PROPERTY DESCRIBED HEREON IS DEDICATED TO THE CITY OF CLERMONT OR THE GENERAL PUBLIC, EXCEPT AS NOTED ABOVE.

IN WITNESS WHEREOF, The undersigned owner has executed this Dedication in the manner provided by law on _____ 20____
Signed, sealed and delivered in our presence as witnesses:

WITNESSES	OWNER:
1.) _____	GEEANSEE CONSTRUCTION INC.
1.) _____ print name	
2.) _____	RAMLAKHAN SINGH, PRESIDENT
2.) _____ print name	

STATE OF FLORIDA, COUNTY OF LAKE
THIS IS TO CERTIFY, That on _____
before me, an officer duly authorized to take acknowledgments in the State and County aforesaid, personally appeared _____
Ramlakhan Singh, President, of Geesensee Construction Inc.
to me known to be the person described in and who executed the foregoing dedication and severally acknowledged the execution thereof for the Corporation for the uses and purposes herein expressed, who is personally known and did not take an oath

IN WITNESS WHEREOF, I have hereto set
my hand and seal on this date.

NOTARY PUBLIC
My Commission Expires _____

CERTIFICATION OF SURVEYOR

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, being a licensed and registered land surveyor, does hereby certify that this Plat was made under my direction and supervision, and said Plat meets the requirements of Chapter 177, Florida Statutes.

Patrick M. Kelley, Registration No. 4423
Blackburn Surveying, Inc. L.B. #6528
642 West Highway 50
Clermont, Florida 34711

CERTIFICATE OF APPROVAL OF MUNICIPALITY

THIS IS TO CERTIFY, that this plat has been reviewed in accordance with Chapter 177 including Section 177.081 (1), Florida Statutes and presented to the City Council of Clermont, Lake County, Florida and approved by said CITY COUNCIL, of Clermont for record on the _____ day of _____, provided that this plat is recorded in the office of the Clerk of the Circuit Court of Lake County, Florida within _____ days from the date of approval by said City of Clermont, Florida.

Attest: _____ City of Clermont

City Clerk _____ Mayor _____

APPROVAL OF MUNICIPAL PLANNING & ZONING AUTHORITY

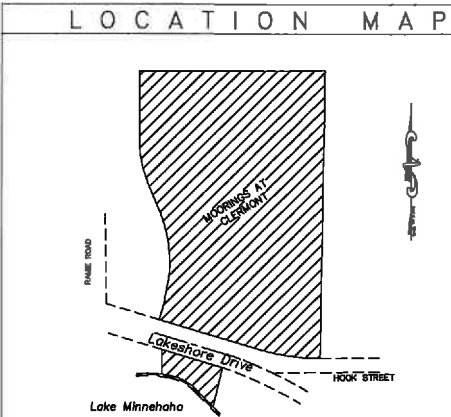
THIS IS TO CERTIFY, that on the _____ day of _____ 2008, the foregoing plat was officially approved by the Planning & Zoning Commission of the City of _____, Florida.

Chairman _____ Attest: City Clerk _____

CERTIFICATE OF CLERK

I HEREBY CERTIFY, That I have examined the foregoing plat and find it complies in form with all the requirements of Chapter 177 Florida Statutes, and was filed for record on _____ at _____ file No. _____

Clerk of the Circuit Court
in and for Lake County, Florida.



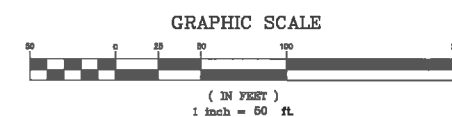
PLAT BOOK:
PAGE:

Moorings of Clermont

A Replat of a portion of Lots 11, 14 and 15, Block "BB", of the City of Clermont as recorded in Plat Book 3, Page 5,
and
A Portion of Section 30, Township 22 South, Range 26 East, Lake County, Florida, lying South of Lakeshore Drive.

LINE TABLE		
LINE	LENGTH	BEARING
L1	4.84'	N16°47'09"
L2	15.50'	N07°38'59"
L3	19.52'	N07°38'59"
L4	1.34'	S82°21'01"
L5	25.08'	S65°19'44"
L6	7.17'	N74°27'46"

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C2	24.17	70.00	19°45'30"	N06°53'47"E	24.00
C3	10.70	64.63	04°39'18"	N05°20'47"E	5.10
C3	19.74	27.00	45°33'57"	N01°15'57"E	19.74
C4	8.25	55.00	02°49'04"	S47°58'24"E	8.25
C5	48.71	55.00	50°44'52"	S71°41'28"E	47.91
C6	48.71	55.00	55°30'48"	S68°50'48"E	47.91
C7	45.00	55.00	45°32'30"	S77°29'58"E	44.30
C8	45.00	55.00	45°32'30"	N05°07'23"E	44.30
C9	45.00	55.00	45°32'30"	N08°14'44"E	44.30
C10	23.03	25.00	47°52'25"	S42°27'17"E	23.03
C11	20.89	25.00	47°52'25"	S16°17'41"E	20.89
C12	68.17	328.01	11°52'17"	N02°06'11"E	68.00
C13	90.82	328.01	15°45'56"	N02°56'56"E	90.00
C14	90.82	328.01	15°45'56"	N03°52'56"E	90.00
C15	13.78	28.00	03°00'33"	N02°06'01"E	13.78
C16	32.04	240.82	07°37'26"	S10°55'22"E	32.04
C17	81.88	240.82	14°44'48"	S47°54'20"E	81.88
C18	12.12	100.00	01°45'00"	N00°00'00"E	12.12
C19	13.81	100.00	19°45'30"	N06°53'44"E	13.81
C20	34.92	100.00	19°45'30"	N06°53'44"E	34.92
C21	3.25	40.318	04°39'18"	N06°53'47"E	3.25
C22	39.26	25.00	50°44'52"	S71°41'28"E	39.26
C23	39.26	25.00	55°30'48"	S68°50'48"E	39.26



Blackburn Surveying, Inc.
L.B. # 8588
1214 Bowman Street
Sunnyside Plaza
P.O. Box 121022
Clermont, Florida 34712
(352) 394-4417
Fax (352) 394-7068



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, May 24, 2016		
Agenda Item Name		
Event Fee Variance & Open Container		
Requested Action		
Recommend approval of a 100% fee variance for rental of the Waterfront Park grounds fees and open container area only to the Greater Clermont Cancer Foundation for their Music Festival. Staff recommends grounds fee waiver and open container area; however, staff recommends the applicant pay for all staff fees.		
Staff Report		
The Greater Clermont Cancer Foundation is requesting a 100% fee variance of rental ground fees and City staff costs for their annual Music Festival at Waterfront Park on October 15, 2016 from 6:30 AM to 11:00 PM. The total costs of the event include Rental Costs \$1,000 - Waterfront Park Day Rental Labor Costs \$200 - Public Works Personnel (2 Staff) \$2,016 - Police Officers (7 Staff) \$600 - Medical (2 Staff) \$70 - Sales Tax \$3,886- Total The organization is also requesting to have an open container area to serve beer and wine only at Waterfront Park between 3rd and 4th Street from 12:00 PM to 9:00 PM (see attached map for exact location). The South Lake Trail is to remain open during the event.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)

1.	Music Festival - Council Packet	Council Packet - Music Festival 2016.pdf
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APPLICATION FOR SPECIAL EVENTS PERMIT

PLEASE TYPE OR PRINT CLEARLY:

TODAY'S DATE: 4-27-16

Name of Event: Clermont Music Festival "A Celebration of Hope" / 5K

Name of Organization: Greater Clermont Cancer Foundation

Organization Address: P.O. Box 443 Minneola, FL 34755

Authorized Representative/Applicant: Marie Howard

Cell Phone #: 407-538-3461 Work Phone #: _____

Email Address: mhowd@cf1.org.com

Secondary Contact Person: Kay Simpson

Cell Phone #: 352-217-2545 Work Phone #: _____

Description of the Event: Music Festival, Vendors, Kids Zone, Art, Fundraiser, Awareness

Expected Number of Attendees: 5000

Event Start Date: 10/15/16 Initial Setup Start Time: 6:30 am ☒ pm ☐

Event Start Time: 7:30 am ☒ pm ☐ Event End Date: 10/15/16

Event End Time: 10:00 am ☐ pm ☒ Breakdown End Time: 10-11pm am ☐ pm ☒

Location of Event:

(Please choose A, B, C, or D on MAP 1 or MAP 2):

A ☒ B ☒ C ☒ D ☐

Map 1 ☒ Map 2 ☐

Other Location: Wakeland Park - Trail

PLEASE NOTE: The issuance of a Special Events Permit from the City shall NOT relieve any person from the duty to secure other City, State or County permits or approvals as may be required to include, but not be limited to, Department of Business and Professional Regulation, Health Department, tent permits, fireworks permit, attention getting device permits, business tax receipt, etc. The applicant agrees that no advertising for the event shall occur until this Special Event Permit has been approved. If any information is found to be false, incomplete or misrepresented, such fact is just cause for the immediate revocation of any permit issued. In addition, failure to correct any on-site condition or code violation as identified by the City staff will result in revocation of the permit and/or code enforcement fines.

Indemnification, Insurance and Additional Costs

The applicant and any other persons, organizations, firms or corporations on whose behalf the application is made agree that they will jointly and severally indemnify and hold the City harmless against liability, including court costs and attorney's fees, and attorney's fees on appeal, for any and all claims for damage to property, or injury to or death to persons, arising out of or resulting from the issuance of the permit or the conduct of the Special Event. The applicant may be required to provide insurance, as determined by the Risk Manager. In that case, the City shall be named as an Additional Insured. The applicant also agrees to reimburse the City for all costs due to damage, or use of City resources that are unanticipated but required to support this event.

Marie Howard
Applicant's Signature

Event Co - GCCF
Title

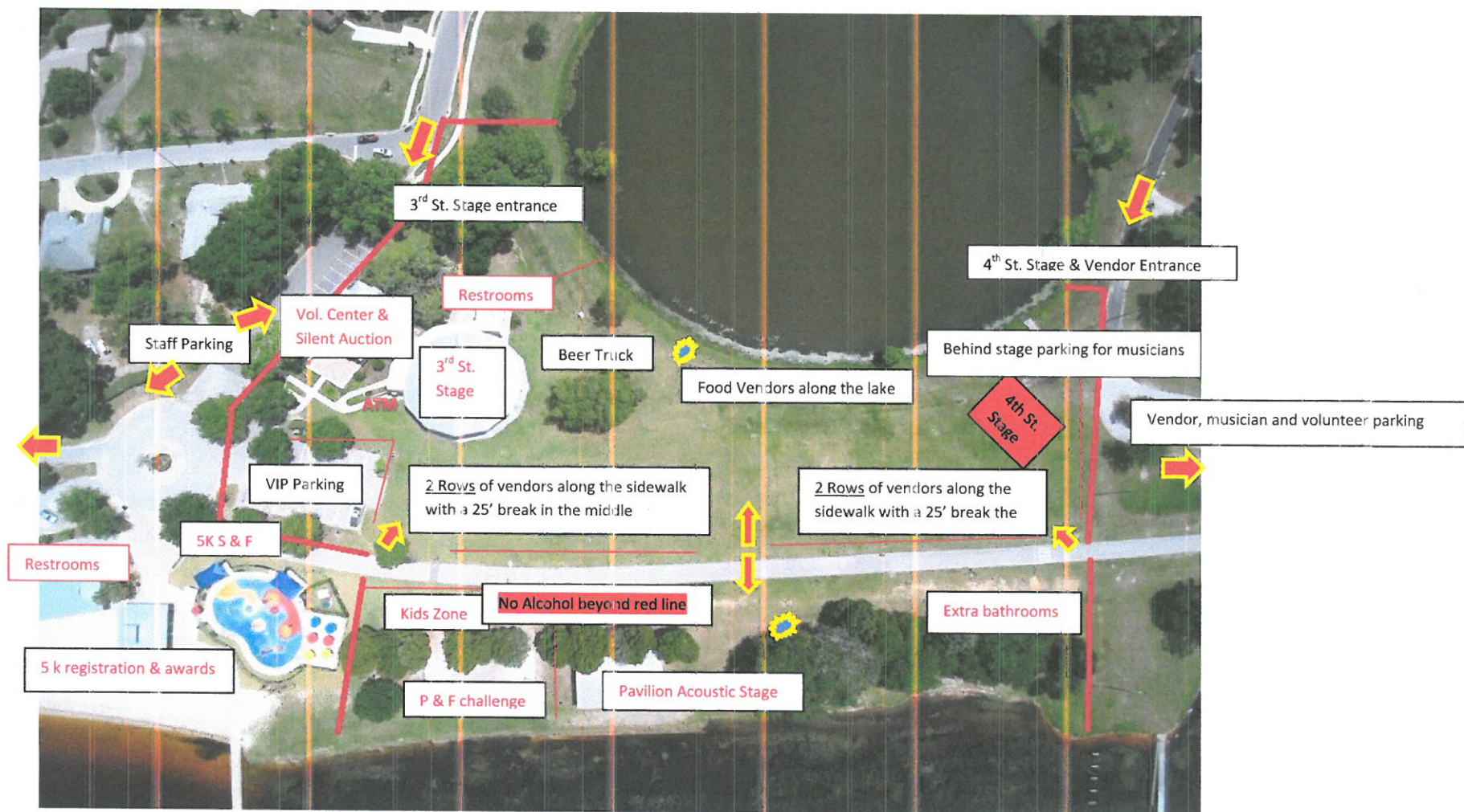
Marie Howard
Printed Name

*******FOR CITY DEPARTMENT REVIEW ONLY*******

Department / Division Routing:

- | | | |
|----------------------|---------------------------------|----------------------------------|
| a) Police Department | b) Planning & Zoning Department | c) Public Works Department |
| d) Fire Department | e) Building Department | f) Parks & Recreation Department |

Provide email comments back to City within 7 calendar days of application receipt by the City. Comments need to include a specific denial or approval of the permit and any specific conditions required to be met or listed on the permit.



Clermont Music Festival / Preliminary Layout / October 15, 2016
~~17, 2015~~

Large red line indicates festival boundaries/ light towers  parking/ entrances 

Thin red lines indicates fenced area/ no alcohol beyond these lines



CITY OF CLERMONT Fee Variance Request Form

Date of Application: 10-23-15 Name of Event: 5K Fun Run / Clermont Music Festival
Date (s) of Event: 10-15-16 Location of Event: Waterfront Park / Highlander Building
Event Times: From: 6:30 am/pm To: 10 am/pm
Name of Organization/Renter: Greater Clermont Cancer Foundation
Check Type of Organization: ☒ Not for Profit ☐ For Profit ☐ Commercial ☐ Individual ☐ Government
Physical Location of Group requesting Rental: ☒ City of Clermont ☐ Lake County (other than Clermont) ☐ Outside of Area
Contact Name: Marie Howard Email: mhoward@cfi.org.com
Day Phone: (407) 538-3461 Cell Phone: () Same
Address: P.O. Box 443 City: Minneola State: FL Zip: 34755
Event Description: 5K Fun Run / Music Festival / Fundraiser / Awareness

Describe your item/s to be considered for fee variance (Must be specific): Waterfront Park, Splash Pad, Pavillion
Lakeride Pavillion, Highlander Building Amphitheater + Stage
(City Sponsorship like 2015) Rental Fees waived,
Fire + Police (help paying services) Public Works

I declare that all information herein is true and complete to the best of my knowledge.

Marie Howard
Applicant Signature

10-23-15
Date

FOR CITY STAFF USE ONLY

- ☐ \$2,500 or less APPROVAL BY CLERMONT CITY MANAGER
☐ \$2,501 or more APPROVAL BY CLERMONT CITY COUNCIL

The foregoing application has been reviewed and REQUEST FOR FEE VARIANCE IS:

☐ GRANTED

☐ GRANTED AS AMENDED: _____

☐ DENIED

City Manager Signature

Date

Please return the completed request to:
City of Clermont Parks & Recreation Department
Attention: Special Event Requests
3700 South Highway 27, Clermont, FL 34711



CITY OF CLERMONT

Alcohol Request Form

5K Fun Run

Date of Application: 10-23-15 Name of Event: Clermont Music Festival
Date (s) of Event: 10-15-16 Location of Event: Waterfront Park / Highlander Building
Event Times: From: 12 ~~am~~ pm To: 9 ~~am~~ pm
Name of Organization/Renter: Greater Clermont Cancer Foundation
Check Type of Organization: ☒ Not for Profit ☐ For Profit ☐ Commercial ☐ Individual ☐ Government
Contact Name: Marie Howd Email: mhowd@cf1.rr.com
Day Phone: (407) 538-3461 Cell Phone: () Same
Address: P.O. Box 443 City: Minneapolis State: F Zip: 34705
Event Description: 5K Fun Run, Music Festival

What do you plan on serving? ☒ Beer ☒ Wine/Champagne (check all that apply) ☐ Other NA
What is your beverage containment area? Outside event attach diagram, Inside event list room/s: Waterfront Park
Same as 2015 ; (Sales will not begin before 12 noon) will end 9pm)
Who is your licensed beverage caterer? City Beverages / GCCF

I declare that all information herein is true and complete to the best of my knowledge.
I understand that approval of this request is NOT a grant of a liquor license.

Marie Howd
Applicant Signature

10-23-15
Date

FOR CITY STAFF USE ONLY

The foregoing application has been reviewed and **PERMISSION TO USE PARK PREMISES FOR THE SERVICE OF ALCOHOLIC BEVERAGES IS:**

☐ **GRANTED ALCOHOL BEVERAGES.** In order to receive an alcohol approval for your event, applicant must meet all requirements of the City of Clermont, County and State of Florida. A certificate of insurance is required.

☐ **GRANTED ALCOHOL BEVERAGES AS AMENDED:** _____

☐ **DENIED** for the following reason (s): _____

SIGNATURE

TITLE

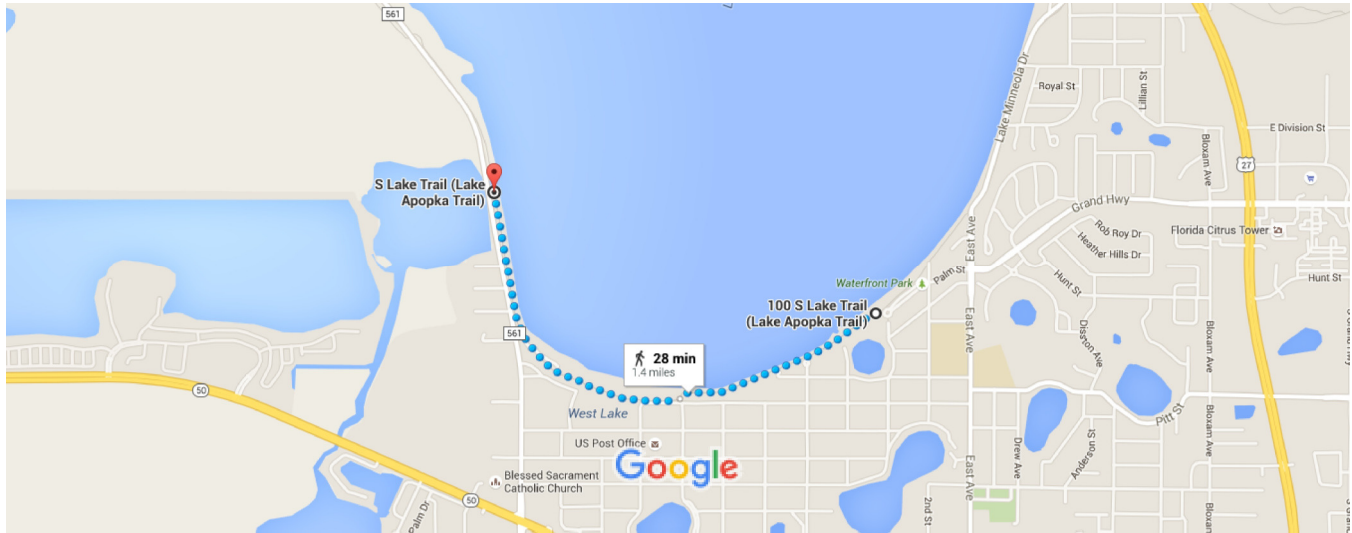
DATE

Please return the completed request to:
City of Clermont Parks & Recreation
Attention: Special Event Request
3700 South Highway 27, Clermont, FL 34711



00 S Lake Trail (Lake Apopka Trail), Walk 1.4 miles, 28 min
Clermont, FL 34711 to S Lake Trail (Lake Apopka Trail), Clermont,
FL 34711

5K Fyn Run for GCCF splash pad to the bridge and back



Map data ©2015 Google 1000 ft

via S Lake Trail (Lake Apopka Trail)

28 min

Show terrain

1.4 miles

Details



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, May 24, 2016		
Agenda Item Name		
Event Road Closure & Open Container		
Requested Action		
Recommend approval of the Clermont Downtown Partnership's Mega Food Truck Rally to be held in Downtown Clermont along with a road closure and an open container area for June 18, 2016 from 12:00 noon to 9:00pm.		
Staff Report		
The Clermont Downtown Partnership is Requesting To Host A Mega Food Truck Rally In Downtown Clermont On Saturday June 18, 2016 from 12:00 PM till 9:00 PM The organization is requesting to close off roads starting at 12:00 PM till 9:00 PM at the following intersections: -Montrose Street at Lake Ave -Montrose Street at the Police Station Entrance -8th Street at Montrose Street -8th Street at Minneola Ave -7th Street at Montrose Street -7th Street at Desoto Street The organization is also requesting to have an Open Container zone in the requested area listed from 1:00 PM - 8:00 PM.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Council Packet - Mega Food Truck	Council Packet - Mega Food Truck.pdf	

RECEIVED 4/29
MR



APPLICATION FOR SPECIAL EVENTS PERMIT

PLEASE TYPE OR PRINT CLEARLY:

TODAY'S DATE:

4/29/2016

Name of Event: FATHER'S DAY WEEKEND MEGA Food TRUCK RALLY
Name of Organization: Clermont Downtown Partnership Inc
Organization Address: PO BOX 120734 Clermont, FL 34712-0734
Authorized Representative/Applicant: Ron Smart, Executive Director

Cell Phone #: 405-204-0839 Work Phone #: 352-247-4640

Email Address: info@clermontdowntownpartnership.com

Secondary Contact Person: Keith Mullins

Cell Phone #: 352-978-1704 Work Phone #: 352-394-9805

Description of the Event: FOOD TRUCK RALLY. 35-45 Food Trucks
on Saturday afternoon/early evening; plus a few sponsor
10x10 tents; plus a few vendor 10x10 tents; plus 2-3 street
musicians.

Expected Number of Attendees: 1,500

Event Start Date: 06/18/2016

Initial Setup Start Time: 12 Noon am ☐ pm ☒

Event Start Time: 1:00 PM am ☐ pm ☒

Event End Date: 06/18/2016

Event End Time: 8:00 PM am ☐ pm ☒

Breakdown End Time: 9 am ☐ pm ☒

Location of Event:

(Please choose A, B, C, or D on MAP 1 or MAP 2):

A ☐ B ☐ C ☐ D ☒

Map 1 ☐

Map 2 ☒

Other Location: W. Montrose St from West Ave to Lake Ave

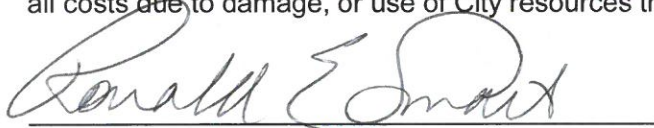
~~2nd~~ 7th St from Montrose to DeSoto
5th St from Montrose to Minnedosa

(Please see attached map)

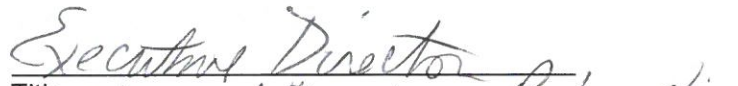
PLEASE NOTE: The issuance of a Special Events Permit from the City shall NOT relieve any person from the duty to secure other City, State or County permits or approvals as may be required to include, but not be limited to, Department of Business and Professional Regulation, Health Department, tent permits, fireworks permit, attention getting device permits, business tax receipt, etc. The applicant agrees that no advertising for the event shall occur until this Special Event Permit has been approved. If any information is found to be false, incomplete or misrepresented, such fact is just cause for the immediate revocation of any permit issued. In addition, failure to correct any on-site condition or code violation as identified by the City staff will result in revocation of the permit and/or code enforcement fines.

Indemnification, Insurance and Additional Costs

The applicant and any other persons, organizations, firms or corporations on whose behalf the application is made agree that they will jointly and severally indemnify and hold the City harmless against liability, including court costs and attorney's fees, and attorney's fees on appeal, for any and all claims for damage to property, or injury to or death to persons, arising out of or resulting from the issuance of the permit or the conduct of the Special Event. The applicant may be required to provide insurance, as determined by the Risk Manager. In that case, the City shall be named as an Additional Insured. The applicant also agrees to reimburse the City for all costs due to damage, or use of City resources that are unanticipated but required to support this event.



Applicant's Signature


Title Clermont Downtown Partnership *1hr*



Printed Name

4/29/16

*****FOR CITY DEPARTMENT REVIEW ONLY*****

Department / Division Routing:

- | | | |
|----------------------|---------------------------------|----------------------------------|
| a) Police Department | b) Planning & Zoning Department | c) Public Works Department |
| d) Fire Department | e) Building Department | f) Parks & Recreation Department |

Provide email comments back to City within 7 calendar days of application receipt by the City. Comments need to include a specific denial or approval of the permit and any specific conditions required to be met or listed on the permit.





CITY OF CLERMONT Alcohol Request Form

Date of Application: 5-11-2016 Name of Event: MEGA FOOD TRUCK RALLY FATHER'S DAY SATURDAY
Date (s) of Event: JUNE 18, 2016 Location of Event: W. Montrose St from City Hall to West Ave, 8th St to
Event Times: From: 1:00PM am/pm To: 8:00PM am/pm
Name of Organization/Renter: Clermont Downtown Partnership Inc
Check Type of Organization: ☒ Not for Profit ☐ For Profit ☐ Commercial ☐ Individual ☐ Government
Contact Name: Ron Smart Email: info@clermontdowntownpartnership.com
Day Phone: 352-247-4640 Cell Phone: (405) 204 0839
Address: P.O. Box 120734 City: Clermont State: FL Zip: 34712-0734
Event Description: 35-45 Food Trucks, some 10x10 vendors in tents (non-temporary food vendors), some sponsor tents, street musician - not on stages (curbside), band in City Hall Park possible, Portalets (2 and handwash station)

What do you plan on serving? ☐ Beer ☐ Wine/Champagne (check all that apply) ☐ Other * _____

Request to serve Spirits requires approval by City Council and will require additional time for approval.

What is your beverage containment area? Outside event attach diagram, Inside event list room/s: Requesting City of Clermont permit container w/in barricaded area with local licensed providers of beer and wine allowing patrons to leave facility w/drink

Who is your licensed beverage caterer? NOT APPLICABLE

I declare that all information herein is true and complete to the best of my knowledge.

I understand that approval of this request is NOT a grant of a liquor license.

Ron Smart,
Executive Director

Digitally signed by Ron Smart, Executive Director
DN: cn=Ron Smart, o=Clermont Downtown Partnership, ou=Clermont
Downtown Partnership, email=info@clermontdowntownpartnership.com, c=US
Date: 2016.05.11 15:57:47 -0500

May 11, 2016

Applicant Signature

Date

FOR CITY STAFF USE ONLY

The foregoing application has been reviewed and **PERMISSION TO USE PARK PREMISES FOR THE SERVICE OF ALCOHOLIC BEVERAGES IS:**

- ☐ **GRANTED ALCOHOL BEVERAGES.** In order to receive an alcohol approval for your event, applicant must meet all requirements of the City of Clermont, County and State of Florida. A certificate of insurance is required.
- ☐ **GRANTED ALCOHOL BEVERAGES AS AMENDED:** _____
- ☐ **DENIED** for the following reason (s): _____

SIGNATURE

TITLE

DATE

Please return the completed request to:
City of Clermont Parks & Recreation
Attention: Special Event Request
3700 South Highway 27, Clermont, FL 34711



Road Closure Map

- Montrose Street at Lake Ave
- Montrose Street at Police Station
- 8th Street at Montrose Street
- 8th Street at Menneola Ave
- 7th Street at Montrose Street
- 7th Street at Desoto Street



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, May 24, 2016		
Agenda Item Name		
Event & Road Closure		
Requested Action		
Recommend approval of the Clermont Downtown Partnership's Farmer's Market to be held in Downtown Clermont along with a road closure every Sunday from 6:00am to 4:30pm for 12 months.		
Staff Report		
The Clermont Downtown Partnership Is Requesting To Host A Farmer's Market In Downtown Clermont every Sunday for 12 months The organization is requesting to close off roads starting at 6:00 AM till 4:30 PM at the following intersections: -Montrose Street at Lake Ave -Montrose Street at Police Station Entrance -8th Street at Montrose Street -8th Street at Minneola Ave -7th Street at Montrose Street -7th Street at Desoto Street		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Council Packet - Farmers Market	Council Packet - Farmers Maarket.pdf	



APPLICATION FOR SPECIAL EVENTS PERMIT

PLEASE TYPE OR PRINT CLEARLY:

TODAY'S DATE: May 12, 2016

Name of Event: FARMER'S MARKET

Name of Organization: CLERMONT DOWNTOWN PARTNERSHIP INC

Organization Address: P. O. Box 120734, Clermont, FL 34712-0734

Authorized Representative/Applicant: Ron Smart

Cell Phone #: 405-204-0839 Work Phone #: 352-247-4640

Email Address: info@clermontdowntownpartnership.com

Secondary Contact Person: MaryJo Pfeiffer

Cell Phone #: 352-348-4111 Work Phone #: 352-242-0782

Description of the Event: Weekly, vendors in 10x10 canopy tents w/fresh produce, handmade/homemade Cottage Industry goods, edibles, arts/crafts/collectables, jewelry, temporary food vendors, food trucks, street musician(s), bakeries, fresh/frozen seafood, eggs, plants, soaps, scents, candies, and so forth. Children's petting farm (baby farm animals, miniature horse)

Expected Number of Attendees: 1,000 over the 5 hour event, about 200 p/hour

Event Start Date: 05 / 15 / 2016 Initial Setup Start Time: 6:00am am pm

Event Start Time: 9:00am am pm Event End Date: 05 14 / 2016

Event End Time: 2:00pm am pm Breakdown End Time: 4:30 pm am pm

Location of Event:

(Please choose A, B, C, or D on MAP 1 or MAP 2): A B C D Map 1 Map 2

Other Location: Please see attached PDF of detailed map showing Historic Downtown area

QUESTIONNAIRE – (please fill out and return with application)

Alcohol Served: Yes No **NO ALCOHOL**

If Yes, State Alcoholic Beverage License REQUIRED for sale for alcoholic beverages 1-800-375-6975 and approval from the City of Clermont City Manager and Council.

Canopy/Tent Use: Yes **YES** No

If Yes, subject to permits as required by the Building/Fire Safety Division. **10x10; and occasional 10x15 10x20**

Electrical Use: Yes **YES** No

If Yes, subject to permits as required by the Building/Fire Safety Division.

Electrical Power Provided with: Generator Temporary Power Drop Property Power **City, on landscaped bumpouts**

Gas Fueled Equipment: Yes **Yes** No **NOTE: only for some food vendors, not all use**

- Fuel Sources: Propane gas **Propane** Natural gas Diesel Fuel Gasoline

Cooking Equipment Use: Yes **Yes** No **Note: Temp food vendors and food trucks**

If Yes, subject to approvals as required by the Florida DBPR, Division of Hotels and Restaurants. Contact number 1-850-487-1395. **USE DEPENDS ON VENDOR PRESENT THAT PARTICULAR DAY**

- Types: **X**Fryers **X**Propane Grills Charcoal Grills **No** Concession Trailer **X** Food Trucks **X**

Rides: Yes **Yes** No **No mechanical rides.**

If Yes, may require State inspection 1-850-488-9790.

- Type: Mechanical Bounce Houses Animals **Miniature horse, accompanied by owner**

Pyrotechnic/Fireworks Displays: Yes No **X**

If Yes, requires separate approval process completed by Company with the Fire Prevention Division. (The release of Sky Lanterns is not permitted under state law.)

Streets to be Closed or Traffic Control: Yes **X** No **NOTE: Please see PDF map attached**

If Yes, requires separate approval process completed by applicant with the City of Clermont City Manager and Council and must be indicated on site plan.

Fire or Law Enforcement Stand-by Requested: Yes No **X** **City has assigned officer to Downtown/Waterfront**

If Yes, requires separate approval process completed by applicant with the Clermont Police Department and Clermont Fire Department. (Law enforcement or fire/ems stand-by may be required by the City for certain events/activities and at the applicant's cost.)

Live Television or Radio Broadcast: Yes No **X**

Band, Music or Sound Amplification Devices: Yes **X** No

If loud sounds are created that require a permit under the City Noise Ordinance, a letter requesting a permit for such activity must accompany this permit application. **STREET MUSICIANS, Acoustic plus low volume amp**

Temporary Water or Sewer Connections Requested: Yes No **x** **Not at this time**

If Yes, requires separate approval process completed by the applicant with the Public Works Department.

Banners or Attention Getting Devices: Yes **X** No **NOTE: Banner at 8th & Hwy 50 weekly**

If Yes, Attention Getting Devices and Banners require a separate permit with the Building/Fire Safety Division. Temporary signage is not permitted in right-of-ways.

PLEASE NOTE: The issuance of a Special Events Permit from the City shall NOT relieve any person from the duty to secure other City, State or County permits or approvals as may be required to include, but not be limited to, Department of Business and Professional Regulation, Health Department, tent permits, fireworks permit, attention getting device permits, business tax receipt, etc. The applicant agrees that no advertising for the event shall occur until this Special Event Permit has been approved. If any information is found to be false, incomplete or misrepresented, such fact is just cause for the immediate revocation of any permit issued. In addition, failure to correct any on-site condition or code violation as identified by the City staff will result in revocation of the permit and/or code enforcement fines.

Indemnification, Insurance and Additional Costs

The applicant and any other persons, organizations, firms or corporations on whose behalf the application is made agree that they will jointly and severally indemnify and hold the City harmless against liability, including court costs and attorney’s fees, and attorney’s fees on appeal, for any and all claims for damage to property, or injury to or death to persons, arising out of or resulting from the issuance of the permit or the conduct of the Special Event. The applicant may be required to provide insurance, as determined by the Risk Manager. In that case, the City shall be named as an Additional Insured. The applicant also agrees to reimburse the City for all costs due to damage, or use of City resources that are unanticipated but required to support this event.

<i>Ronald E. Smart</i>	Executive Director, Clermont Downtown Partnership Inc
_____ Applicant’s Signature	_____ Title
Ronald E. Smart	
_____ Printed Name	

*******FOR CITY DEPARTMENT REVIEW ONLY*******

Department / Division Routing:

- | | | |
|----------------------|---------------------------------|----------------------------------|
| a) Police Department | b) Planning & Zoning Department | c) Public Works Department |
| d) Fire Department | e) Building Department | f) Parks & Recreation Department |

Provide email comments back to City within 7 calendar days of application receipt by the City. Comments need to include a specific denial or approval of the permit and any specific conditions required to be met or listed on the permit.



Road Closure Map

- Montrose Street at Lake Ave
- Montrose Street at Police Station
- 8th Street at Montrose Street
- 8th Street at Menneola Ave
- 7th Street at Montrose Street
- 7th Street at Desoto Street



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date								
Tuesday, May 24, 2016								
Agenda Item Name								
Resolution No. 2016-16								
Requested Action								
Recommend approval of the revised Property Control Policy.								
Staff Report								
Resolution No. 2016-16 provide for the approval of a revised Property Control Policy. Changes to the policy include the following: 1. Change of department from Finance Department to Purchasing Department. 2. Change of title from Purchasing Manager to Purchasing Director. All of the changes made to the policy are provided in the Property Control Policy (Line Through Revisions) attachment. Additions are marked in red and deletions are strike through. The Purchasing Department recommends approval of the revised Property Control Policy.								
Additional Analysis								
Fiscal Impact Summary								
There is no fiscal impact.								
Fiscal Impact	Fund Number and Description	Available Budget Amount						
Exhibits Attached (copies of original agreements)								
<table><tr><td>1.</td><td>Resolution No. 2016-16</td><td>Property Control Policy Resolution 2016-16.pdf</td></tr><tr><td>2.</td><td>Property Control Policy Strike Through</td><td>Property Control Policy (Line Through) 2016-05-24.pdf</td></tr></table>			1.	Resolution No. 2016-16	Property Control Policy Resolution 2016-16.pdf	2.	Property Control Policy Strike Through	Property Control Policy (Line Through) 2016-05-24.pdf
1.	Resolution No. 2016-16	Property Control Policy Resolution 2016-16.pdf						
2.	Property Control Policy Strike Through	Property Control Policy (Line Through) 2016-05-24.pdf						

CITY OF CLERMONT
RESOLUTION NO. 2016-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA AMENDING THE PROPERTY CONTROL POLICY FOR THE CITY OF CLERMONT; REPEALING ALL PRIOR RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Clermont deems it advisable and in the best interest of the City, to amend the Property Control Policy;

NOW, THEREFORE, BE IT RESOLVED, that the City of Clermont Property Control Policy is hereby amended as follows:

SECTION 1.

The City Council does hereby amend the City of Clermont Property Control Policy as set forth in Attachment A, attached hereto and incorporated herein. The City Council of the City of Clermont may amend the Property Control Policy by Resolution when deemed necessary and in the best interest of the City of Clermont.

SECTION 2.

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

SECTION 3.

This Resolution shall take effect immediately upon its adoption.

CITY OF CLERMONT
RESOLUTION NO. 2016-16

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida this 24th day of May, 2016.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Property Control Policy



City of Clermont, Florida

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I.	Property Disposition.....	5

A. Purpose

The purpose of this Policy is to establish requirements for the control of City owned tangible and intangible personal property and for the periodic review of such property for inventory purposes in accordance with Section 274.02, Florida Statutes.

B. Scope

This policy shall apply to all City owned tangible and intangible personal property with a value or cost of \$1,000 or more, and a projected useful life of one (1) year or more. Tangible personal property includes furniture, equipment, computers, printers, and vehicles. Intangible personal property includes software.

C. Responsibilities

The City's Purchasing Department is responsible for the establishment and maintenance of the property control system. Department Directors are the official custodians of property items assigned to their departments and as a result are primarily responsible for the use, care, and safeguarding of property items assigned to their departments. Departments are responsible for the establishment and maintenance of control systems to account for tangible personal property not covered by this Policy.

D. Property Acquisition

The cost recorded in the property control system is the total cost of placing the item in service (i.e., invoice price plus freight and installation charges less discounts). A trade-in value is not deducted from the cost of an item.

Property donated to the City is recorded in the property control system at its fair market value at the date of donation. A letter from the donor that includes a description of the property and its value is recommended.

Property created by assembling parts of several old items into a new one (cannibalizing) or by assembling new purchased parts is to be recorded in the property control system if its cumulative value meets the property value threshold noted in Section B. or if it qualifies as an improvement to an existing property item. Any cannibalized assets should have first been disposed of through the property disposal procedure.

A Property Acquisition Form must be completed by the property custodian at the time of acquisition and submitted to the Purchasing Department.

E. Property Identification

All property as described in Section B. shall be permanently marked by the Purchasing Department with property tags to show ownership by the City and the tag number

assigned to the property item. Any property item whose value or utility would be significantly impaired by the attachment of a property tag is exempted from the requirement for physical marking, upon approval by the City Manager.

Property tags should be plainly visible and easily accessible. Tags should be placed on the front of equipment, which normally is not moved, such as computers and printers. On items that are regularly moved, such as generators and mowers, the tag should be placed as close to the serial number as possible or where it is least likely to come off from wear and tear.

F. Property Control System

The property control system shall include a control account showing the total cost or value of all property as described in Section B. and a separate property record for each property item.

Each property record shall, as applicable, include the following information:

- a. Property control number
- b. Description of the item or items
- c. Physical location
- d. Department/division
- e. Name, Make or Manufacturer
- f. Year and/or Model
- g. Manufacturer's serial number(s), if any, and if an automobile, vehicle identification number (VIN)
- h. Date Acquired
- i. Cost
- j. Depreciation information
- k. Funding source
- l. Disposal date

Depreciation may be recorded to meet financial reporting requirements relating to depreciation accounting. However, depreciation must not be recorded on the individual property records or in the control account in such a manner as to reduce the recorded acquisition cost.

G. Physical Inventory Procedures

A complete physical inventory of all property as described in Section B. shall be conducted annually and whenever there is a change of custodian, as required by Florida Statutes. The physical inventory will be performed by the City's Purchasing Department with assistance from specific department personnel. Upon completion of the physical

inventory, the Purchasing Department shall compare information noted to the property control system. Noted differences shall be researched and corrected as appropriate.

Any property item found while conducting the physical inventory, which meets the property value threshold noted in Section B that is **not** included in the property control system, should be added to the City's inventory. A Property Acquisition Form should be completed and submitted to the Purchasing Department. After appropriate research to establish the ownership of the item, it shall be added to the City's property records, if appropriate.

Any property item included in the property control system and not located during the physical inventory process shall be promptly reported to the property custodian. If an item is not located by the property custodian, a report shall be filed with the Police Department regarding the missing item. The Purchasing Department shall submit all missing items to the City Manager for approval by the City Council. Upon approval by the City Council, the property item shall be retired from the property control system.

H. Property Transfers

Property may be transferred between departments. The property custodian is responsible for the completion of the Property Transfer Form and submission to the Purchasing Department. Once the property item has been transferred, the transfer should be recorded in the Property Control System.

I. Property Disposition

All City-owned tangible personal property (including property not described in Section B.) that no longer serves the needs of the City may be requested by the property custodian to be declared surplus by the City Council. The property custodian should complete the Property Disposal Form and submit to the Purchasing Director for approval by the City Council.

The Purchasing Director is responsible for the disposition of property that has been declared surplus by the City Council. The Purchasing Director shall have the authority to sell by auction or advertised bid, trade, donate to another governmental entity, destroy, or dispose of property declared surplus.

Once the property item has been disposed of, the Purchasing Director shall submit the Property Disposal Form to the Finance Department. The property item will be retired from the property control system.

Property Control Policy



City of Clermont, Florida

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H.	Property Transfers	5
I.	Property Disposition.....	5

A. Purpose

The purpose of this Policy is to establish requirements for the control of City owned tangible and intangible personal property and for the periodic review of such property for inventory purposes in accordance with Section 274.02, Florida Statutes.

B. Scope

This policy shall apply to all City owned tangible and intangible personal property with a value or cost of \$1,000 or more, and a projected useful life of one (1) year or more. Tangible personal property includes furniture, equipment, computers, printers, and vehicles. Intangible personal property includes software.

C. Responsibilities

The City's ~~Finance~~ Purchasing Department is responsible for the establishment and maintenance of the property control system. Department Directors are the official custodians of property items assigned to their departments and as a result are primarily responsible for the use, care, and safeguarding of property items assigned to their departments. Departments are responsible for the establishment and maintenance of control systems to account for tangible personal property not covered by this Policy.

D. Property Acquisition

The cost recorded in the property control system is the total cost of placing the item in service (i.e., invoice price plus freight and installation charges less discounts). A trade-in value is not deducted from the cost of an item.

Property donated to the City is recorded in the property control system at its fair market value at the date of donation. A letter from the donor that includes a description of the property and its value is recommended.

Property created by assembling parts of several old items into a new one (cannibalizing) or by assembling new purchased parts is to be recorded in the property control system if its cumulative value meets the property value threshold noted in Section B. or if it qualifies as an improvement to an existing property item. Any cannibalized assets should have first been disposed of through the property disposal procedure.

A Property Acquisition Form must be completed by the property custodian at the time of acquisition and submitted to the ~~Finance~~ Purchasing Department.

E. Property Identification

All property as described in Section B. shall be permanently marked by the ~~Finance~~ Purchasing Department with property tags to show ownership by the City and the tag

number assigned to the property item. Any property item whose value or utility would be significantly impaired by the attachment of a property tag is exempted from the requirement for physical marking, upon approval by the City Manager.

Property tags should be plainly visible and easily accessible. Tags should be placed on the front of equipment, which normally is not moved, such as computers and printers. On items that are regularly moved, such as generators and mowers, the tag should be placed as close to the serial number as possible or where it is least likely to come off from wear and tear.

F. Property Control System

The property control system shall include a control account showing the total cost or value of all property as described in Section B. and a separate property record for each property item.

Each property record shall, as applicable, include the following information:

- a. Property control number
- b. Description of the item or items
- c. Physical location
- d. Department/division
- e. Name, Make or Manufacturer
- f. Year and/or Model
- g. Manufacturer's serial number(s), if any, and if an automobile, vehicle identification number (VIN)
- h. Date Acquired
- i. Cost
- j. Depreciation information
- k. Funding source
- l. Disposal date

Depreciation may be recorded to meet financial reporting requirements relating to depreciation accounting. However, depreciation must not be recorded on the individual property records or in the control account in such a manner as to reduce the recorded acquisition cost.

G. Physical Inventory Procedures

A complete physical inventory of all property as described in Section B. shall be conducted annually and whenever there is a change of custodian, as required by Florida Statutes. The physical inventory will be performed by the City's Finance **Purchasing** Department with assistance from specific department personnel. Upon completion of the

physical inventory, the ~~Finance~~ **Purchasing** Department shall compare information noted to the property control system. Noted differences shall be researched and corrected as appropriate.

Any property item found while conducting the physical inventory, which meets the property value threshold noted in Section B that is **not** included in the property control system, should be added to the City's inventory. A Property Acquisition Form should be completed and submitted to the ~~Finance~~ **Purchasing** Department. After appropriate research to establish the ownership of the item, it shall be added to the City's property records, if appropriate.

Any property item included in the property control system and not located during the physical inventory process shall be promptly reported to the property custodian. If an item is not located by the property custodian, a report shall be filed with the Police Department regarding the missing item. The ~~Finance~~ **Purchasing** Department shall submit all missing items to the City Manager for approval by the City Council. Upon approval by the City Council, the property item shall be retired from the property control system.

H. Property Transfers

Property may be transferred between departments. The property custodian is responsible for the completion of the Property Transfer Form and submission to the ~~Finance~~ **Purchasing** Department. Once the property item has been transferred, the transfer should be recorded in the Property Control System.

I. Property Disposition

All City-owned tangible personal property (including property not described in Section B.) that no longer serves the needs of the City may be requested by the property custodian to be declared surplus by the City Council. The property custodian should complete the Property Disposal Form and submit to the Purchasing ~~Director Manager~~ for approval by the City Council.

The Purchasing ~~Director Manager~~ is responsible for the disposition of property that has been declared surplus by the City Council. The Purchasing ~~Director Manager~~ shall have the authority to sell by auction or advertised bid, trade, donate to another governmental entity, destroy, or dispose of property declared surplus.

Once the property item has been disposed of, the Purchasing ~~Director Manager~~ shall submit the Property Disposal Form to the Finance Department. The property item will be retired from the property control system.



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date	
Tuesday, May 24, 2016	
Agenda Item Name	
Resolution No. 2016-17	
Requested Action	
Recommend approval of 2016 Florida Division of Cultural Affairs Cultural Facilities Program Grant application request in the amount of \$500,000 for the West Lake Wetlands (Victory Pointe) - Performance/Event Area, with the stipulation of a 2 to 1 matching funds.	
Staff Report	
In 2015 the Clermont City Council approved a master plan that will serve as the blueprint for the city—especially the downtown-waterfront district—for the next 5, 10 and 20 years. The West Lake Wetland (Victory Pointe) project is the number one priority master plan project to initiate the City's master plan and foster economic development. The West Lake Wetlands (Victory Pointe) project plan represents a regional utility stormwater management facility serving the western portion of downtown Clermont. Currently, development of parcels in downtown are constrained by on-site stormwater requirements. Consultants to the City of Clermont recommended the creation of this regional utility stormwater pond that would polish the storm runoff before reaching the lake and also would free up lakefront land for park and amenity development. This area will also be designated as a park space and event venue that includes a filter marsh to polish the storm runoff before it reaches Lake Minneola. Staff is applying for this grant to leverage outside resources from the 2016 Florida Division of Cultural Affairs Cultural Facilities Program Grant application request in the amount of \$500,000 for the West Lake Wetlands (Victory Pointe) Performance/Event Area, with the stipulation of a 2 to 1 matching funds. Funding in the amount of \$1,000,000 for the required match can be partially in the form of cash and expenditures incurred at the project site during the last 5 years from June 1, 2016; Other grants, legislative funding and inside resources will be used for this necessary match.	
Additional Analysis	
Fiscal Impact Summary	

Fiscal Impact		Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)			
1.	Resolution No. 2016-17	Resolution No. 2016-17.doc	

CITY OF CLERMONT
RESOLUTION NO. 2016-17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE FLORIDA DIVISION OF CULTURAL AFFAIRS CULTURAL FACILITIES PROGRAM REQUESTING \$500,000 FOR THE WEST LAKE WETLANDS PERFORMANCE/EVENT AREA AND FURTHER AUTHORIZING AN AMOUNT OF \$1,000,000 AS THE CITY'S REQUIRED MATCHING FUNDS.

WHEREAS, the City of Clermont has the opportunity to apply for funding in the amount of \$500,000 for the West Lake Wetlands Performance/Event Area, with the stipulation of a 2 to 1 matching funds; and

WHEREAS, funding in the amount of \$1,000,000 necessary for the required match can be partially in the form of cash and expenditures incurred at the project site during the last 5 years from June 1, 2016;

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

SECTION 1.

That the above recitals are hereby adopted.

SECTION 2.

That the City Council hereby authorizes the use of \$1,000,000 in eligible expenditures already incurred or cash to be available by July 1, 2017 for required matching funds for a grant application to the Florida Division of Cultural Affairs in quest for funding for the project.

SECTION 3.

This Resolution shall take effect immediately upon its adoption.

CITY OF CLERMONT
RESOLUTION NO. 2016-17

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida this 24th day of May, 2016.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, May 24, 2016		
Agenda Item Name		
Ordinance No. 2016-18 <i>Final</i> <i>WaterBrooke</i>		
Requested Action		
Recommend approval of Ordinance 2016-18.		
Staff Report		
The applicant, Mattamy Homes, is requesting annexation of approximately 28.6 acres on the southwestern corner of the existing WaterBrooke project. The property is adjacent to the City limits on the east and fronts Hancock Road on the west. The property was previously in citrus production and currently is unimproved. The applicant desires to develop the property for residential use and to include it in the overall WaterBrooke project. The applicant is requesting City services. This request is being heard concurrently with requests for a large-scale comprehensive plan amendment and a rezoning to Planned Unit Development (PUD), incorporating conditions approved in the existing conditional use permit (CUP) 2015-24 for a PUD, approved in October 2015. The related request for a comprehensive plan amendment would change the future land use from Lake County's Regional Commercial designation to the City's Low Density Residential. The annexation would assign the default zoning in the City of Urban Estate Low Density Residential. Staff recommends approval of the annexation.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1.	Ordinance	ANN ORD 2016-18.doc
2.	Maps	WaterBrooke Maps 2016.pdf
3.	Site Plan	ANN Site plan.pdf
4.	Application	WaterBrooke annexation.pdf
5.	Legal ad	ANN legal ad WaterBrooke.docx

CITY OF CLERMONT
ORDINANCE No. 2016-18

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

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

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

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

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

SECTION 1.

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

Legal Description

LADD DEVELOPMENT PARCEL:

PARCEL 1:

Lot 2, MANLOW PARK, according to the plat thereof as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

PARCEL 2:

The South 1/2 of Tract C, MANLOW PARK, according to the plat thereof as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

PARCEL 3:

That portion of the South 1575.00 feet of the West 1660.00 feet of the North 1/2 of Section 34,

CITY OF CLERMONT
ORDINANCE No. 2016-18

Township 22 South, Range 26 East, Lake County, Florida, LESS the North 726.00 feet of the East 900.00 feet thereof, lying East of Lot 2 and Tract C, MANLOW PARK, according to the plat thereof as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida and that is lying South of Easterly extension of the centerline of Tract C, MANLOW PARK, according to the plat thereof as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.
LESS Road Right-of-Way for Lost Lake Road.

TOGETHER WITH:

CLERMONT STORAGE MATTAMY PURCHASE PARCEL:

That part of Section 34, Township 22 South, Range 26 East, Lake County, Florida, being more particularly described as follows:

Commence at the West 1/4 corner of Section 34, Township 22 South, Range 26 East, thence run N00°05'36"W along the West line of the Northwest 1/4 of said Section 34, a distance of 475.28 feet to the intersection of the West line of the Northwest 1/4 of Section 34 and the Westerly extension of the centerline of Tract C, MANLOW PARK, according to the Plat thereof as recorded in Plat Book 50, Pages 86 and 87, of the Public Records of Lake County, Florida (vacated in Official Records Book 4749, Page 1398, of said Public Records); thence departing said West line run N89°54'28"E along said centerline of Tract C and the Easterly extension thereof, 340.00 feet to the POINT OF BEGINNING; thence departing said centerline of Tract C and the Easterly extension run N00°05'36"W, 328.50 feet; thence run S89°33'02"E, 419.99 feet to the Southerly extension of the Easterly line of Tract A of aforementioned MANLOW PARK plat; thence run N00°05'36"W along said Southerly extension and said Easterly line, 42.11 feet to the Southwest corner of the North 726.00 feet of the East 900.00 feet of the West 1660.00 feet of the South 1575.00 feet of the North 1/2 of said Section 34; thence run S89°33'20"E along the South line of said North 726.00 feet of the East 900.00 feet of the West 1660.00 feet of the South 1575.00 feet of the North 1/2 of said Section 34, a distance of 900.07 feet to Southeast corner of the North 726.00 feet of the East 900.00 feet of the West 1660.00 feet of the South 1575.00 feet of the North 1/2 of said Section 34; thence run S00°05'36"E along the East line of the West 1660.00 feet of the North 1/2 of said Section 34, a distance of 358.20 feet to the intersection of the Easterly extension of aforementioned centerline of Tract C and the East line of the West 1660.00 feet of said Section 34; thence departing said East line run S89°54'28"W along said Easterly extension, 1320.00 feet to the POINT OF BEGINNING.

Containing 28.6 acres more or less, and being subject to any easements, rights-of-way or restrictions of record.

CITY OF CLERMONT
ORDINANCE No. 2016-18

SECTION 2.

That the aforescribed property shall be and hereby is made part and parcel of the City of Clermont, Florida, and that said property shall be subject to all of the laws, ordinances, and provisions pertaining to the City of Clermont.

SECTION 3.

All property aforescribed shall henceforth be subject to ad valorem taxation by the City of Clermont, and any other general or special taxes or assessments.

SECTION 4.

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

SECTION 5.

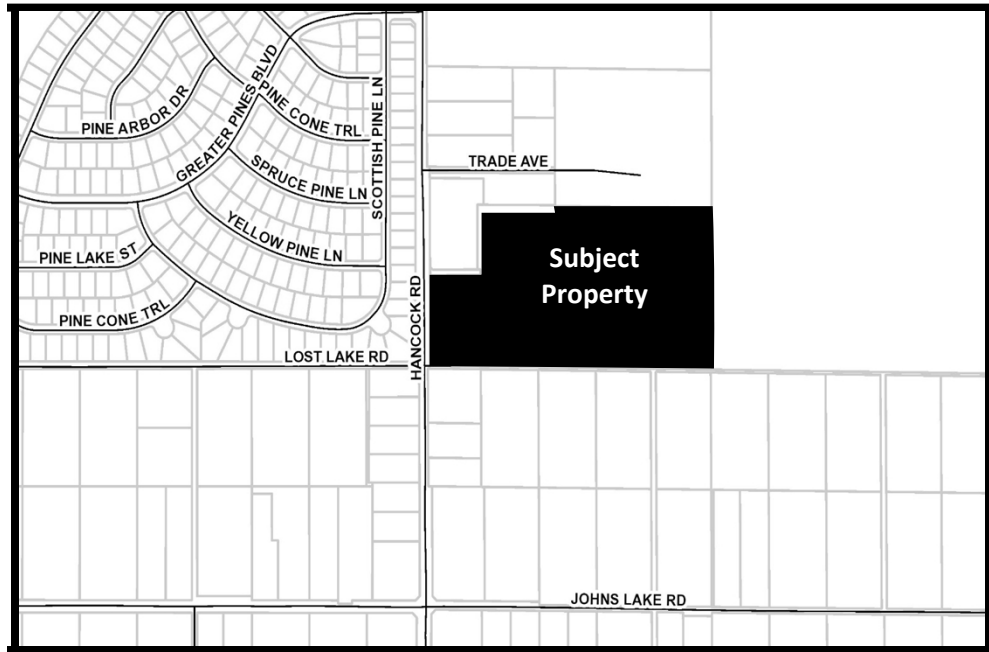
This Ordinance shall be recorded in the Public Records of Lake County, Florida.

SECTION 6.

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

CITY OF CLERMONT
ORDINANCE No. 2016-18

Location map:



CITY OF CLERMONT
ORDINANCE No. 2016-18

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 24th day of May, 2016.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Dan Mantzaris, City Attorney

Exhibit - Location Map WaterBrooke Amendment 2016

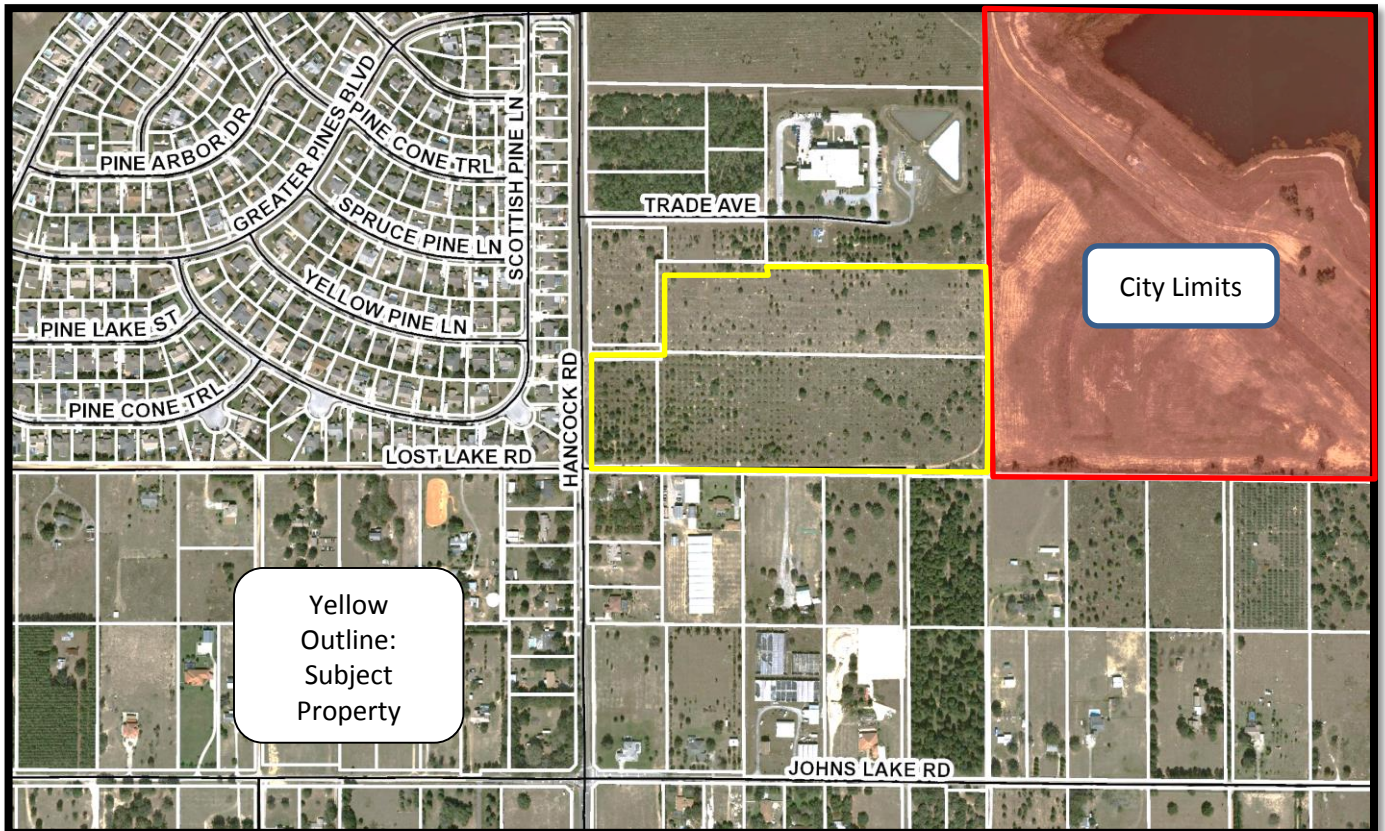
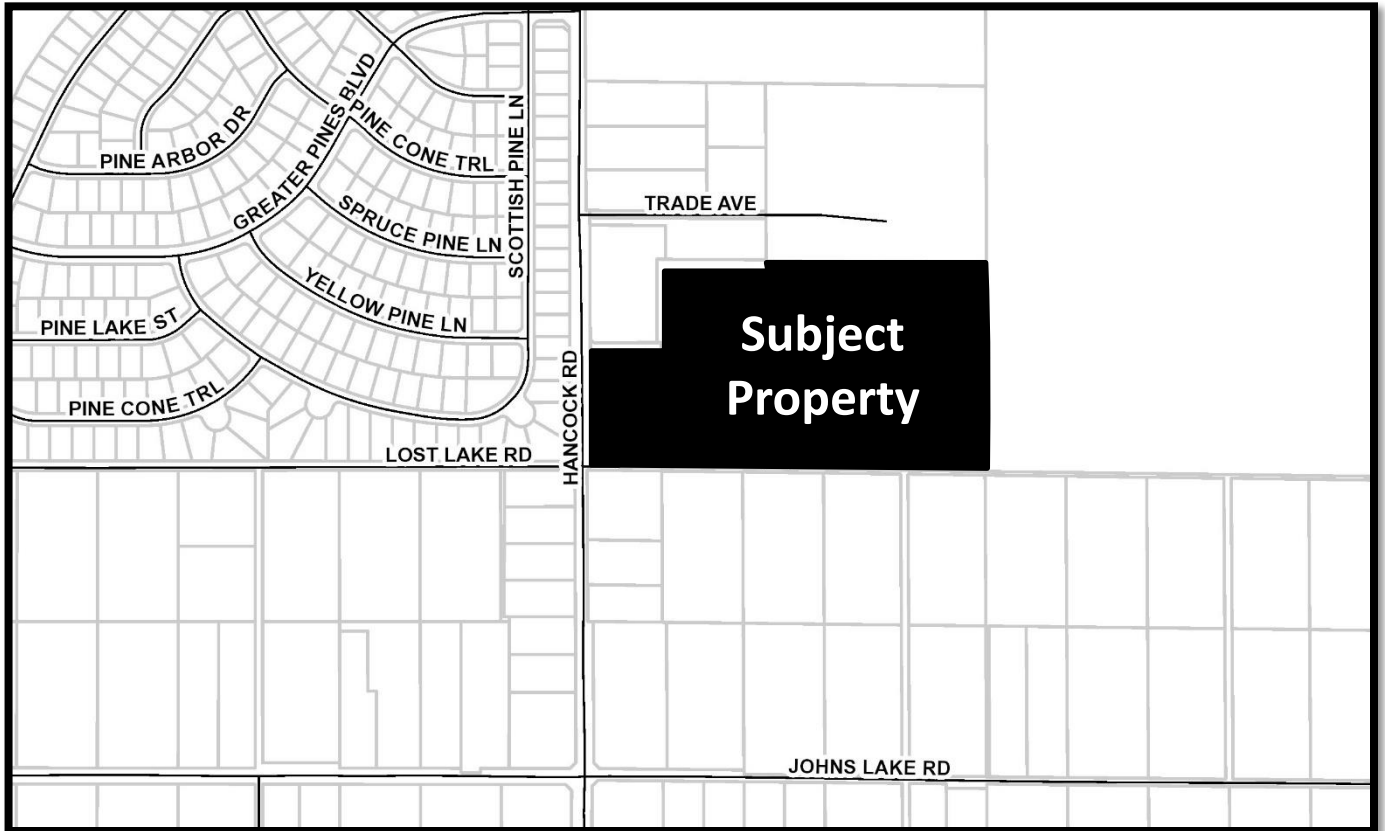


Exhibit – Future Land Use Map
WaterBrooke Amendment 2016

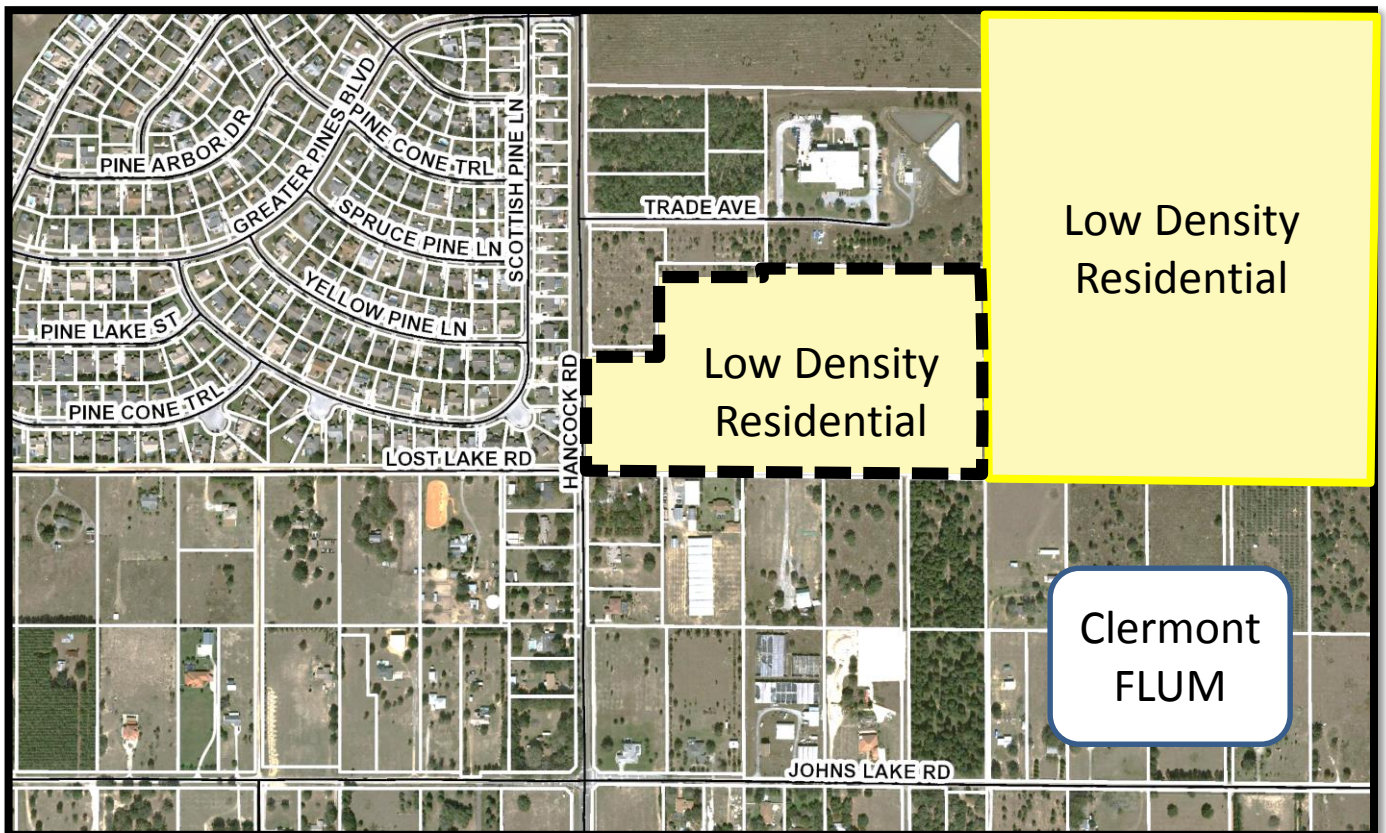
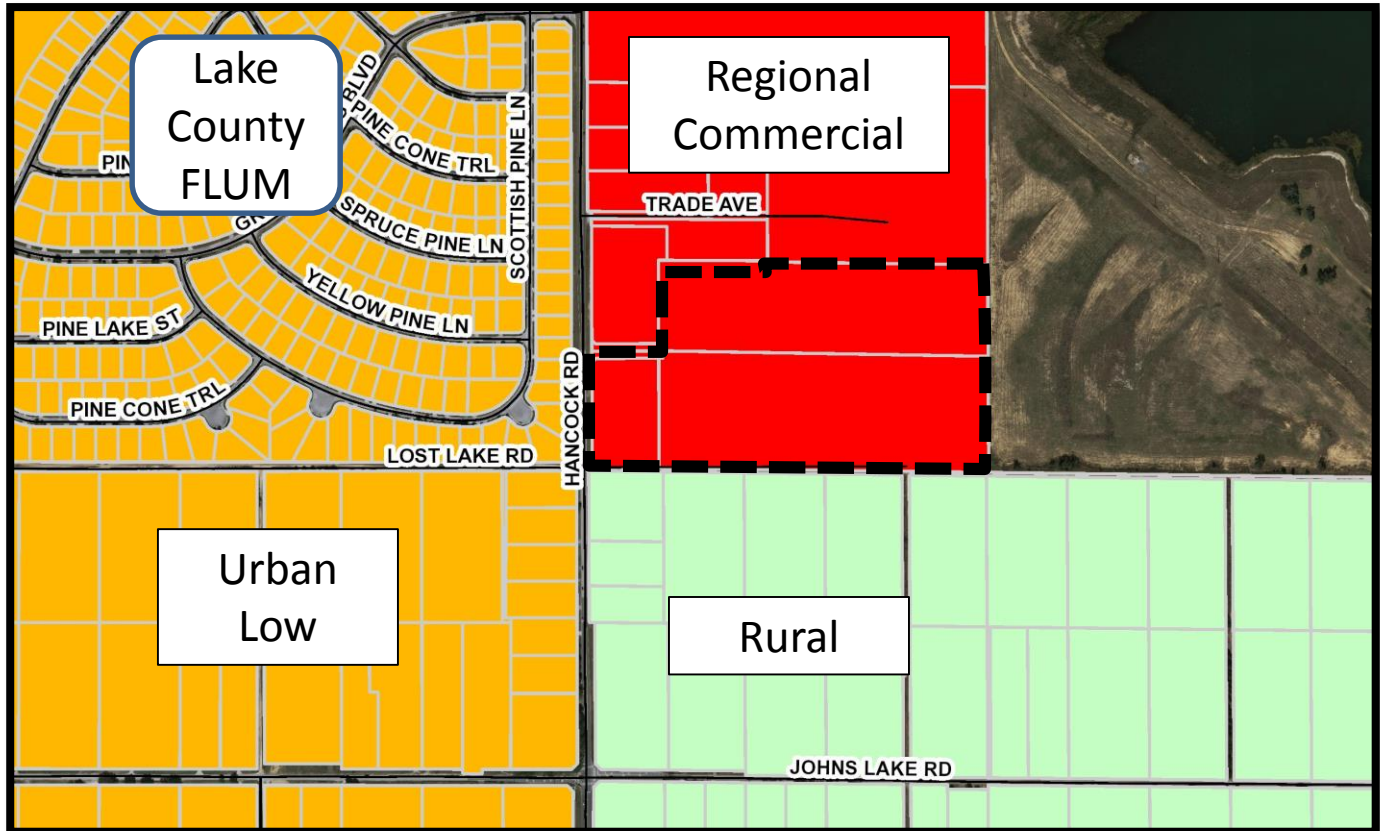


Exhibit – Zoning Map WaterBrooke Amendment 2016

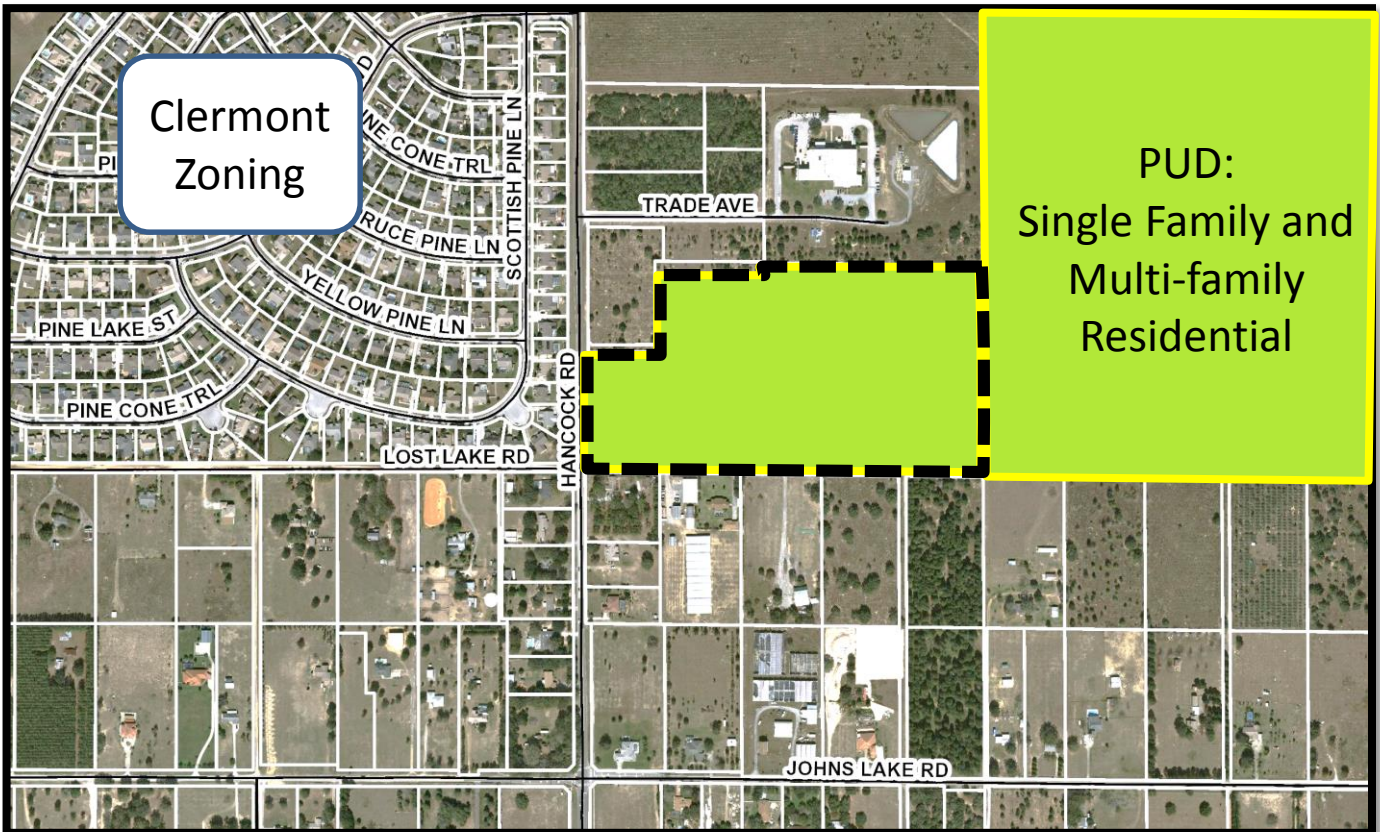
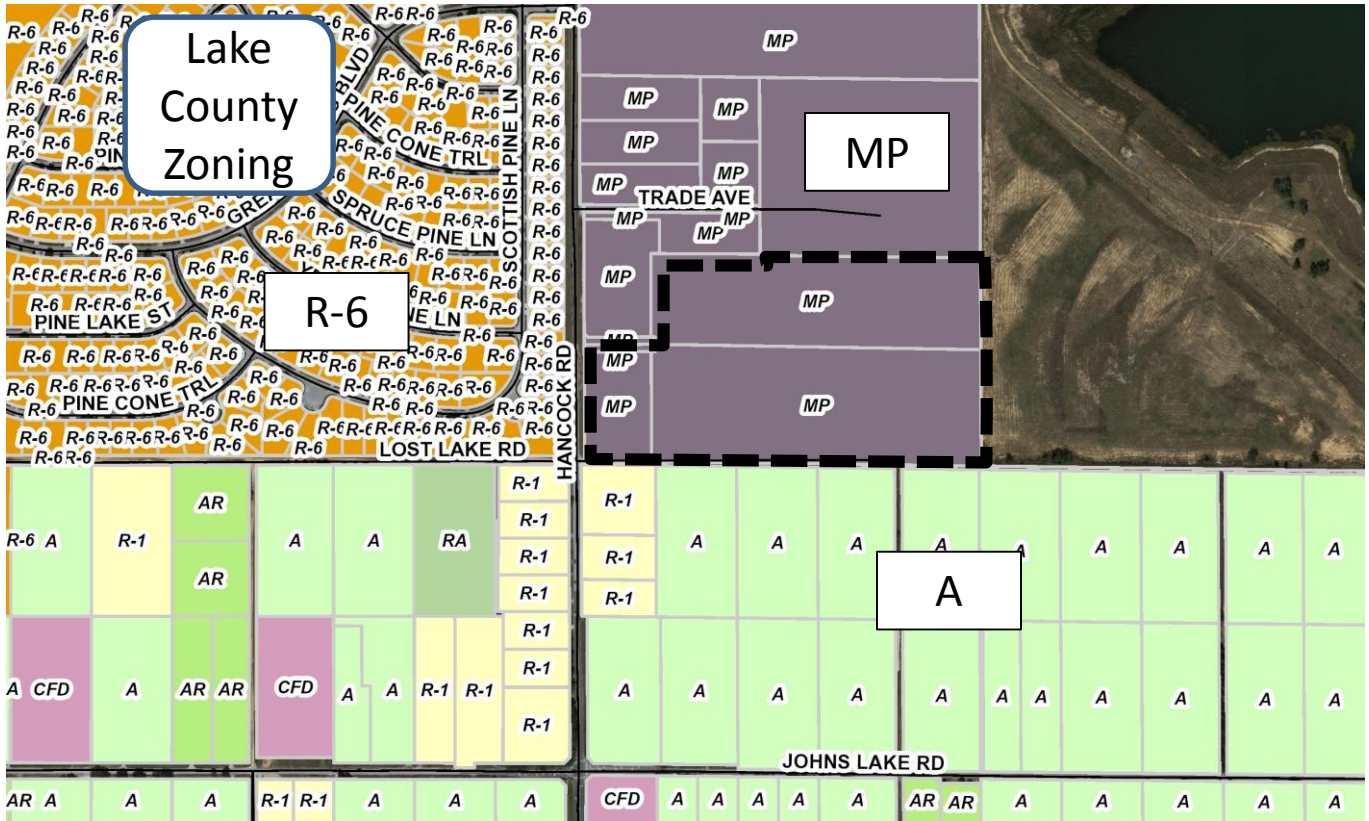
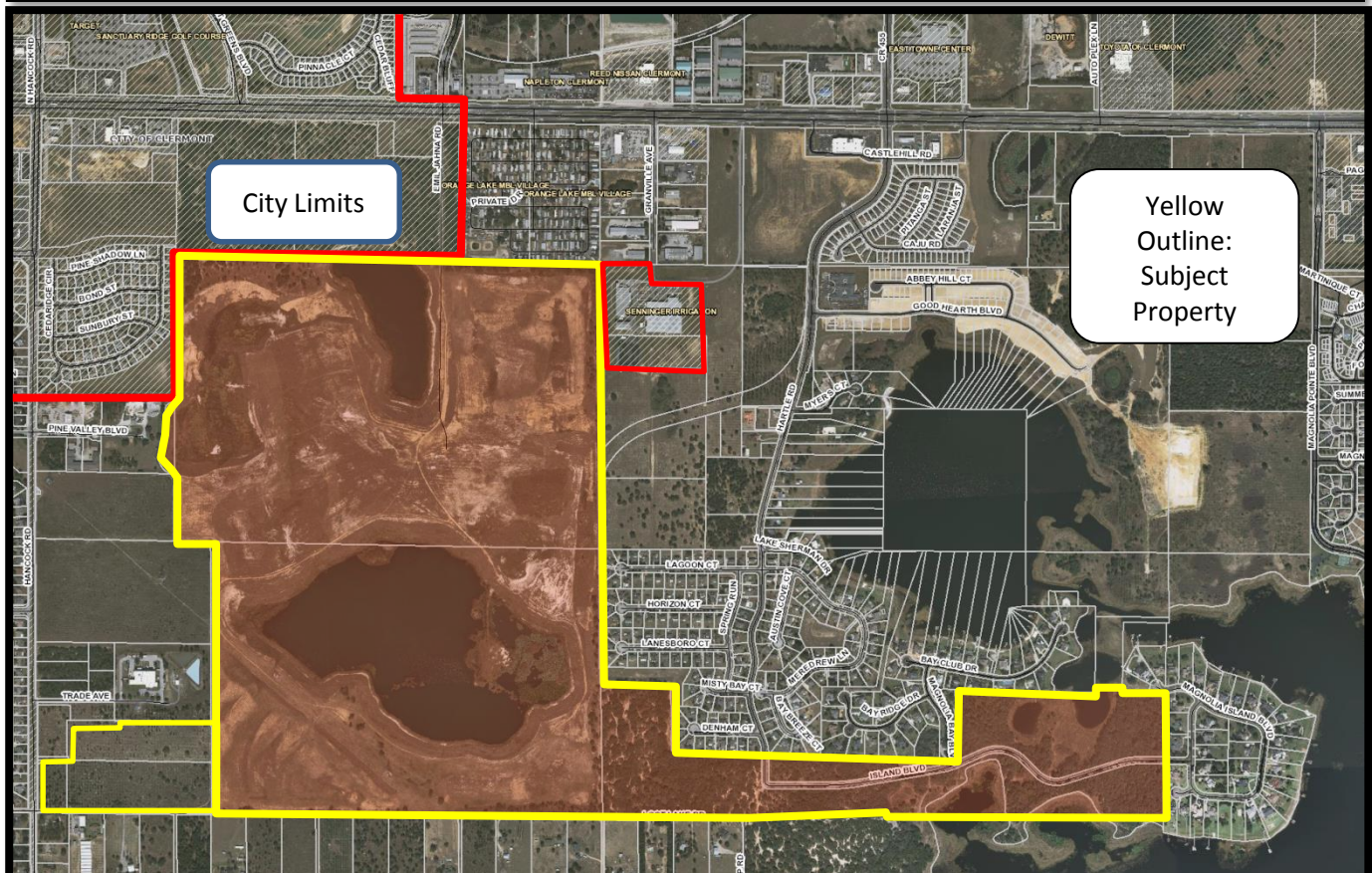
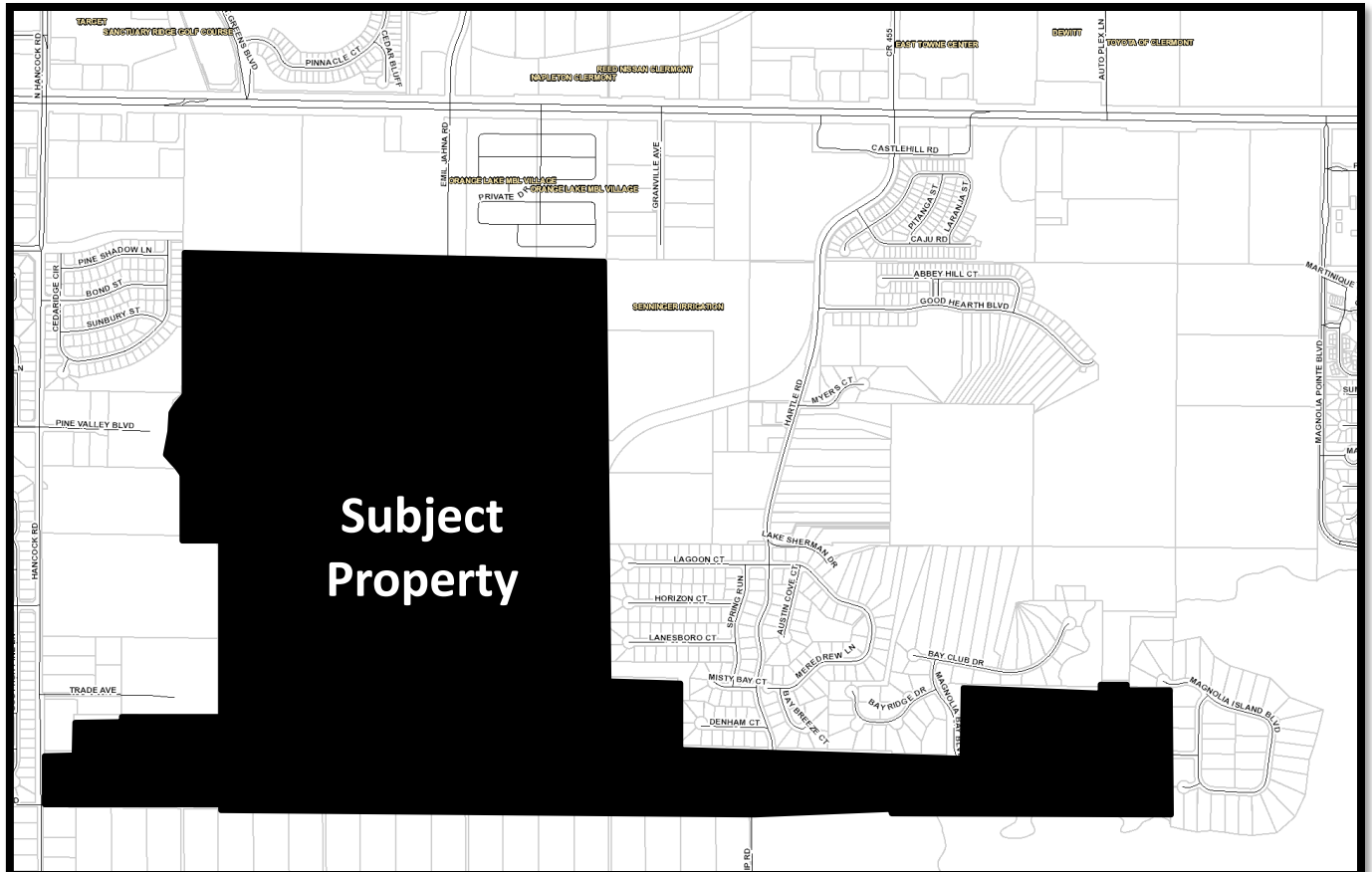


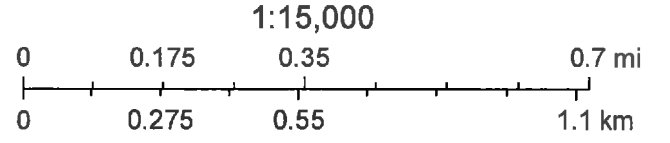
Exhibit - Location Map WaterBrooke





March 23, 2016

- County Boundary
- Water Bodies
- Street Names
- Local Streets
- Tax Parcels
- City Limits In
- Surrounding Counties





APPLICATION & PETITION

DATE: 4/1/16

FEE: \$50.⁰⁰

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

PROJECT NAME (if applicable): WaterBrooke PUD

APPLICANT: Mattamy Orlando LLC - Attn: Keith Trace

Address: 1900 Summit Tower Blvd., Suite 500

City: Orlando State: Florida Zip: 32810

Phone: 407-599-2228 Fax: 321-444-6565

Applicant is: Owner: ☐ Agent: ☒ Purchaser: ☐ Lessee: ☐ Optionee: ☐

OWNER: Ladd Development, Inc. - Attn: Dale J. Ladd

Address: 1135 East Avenue

City: Clermont State: Florida Zip: 34711

Phone: 352-394-8686 Fax: 407-641-8618

OWNER: Clermont Storage Center LLC - Attn: Richard Beavers

Address: 1041 Crown Park Circle

City: Winter Garden State: Florida Zip: 34787

Phone: 321-278-7928 Fax: N/A

AGENT NAME (Affidavit required): Mattamy Orlando LLC - Attn: Thomas McCarthy, Vice President

Address: 1900 Summit Tower Blvd., Suite 500

City: Orlando State: Florida Zip: 32810

Phone: 407-599-2228 Fax: 321-444-6565

E-Mail: tom.mccarthy@mattamyhomes.com



AGENT NAME (Affidavit required): Akerman LLP - Attn: Cecelia Bonifay, Esquire

Address: 420 South Orange Avenue, Suite 1200

City: Orlando

State: Florida

Zip: 32801

Phone: 407-419-8540

Fax: 407-254-4230

E-Mail: cecilia.bonifay@akerman.com

Property address and/or general location: Northeast quadrant of intersection of Hancock Road and Lost Lake Road.

Area of property: 28.61 +/- acres, and/or _____ +/- sq. ft.

The property is PRESENTLY used for: Vacant Land

The property is PROPOSED to be used for: Residential

Existing Lake County Land Use*: Regional Commercial

Existing Lake County Zoning*: MP – Planned Industrial District

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

Number of existing structures on the property and their present use: None

State the reason or basis for this request: Planned residential development / expansion of WaterBrooke PUD

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

Section 34 Township 22E, Range: 26E

See attached boundary survey with legal description.

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



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

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

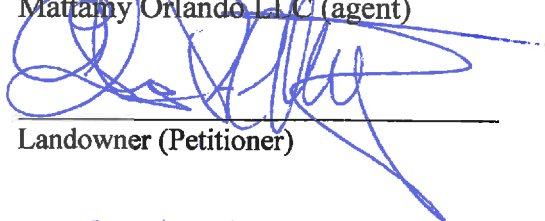
AN ACT TO AMEND CHAPTER 9820, LAWS OF FLORIDA, SPECIAL ACT OF 1923, AS AMENDED, BEING THE CHARTER OF THE CITY OF CLERMONT, FLORIDA, TO PROVIDE ENABLING LEGISLATION FOR THE FUTURE ANNEXATION OF CONTIGUOUS TERRITORY BY PETITION AND CONSENT OF THE LANDOWNER(S) IN THE AREA SOUGHT TO BE ANNEXED: PROVIDING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

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

IN WITNESS WHEREOF, we, the undersigned landowners, as petitioners, have hereunto set our hands and seals as of the 1st day of April, 2016.

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

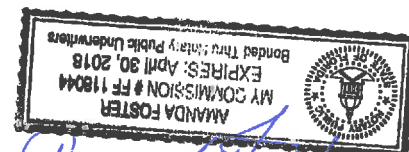
Thomas McCarthy, Vice President
Mattamy Orlando LLC (agent)



Landowner (Petitioner)

April 1, 2016

Date





Notary Public
Produced FL DL.

4/30/18

My Commission Expires



OWNER / AGENT AFFIDAVIT (ANNEXATION)

Date: 3/28/16

Before me, the undersigned authority personally appeared Dale J. Ladd of Ladd Development, Inc. (owner(s) name), who being by me duly sworn on oath, deposes and says:

- 1. That said authority is the fee-simple owner of the property legally described in this application.
2. That said authority desires an ANNEXATION to allow:

Planned residential development

- 3. That said authority (owner) has appointed (agent's name) Thomas McCarthy, Vice President, Mattamy Orlando, LLC to act in its behalf to accomplish the above, and before me the undersigned authorized agent personally appeared and being by me duly sworn on oath, deposes and says:

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

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

Dale J. Ladd
Ladd Development, Inc.

X [Signature]
Owner (signature)

Sworn to and subscribed before me this 28 day of March 2016.

[Signature]
Notary Public, State of FL
My commission expires: 6-7-17

Thomas McCarthy, Vice President
Mattamy Orlando LLC

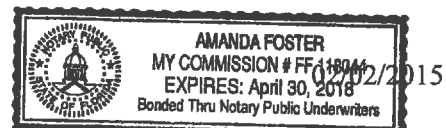
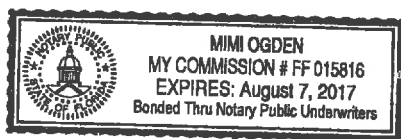
X [Signature]
Agent's (signature)

Sworn to and subscribed before me this 1st day of April 2016. Produced FLDL.

[Signature]
Notary Public, State of FL
My commission expires: 4/30/18

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

27146/EA134A





OWNER / AGENT AFFIDAVIT (ANNEXATION)

Date: 3/28/16

Before me, the undersigned authority personally appeared Dale J. Ladd of Ladd Development, Inc. (owner(s) name), who being by me duly sworn on oath, deposes and says:

4. That said authority is the fee-simple owner of the property legally described in this application.
5. That said authority desires an ANNEXATION to allow:

Planned residential development

6. That said authority (owner) has appointed (agent's name) Cecelia Bonifay, Esq. to act in its behalf to accomplish the above, and before me the undersigned authorized agent personally appeared and being by me duly sworn on oath, deposes and says:

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

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

Dale J. Ladd
Ladd Development, Inc.

Cecelia Bonifay, Esq.
Akerman, LLP

X [Signature]
Owner (signature)

X _____
Agent's (signature)

Sworn to and subscribed before
me this 28 day of March
2016.

Sworn to and subscribed before
me this _____ day of _____,
20____.

[Signature]
Notary Public, State of FL
My commission expires: 8-7-17

Notary Public, State of FL
My commission expires:

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





OWNER / AGENT AFFIDAVIT (ANNEXATION)

Date: 3/28/16

Before me, the undersigned authority personally appeared Dale J. Ladd of Ladd Development, Inc. (owner(s) name), who being by me duly sworn on oath, deposes and says:

4. That said authority is the fee-simple owner of the property legally described in this application.
5. That said authority desires an ANNEXATION to allow:

Planned residential development

6. That said authority (owner) has appointed (agent's name) Cecelia Bonifay, Esq. to act in its behalf to accomplish the above, and before me the undersigned authorized agent personally appeared and being by me duly sworn on oath, deposes and says:

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

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

Dale J. Ladd
Ladd Development, Inc.

X _____
Owner (signature)

Sworn to and subscribed before
me this _____ day of _____,
20____.

Notary Public, State of FL
My commission expires:

Cecelia Bonifay, Esq.
Akerman, LLP

X Cecelia Bonifay
Agent's (signature)

Sworn to and subscribed before
me this 31st day of March,
2016.

Lisa Jefferson
Notary Public, State of FL
My commission expires:



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



OWNER / AGENT AFFIDAVIT (ANNEXATION)

Date: 4/1/16

Before me, the undersigned authority personally appeared Richard Beavers of Clermont Storage Center LLC (owner(s) name), who being by me duly sworn on oath, deposes and says:

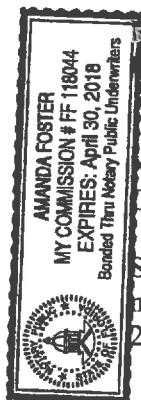
7. That said authority is the fee-simple owner of the property legally described in this application.
8. That said authority desires an ANNEXATION to allow:

Planned residential development

9. That said authority (owner) has appointed (agent's name) Thomas McCarthy, Vice President, Mattamy Orlando, LLC to act in its behalf to accomplish the above, and before me the undersigned authorized agent personally appeared and being by me duly sworn on oath, deposes and says:

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

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



Richard Beavers
Clermont Storage Center LLC

X Richard Beavers
Owner (signature)

Sworn to and subscribed before
me this 1st day of April,
20 16.

Amanda Foster
Notary Public, State of FL
My commission expires: 4/30/18

Thomas McCarthy, Vice President
Mattamy Orlando LLC

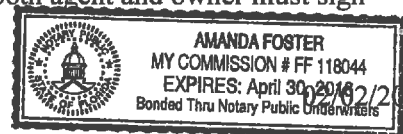
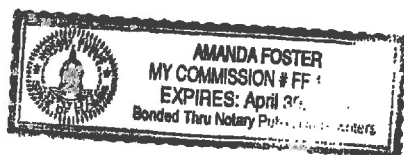
X [Signature]
Agent's (signature)

Sworn to and subscribed before
me this 1st day of April,
20 16. Produced FL DL.

Amanda Foster
Notary Public, State of FL
My commission expires: 4/30/18

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

27146/EA134A





OWNER / AGENT AFFIDAVIT (ANNEXATION)

Date: 4/1/16

Before me, the undersigned authority personally appeared Richard Beavers of Clermont Storage Center LLC (owner(s) name), who being by me duly sworn on oath, deposes and says:

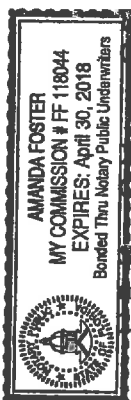
10. That said authority is the fee-simple owner of the property legally described in this application.
11. That said authority desires an ANNEXATION to allow:

Planned residential development

12. That said authority (owner) has appointed (agent's name) Cecelia Bonifay, Esq. to act in its behalf to accomplish the above, and before me the undersigned authorized agent personally appeared and being by me duly sworn on oath, deposes and says:

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

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



Richard Beavers
Clermont Storage Center LLC

Richard Beavers
Owner (signature)

Sworn to and subscribed before
me this 1st day of April,
2016. Personally Known.

Amanda Foster
Notary Public, State of FL
My commission expires: 4/30/18

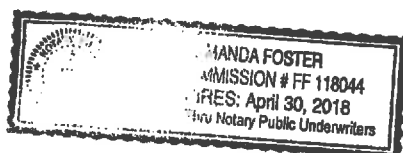
Cecelia Bonifay, Esq.
Akerman, LLP

X _____
Agent's (signature)

Sworn to and subscribed before
me this _____ day of _____,
20____.

Notary Public, State of FL
My commission expires:

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





OWNER / AGENT AFFIDAVIT (ANNEXATION)

Date: 4/1/16

Before me, the undersigned authority personally appeared Richard Beavers of Clermont Storage Center LLC (owner(s) name), who being by me duly sworn on oath, deposes and says:

10. That said authority is the fee-simple owner of the property legally described in this application.

11. That said authority desires an ANNEXATION to allow:

Planned residential development

12. That said authority (owner) has appointed (agent's name) Cecelia Bonifay, Esq. to act in its behalf to accomplish the above, and before me the undersigned authorized agent personally appeared and being by me duly sworn on oath, deposes and says:

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

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

Richard Beavers
Clermont Storage Center LLC

X _____
Owner (signature)

Sworn to and subscribed before
me this _____ day of _____,
20____.

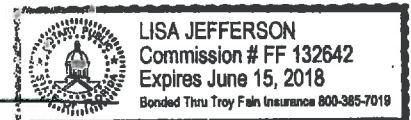
Notary Public, State of FL
My commission expires:

Cecelia Bonifay, Esq.
Akerman, LLP

X Cecelia Bonifay
Agent's (signature)

Sworn to and subscribed before
me this 31st day of March,
2016.

Lisa Jefferson
Notary Public, State of FL
My commission expires:



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

CFN 2005101164
Bk 02878 Pgs 0844 - 846; (3pgs)
DATE: 07/05/2005 03:36:04 PM
JAMES C. WATKINS, CLERK OF COURT
LAKE COUNTY
RECORDING FEES 27.00
DEED DOC 17,462.90

This instrument was prepared
by and should be returned to:

William A. Beckett, Esquire
Lowndes, Drosdick, Doster, Kantor
& Reed, P.A.
Post Office Box 2809
Orlando, Florida 32802-2809

TAX PARCEL ID. NOS.:
34-22-26-1300-000-00200
34-22-26-1300-00A-00000
34-22-26-1300-00C-00000
34-22-26-00002-000-00200

WARRANTY DEED

THIS WARRANTY DEED, made and executed as of the 1st day of July, 2005, by MANLOW PROPERTIES, LLC, a Florida limited liability company, whose address is 215 N. Eola Drive, Orlando, Florida 32801 (hereinafter referred to as the "Grantor") to LADD DEVELOPMENT, INC., a Florida corporation, whose address is 1135 East Avenue, Clermont, Florida 34711 (hereinafter referred to as the "Grantee");

WITNESSETH:

That the Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable considerations, the receipt and sufficiency of which are hereby acknowledged by these presents does grant, bargain, sell, alien, remise, release, convey, and confirm unto the Grantee that certain piece, parcel or tract of land situated in Lake County, Florida more particularly described as follows, to wit:

SEE ATTACHED EXHIBIT "A"
(hereinafter referred to as the "Subject Property");

TOGETHER WITH all the tenements, hereditaments, easements and appurtenances, including riparian rights, if any, thereto belonging or in anywise appertaining;

TO HAVE AND TO HOLD the Subject Property in fee simple forever.

AND the Grantor hereby covenants with said Grantee that it is lawfully seized of the Subject Property in fee simple; that it has good right and lawful authority to sell and convey the Subject Property; that it hereby fully warrants the title to said Subject Property and will defend the same against the lawful claims of all persons whomsoever; and that the Subject Property is free of all encumbrances except ad valorem real property taxes and assessments for the year

2005, and easements and restrictions imposed of record, if any, the reference to which shall not operate to reimpose the same.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed in manner and form sufficient to bind it as of the day and year first above written.

Signed, sealed and delivered
in the presence of:

Sandra K. Merchut
Name: SANDRA K. MERCHUT

Roxane H. Stratton
Name: ROXANE H. STRATTON

MANLOW PROPERTIES, LLC
a Florida limited liability company

By: Robert A. Mandell
Name: Robert A. Mandell
Title: Managing Member

Address:
215 N. Eola Drive
Orlando, Florida 32801

STATE OF FLORIDA
COUNTY OF Deeunale

The foregoing instrument was acknowledged before me this 30 day of June, 2005 by Robert A. Mandell, as Managing Member of Manlow Properties, LLC, a Florida limited liability company, on behalf of the company. He is personally known to me or has produced Personally Known as identification.

(NOTARY SEAL)



Sandra K. Merchut
My Commission DD348026
Expires October 10, 2008

Sandra K. Merchut
Notary Public Signature

Typed or Printed Notary Name
Notary Public-State of _____
Commission No.: _____
My Commission Expires: _____

EXHIBIT "A"

SUBJECT PROPERTY

Description - Parcel A:

Lot 2, MANLOW PARK, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

AND

The South $\frac{1}{2}$ of Tract C, MANLOW PARK, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

AND

That portion of the South 1575.00 feet of the West 1660.00 feet of the North $\frac{1}{2}$ of Section 34, Township 22 South, Range 26 East, Lake County, Florida, Less the North 726.00 feet of the East 900.00 feet thereof, lying East of Lot 2 and Tract C, MANLOW PARK, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida and South of Easterly extension of the centerline of Tract C, MANLOW PARK, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

AND

Description - Parcel C:

The North $\frac{1}{2}$ of Tract B, MANLOW PARK, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

AND

The South $\frac{1}{2}$ of that portion of the following described land lying North of Tract B, MANLOW PARK, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida:

The South 1575.00 feet of the West 1660.00 feet of the North $\frac{1}{2}$ of Section 34, Township 22 South, Range 26 East, Lake County, Florida, Less the North 726.00 feet of the East 900.00 feet thereof.



FISHBACK DOMINICK BENNETT STEPTER
ARDAMAN AHLERS & LANGLEY LLP
1947 LEE RD
WINTER PARK FL 32789

Prepared by and return to:
Kenneth R. Uncapher
Carlton Fields, P.A.
Post Office Box 1171
Orlando, Florida 32802-1171

SPECIAL WARRANTY DEED

This Special Warranty Deed is executed effective the 8th day of November 2013, by **PNC BANK, NATIONAL ASSOCIATION**, successor by merger to RBC Bank (USA), whose address is 249 Fifth Avenue, Pittsburgh, PA, 15222 (hereinafter referred to as "Grantor"), to **CLERMONT STORAGE CENTER, LLC**, a Florida limited liability company, whose address is 1041 Crown Park Circle, Winter Garden, FL 34787 (hereinafter referred to as "Grantee"):

Subject to the limitations described herein, Grantor grants and conveys ownership of the property (the "Property") described below to Grantee, to have and to hold the Property in fee simple forever, along with all of its rights and appurtenances, including any right, title, and interest of Grantor in adjacent streets, alleys, and rights-of-way.

The Property consists of the land, together with all tenements, hereditaments, and appurtenances thereto belonging or in anywise appertaining, in the County of Lake of the State of Florida. The legal description of the Property is:

Lot 1, MANLOW PARK, according to the Plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

AND

Tract A, MANLOW PARK, according to the Plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

AND

The North Half of Tract C, MANLOW PARK, according to the Plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

AND

The South Half of Tract B, MANLOW PARK, according to the Plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

AND

That portion of the South 1575.00 feet of the West 1660.00 feet of the North Half of Section 34, Township 22 South, Range 26 East, Lake County, Florida, LESS the North 726 feet of the East 900.00 feet thereof, lying East of Lot 1 and Tract C, MANLOW PARK, according to the Plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida and North of an Easterly extension of the centerline of Tract C, MANLOW PARK, according to the Plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida and South of Tract A, MANLOW PARK, according to the Plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

This Special Warranty Deed was made for and in consideration of the sum of \$10.00 and other good and valuable consideration paid to the undersigned by Grantee.

Grantor covenants with Grantee that Grantor specially warrants title to the Property conveyed here, and that Grantor will forever warrant and defend title to the Property for Grantee and Grantee's heirs and personal representatives and assigns, from and against the claims and demands of Grantor and all persons claiming by, through, or under Grantor, but not against the claims of any others.

The conveyance of the Property is made subject to the following exceptions, reservations or restrictions: Taxes for the year 2013, all easements, reservations, exceptions, and restrictions of record, but any reference in this Special Warranty Deed to any easement, reservation, exception, encumbrance or restriction shall not serve to or be deemed to reimpose or reinstate any such easement, reservation, exception, or restriction unless such reinstatement or reimposition is specifically set forth in this Special Warranty Deed.

The covenants made in this deed are legally binding on Grantor and all who lawfully succeed to Grantor's rights and responsibilities. These covenants can be enforced by Grantee and all future owners of the Property.

IN WITNESS WHEREOF, Grantor has caused this Special Warranty Deed to be executed as of the day and year first above written.

Signed, Sealed and Delivered
in the Presence of:

Sheri Ondercik
Witness

Sheri Ondercik
(Please Print or Type Name)

[Signature]
Witness

Kristina Sanders
(Please Print or Type Name)

PNC BANK, NATIONAL ASSOCIATION

By: John R. Gassie
John R. Gassie, Senior Vice President

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 8th day of November, 2013, by JOHN R. GASSIE as Senior Vice President of PNC BANK, NATIONAL ASSOCIATION, who is personally known to me or has produced _____ as identification.

(SEAL)

Sharon E. Ondercik
Notary Public-State of Florida

SHARON E. ONDERCIK
NOTARY PUBLIC - STATE OF FLORIDA
COMMISSION# EE118511
EXPIRES 8/3/2015
BONDED THRU 1-888-NOTARY1

NOLA/MATTAMY
LADD DEVELOPMENT PARCEL

DESCRIPTION (Furnished by Client):

PARCEL 1:

Lot 2, MANLOW PARK, according to the plat thereof as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

PARCEL 2:

The South 1/2 of Tract C, MANLOW PARK, according to the plat thereof as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

PARCEL 3:

That portion of the South 1575.00 feet of the West 1660.00 feet of the North 1/2 of Section 34, Township 22 South, Range 26 East, Lake County, Florida, LESS the North 726.00 feet of the East 900.00 feet thereof, lying East of Lot 2 and Tract C, MANLOW PARK, according to the plat thereof as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida and that is lying South of Easterly extension of the centerline of Tract C, MANLOW PARK, according to the plat thereof as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

LESS Road Right-of-Way for Lost Lake Road.

WATERBROOKE
Clermont Storage
(Mattamy Purchase Parcel)

DESCRIPTION (Prepared by Donald W. McIntosh Associates, Inc.):

That part of Section 34, Township 22 South, Range 26 East, Lake County, Florida, being more particularly described as follows:

Commence at the West 1/4 corner of Section 34, Township 22 South, Range 26 East, thence run N00°05'36"W along the West line of the Northwest 1/4 of said Section 34, a distance of 475.28 feet to the intersection of the West line of the Northwest 1/4 of Section 34 and the Westerly extension of the centerline of Tract C, MANLOW PARK, according to the Plat thereof as recorded in Plat Book 50, Pages 86 and 87, of the Public Records of Lake County, Florida (vacated in Official Records Book 4749, Page 1398, of said Public Records); thence departing said West line run N89°54'28"E along said centerline of Tract C and the Easterly extension thereof, 340.00 feet to the POINT OF BEGINNING; thence departing said centerline of Tract C and the Easterly extension run N00°05'36"W, 328.50 feet; thence run S89°33'02"E, 419.99 feet to the Southerly extension of the Easterly line of Tract A of aforementioned MANLOW PARK plat; thence run N00°05'36"W along said Southerly extension and said Easterly line, 42.11 feet to the Southwest corner of the North 726.00 feet of the East 900.00 feet of the West 1660.00 feet of the South 1575.00 feet of the North 1/2 of said Section 34; thence run S89°33'20"E along the South line of said North 726.00 feet of the East 900.00 feet of the West 1660.00 feet of the South 1575.00 feet of the North 1/2 of said Section 34, a distance of 900.07 feet to Southeast corner of the North 726.00 feet of the East 900.00 feet of the West 1660.00 feet of the South 1575.00 feet of the North 1/2 of said Section 34; thence run S00°05'36"E along the East line of the West 1660.00 feet of the North 1/2 of said Section 34, a distance of 358.20 feet to the intersection of the Easterly extension of aforementioned centerline of Tract C and the East line of the West 1660.00 feet of said Section 34; thence departing said East line run S89°54'28"W along said Easterly extension, 1320.00 feet to the POINT OF BEGINNING.

Containing 10.636 acres (463,314 square feet) more or less, and being subject to any easements, rights-of-way or restrictions of record.

LEGAL NOTICE

The City Council of the City of Clermont will consider the enactment of the following proposed Ordinance at the regularly scheduled meeting to be held Tuesday May 24, 2016 at 6:30 P.M. at City Hall located at 685 West Montrose Street. All interested parties will be given an opportunity to express their views on this matter.

ORDINANCE NO. 2016-18

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

LOCATION:

(Alternate Keys 3823388, 2899191, 3840012 and 3840014)
East of Hancock Road, south of Trade Avenue

LEGAL DESCRIPTION

LADD DEVELOPMENT PARCEL:

PARCEL 1:

Lot 2, MANLOW PARK, according to the plat thereof as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

PARCEL 2:

The South 1/2 of Tract C, MANLOW PARK, according to the plat thereof as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

PARCEL 3:

That portion of the South 1575.00 feet of the West 1660.00 feet of the North 1/2 of Section 34, Township 22 South, Range 26 East, Lake County, Florida, LESS the North 726.00 feet of the East 900.00 feet thereof, lying East of Lot 2 and Tract C, MANLOW PARK, according to the plat thereof as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida and that is lying South of Easterly extension of the centerline of Tract C, MANLOW PARK, according to the plat thereof as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

LESS Road Right-of-Way for Lost Lake Road.

TOGETHER WITH:

CLERMONT STORAGE MATTAMY PURCHASE PARCEL:

That part of Section 34, Township 22 South, Range 26 East, Lake County, Florida, being more particularly described as follows: Commence at the West 1/4 corner of Section 34, Township 22 South, Range 26 East, thence run N00°05'36"W along the West line of the Northwest 1/4 of said Section 34, a distance of 475.28 feet to the intersection of the West line of the Northwest 1/4 of Section 34 and the Westerly extension of the centerline of Tract C, MANLOW PARK, according to the Plat thereof as recorded in Plat Book 50, Pages 86 and 87, of the Public Records of Lake County, Florida (vacated in Official Records Book 4749, Page 1398, of said Public Records); thence departing said West line

run N89°54'28"E along said centerline of Tract C and the Easterly extension thereof, 340.00 feet to the POINT OF BEGINNING; thence departing said centerline of Tract C and the Easterly extension run N00°05'36"W, 328.50 feet; thence run S89°33'02"E, 419.99 feet to the Southerly extension of the Easterly line of Tract A of aforementioned MANLOW PARK plat; thence run N00°05'36"W along said Southerly extension and said Easterly line, 42.11 feet to the Southwest corner of the North 726.00 feet of the East 900.00 feet of the West 1660.00 feet of the South 1575.00 feet of the North 1/2 of said Section 34; thence run S89°33'20"E along the South line of said North 726.00 feet of the East 900.00 feet of the West 1660.00 feet of the South 1575.00 feet of the North 1/2 of said Section 34, a distance of 900.07 feet to Southeast corner of the North 726.00 feet of the East 900.00 feet of the West 1660.00 feet of the South 1575.00 feet of the North 1/2 of said Section 34; thence run S00°05'36"E along the East line of the West 1660.00 feet of the North 1/2 of said Section 34, a distance of 358.20 feet to the intersection of the Easterly extension of aforementioned centerline of Tract C and the East line of the West 1660.00 feet of said Section 34; thence departing said East line run S89°54'28"W along said Easterly extension, 1320.00 feet to the POINT OF BEGINNING.

Containing 28.6 acres more or less, and being subject to any easements, rights-of-way or restrictions of record.

See Map Below

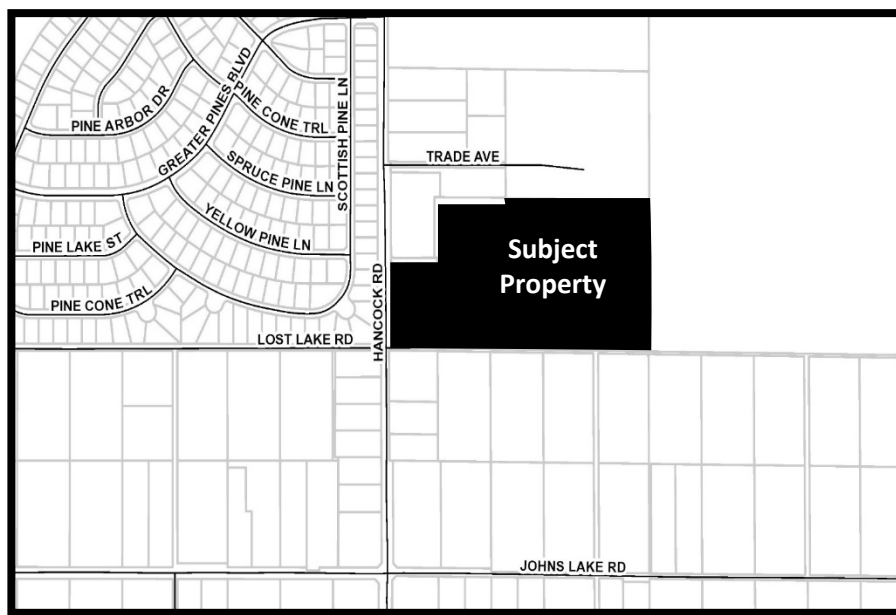
This ordinance is available for public inspection in the office of the City Clerk, 685 W. Montrose Street, Monday through Friday between the hours of 8:00 A.M. and 5:00 P.M.

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

Tracy Ackroyd Howe, MMC

City Clerk

Daily Commercial
May 3 & May 10, 2016
Location Map:





CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, May 24, 2016		
Agenda Item Name		
Ordinance No. 2016-19 <i>Transmittal</i> <i>WaterBrooke</i>		
Requested Action		
Recommend approval to transmit Ordinance 2016-19.		
Staff Report		
The applicant, Mattamy Homes, is requesting adoption of a future land use change for 28.6 acres that would be added to its residential subdivision, WaterBrooke. The proposed map amendment will change the future land use from Lake County's Regional Commercial to the City's Low Density Residential. The City's Low Density Residential allows up to 3 dwelling units per acre. The City's Low Density Residential does not permit commercial or industrial uses, as allowed by Lake County's future land use. The conversion from commercial and industrial uses to residential uses would be more consistent in this area of the City since residential development has already occurred to the west of Hancock Road and is currently planned to the east of this parcel with the existing WaterBrooke development. Existing commercial uses are located a little more than a mile north along SR 50. With the additional acreage added to the WaterBrooke subdivision, the applicant is requesting 1,100 units on a total of 568.6 acres, which equates to 1.93 units per acre. This density is below the 3 dwelling units per acre allowable under the City's Low Density Residential future land use. Upon approval by the City Council, the proposed amendment would be transmitted to the Florida Department of Economic Opportunity (DEO) and the reviewing agencies for review. DEO would then issue an Objections, Recommendations and Comments letter to the City, and the amendment would then be scheduled for a final public hearing in July. Staff recommends approval of the transmittal of the large-scale comprehensive plan amendment to change the future land use from Lake County Regional Commercial to the City's Low Density Residential. <i>At the May 3, 2016 Planning and Zoning Commission meeting, Commissioner Jack Martin moved to recommend approval of the large-scale comprehensive plan amendment; seconded by Commissioner Cuqui Whitehead. The vote was unanimous to recommend approval.</i>		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)		
1.	Ordinance	CPA ORD 2016-19.doc
2.	Maps	WaterBrooke Maps 2016.pdf
3.	Site plan	ANN Site plan.pdf
4.	P&Z Minutes	P&Z Minutes-May2016.pdf
5.	Application	CPA Application.pdf
6.	Legal Ad	CPA Ad WaterBrooke Amendment.docx

CITY OF CLERMONT
ORDINANCE No. 2016-19

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

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

LADD DEVELOPMENT PARCEL:

PARCEL 1:

Lot 2, MANLOW PARK, according to the plat thereof as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

PARCEL 2:

The South 1/2 of Tract C, MANLOW PARK, according to the plat thereof as recorded in

CITY OF CLERMONT
ORDINANCE No. 2016-19

Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

PARCEL 3:

That portion of the South 1575.00 feet of the West 1660.00 feet of the North 1/2 of Section 34, Township 22 South, Range 26 East, Lake County, Florida, LESS the North 726.00 feet of the East 900.00 feet thereof, lying East of Lot 2 and Tract C, MANLOW PARK, according to the plat thereof as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida and that is lying South of Easterly extension of the centerline of Tract C, MANLOW PARK, according to the plat thereof as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.
LESS Road Right-of-Way for Lost Lake Road.

TOGETHER WITH:

CLERMONT STORAGE MATTAMY PURCHASE PARCEL:

That part of Section 34, Township 22 South, Range 26 East, Lake County, Florida, being more particularly described as follows:

Commence at the West 1/4 corner of Section 34, Township 22 South, Range 26 East, thence run N00°05'36"W along the West line of the Northwest 1/4 of said Section 34, a distance of 475.28 feet to the intersection of the West line of the Northwest 1/4 of Section 34 and the Westerly extension of the centerline of Tract C, MANLOW PARK, according to the Plat thereof as recorded in Plat Book 50, Pages 86 and 87, of the Public Records of Lake County, Florida (vacated in Official Records Book 4749, Page 1398, of said Public Records); thence departing said West line run N89°54'28"E along said centerline of Tract C and the Easterly extension thereof, 340.00 feet to the POINT OF BEGINNING; thence departing said centerline of Tract C and the Easterly extension run N00°05'36"W, 328.50 feet; thence run S89°33'02"E, 419.99 feet to the Southerly extension of the Easterly line of Tract A of aforementioned MANLOW PARK plat; thence run N00°05'36"W along said Southerly extension and said Easterly line, 42.11 feet to the Southwest corner of the North 726.00 feet of the East 900.00 feet of the West 1660.00 feet of the South 1575.00 feet of the North 1/2 of said Section 34; thence run S89°33'20"E along the South line of said North 726.00 feet of the East 900.00 feet of the West 1660.00 feet of the South 1575.00 feet of the North 1/2 of said Section 34, a distance of 900.07 feet to Southeast corner of the North 726.00 feet of the East 900.00 feet of the West 1660.00 feet of the South 1575.00 feet of the North 1/2 of said Section 34; thence run S00°05'36"E along the East line of the West 1660.00 feet of the North 1/2 of said Section 34, a distance of 358.20 feet to the intersection of the Easterly extension of aforementioned centerline of Tract C and the East line of the West 1660.00 feet of said Section 34; thence departing said East line run S89°54'28"W along said Easterly extension, 1320.00 feet to the POINT OF BEGINNING.

Containing 28.6 acres more or less, and being subject to any easements, rights-of-way or restrictions of record.

CITY OF CLERMONT
ORDINANCE No. 2016-19

**CHANGE IN FUTURE LAND USE CLASSIFICATION
FROM LAKE COUNTY – REGIONAL COMMERCIAL
TO CITY OF CLERMONT LOW DENSITY RESIDENTIAL**

Section 2.

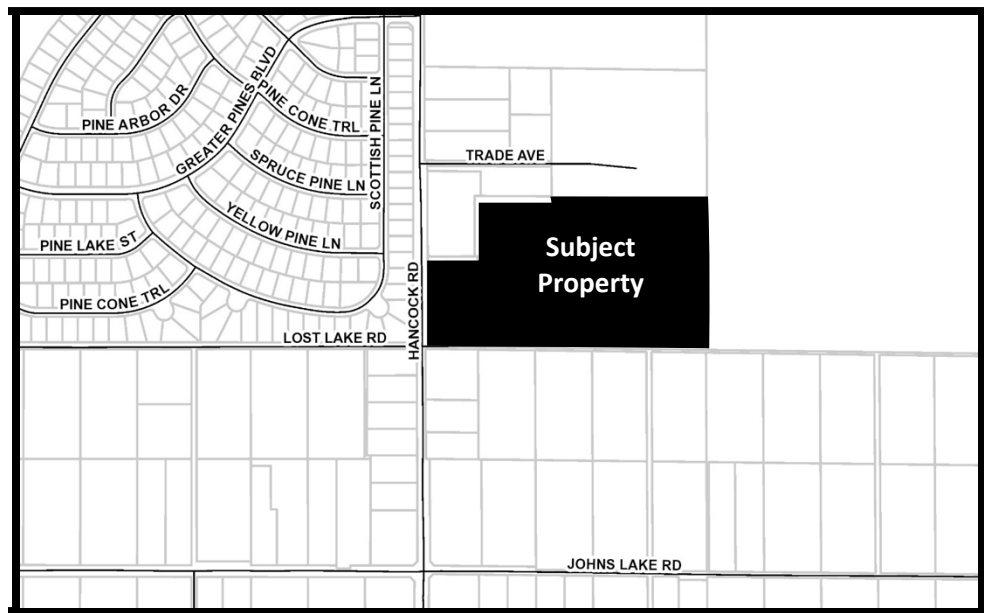
If any portion of this Ordinance is declared invalid, the invalidated portion shall be severed from the remainder of the Ordinance, and the remainder of the Ordinance shall continue in full force and effect as if enacted without the invalidated portion, except in cases where such continued validity of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

Section 3.

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

Section 4.

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



CITY OF CLERMONT
ORDINANCE No. 2016-19

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida, this 26th day of July, 2016.

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Exhibit - Location Map WaterBrooke Amendment 2016

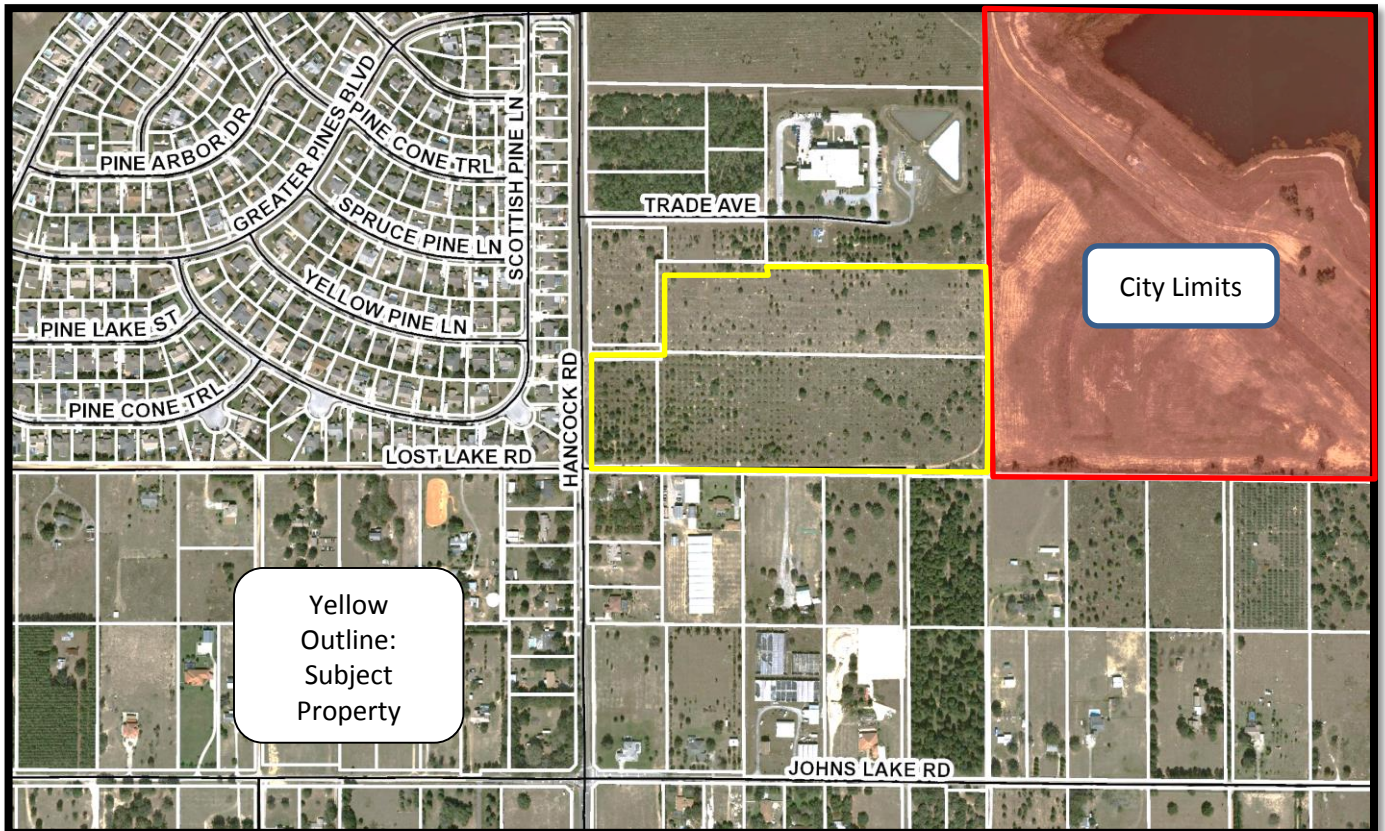
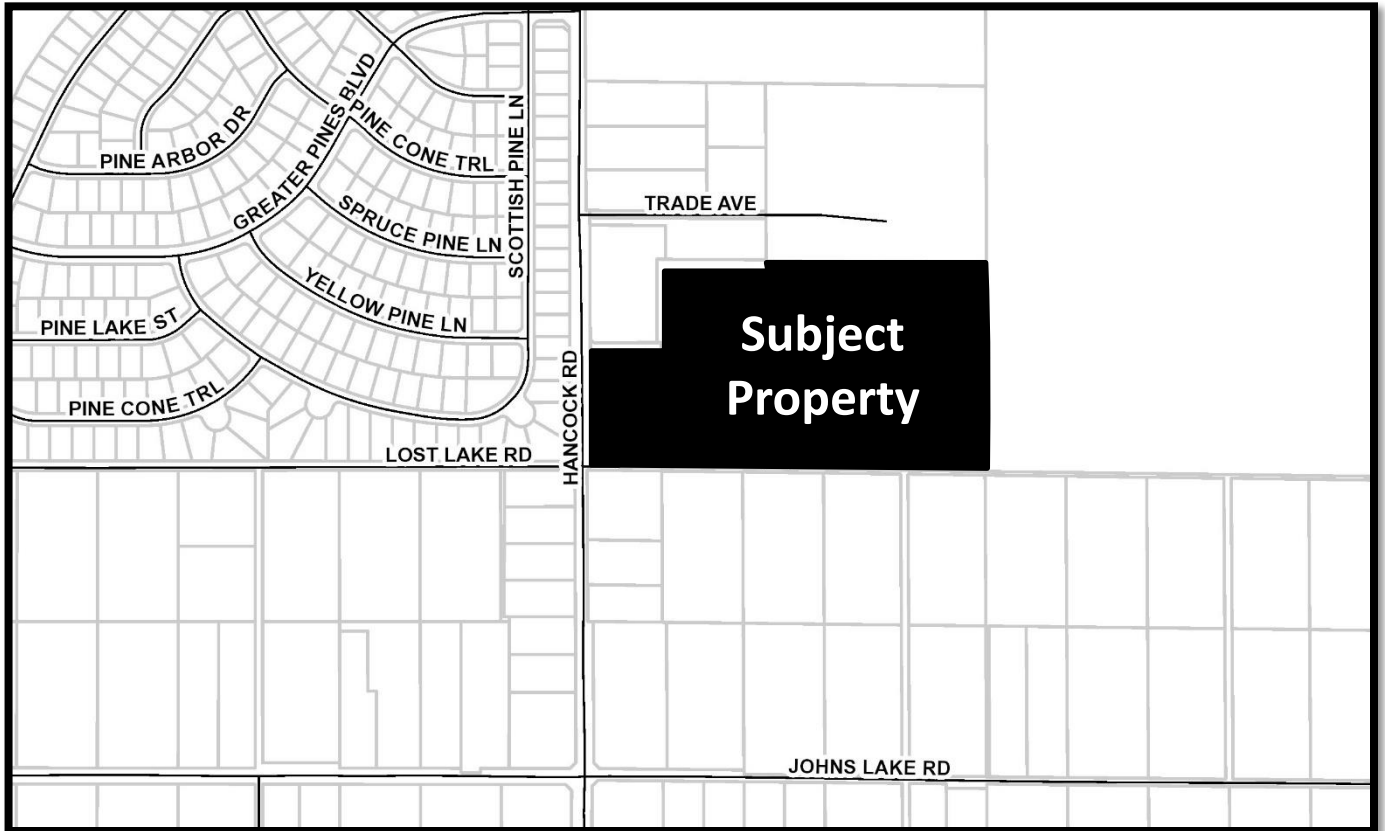


Exhibit – Future Land Use Map
WaterBrooke Amendment 2016

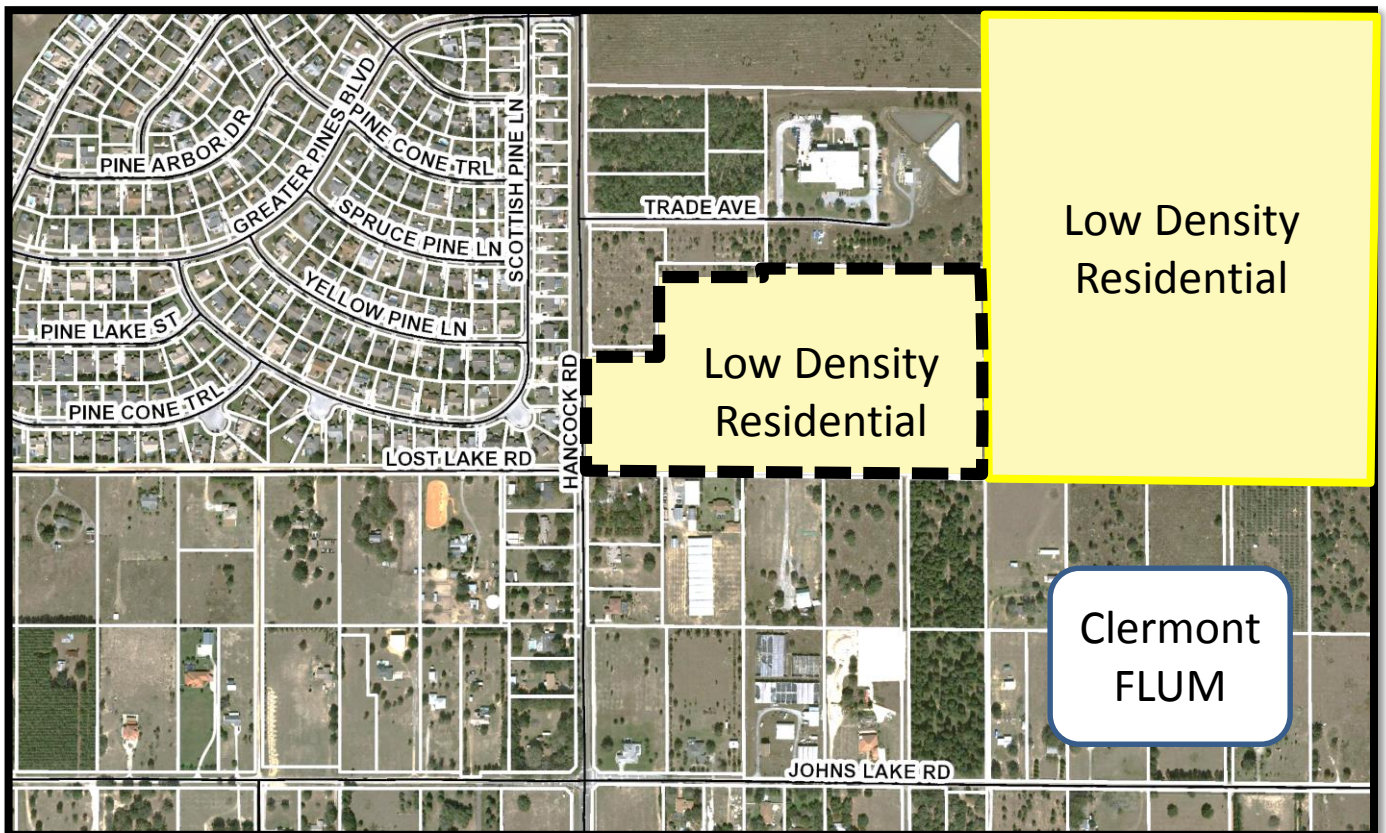
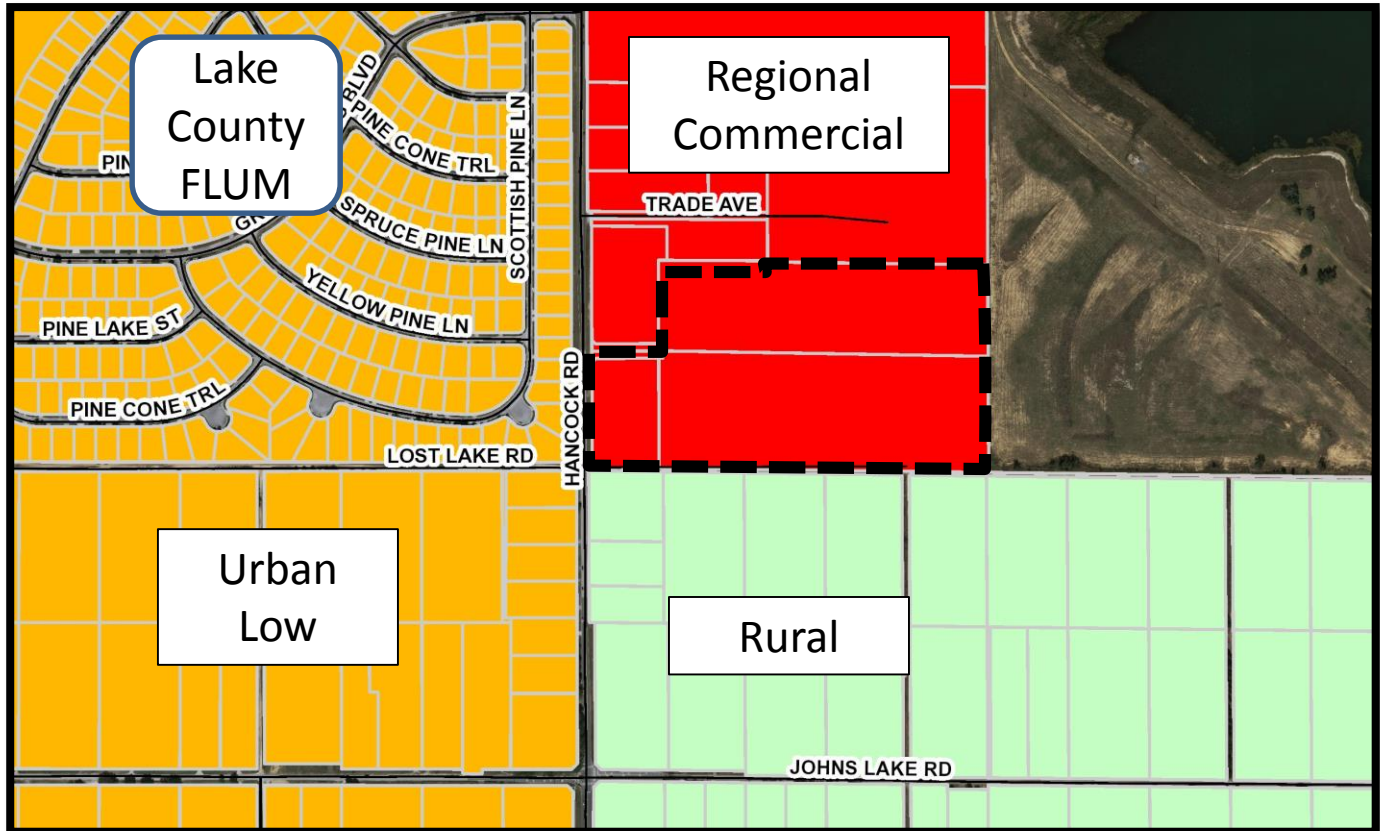


Exhibit – Zoning Map WaterBrooke Amendment 2016

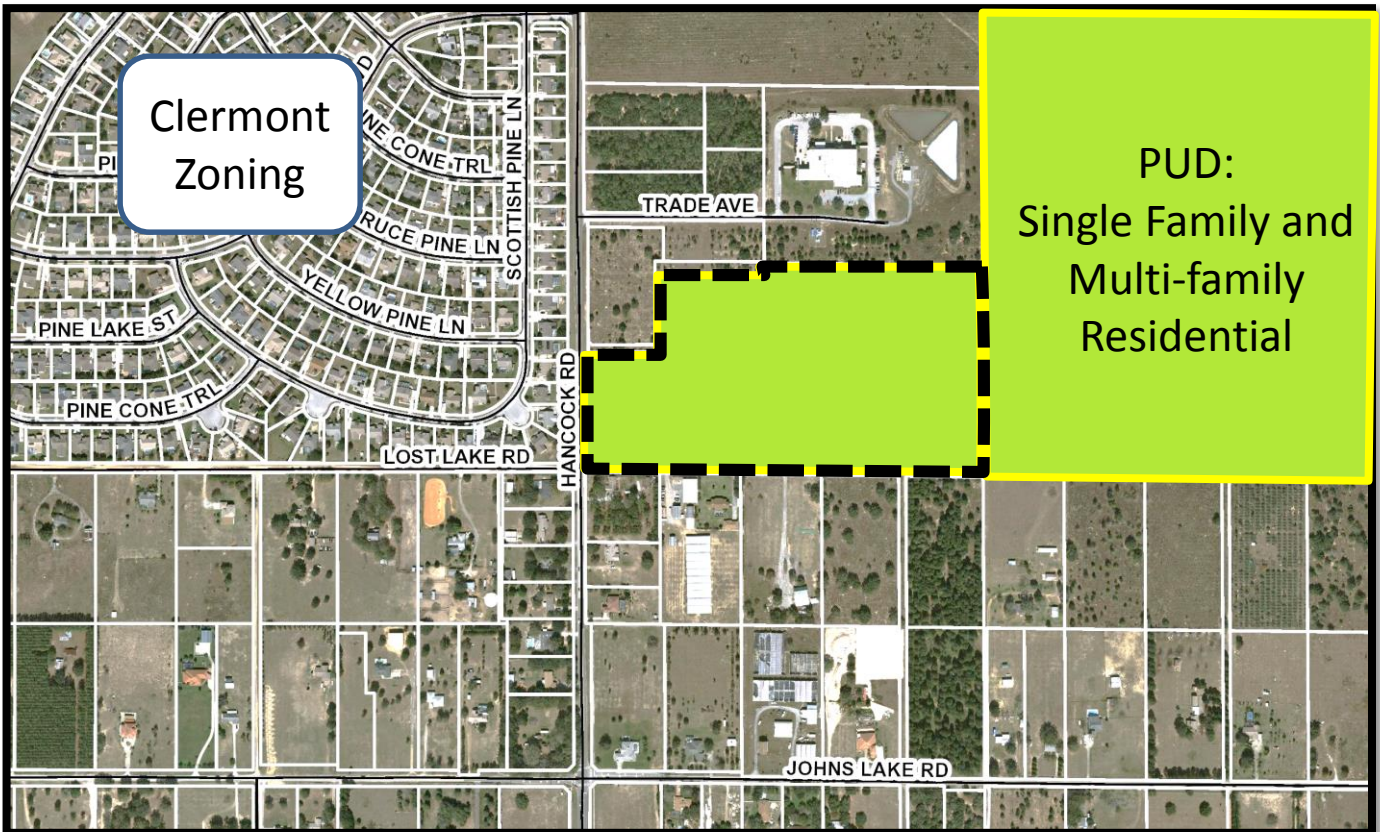
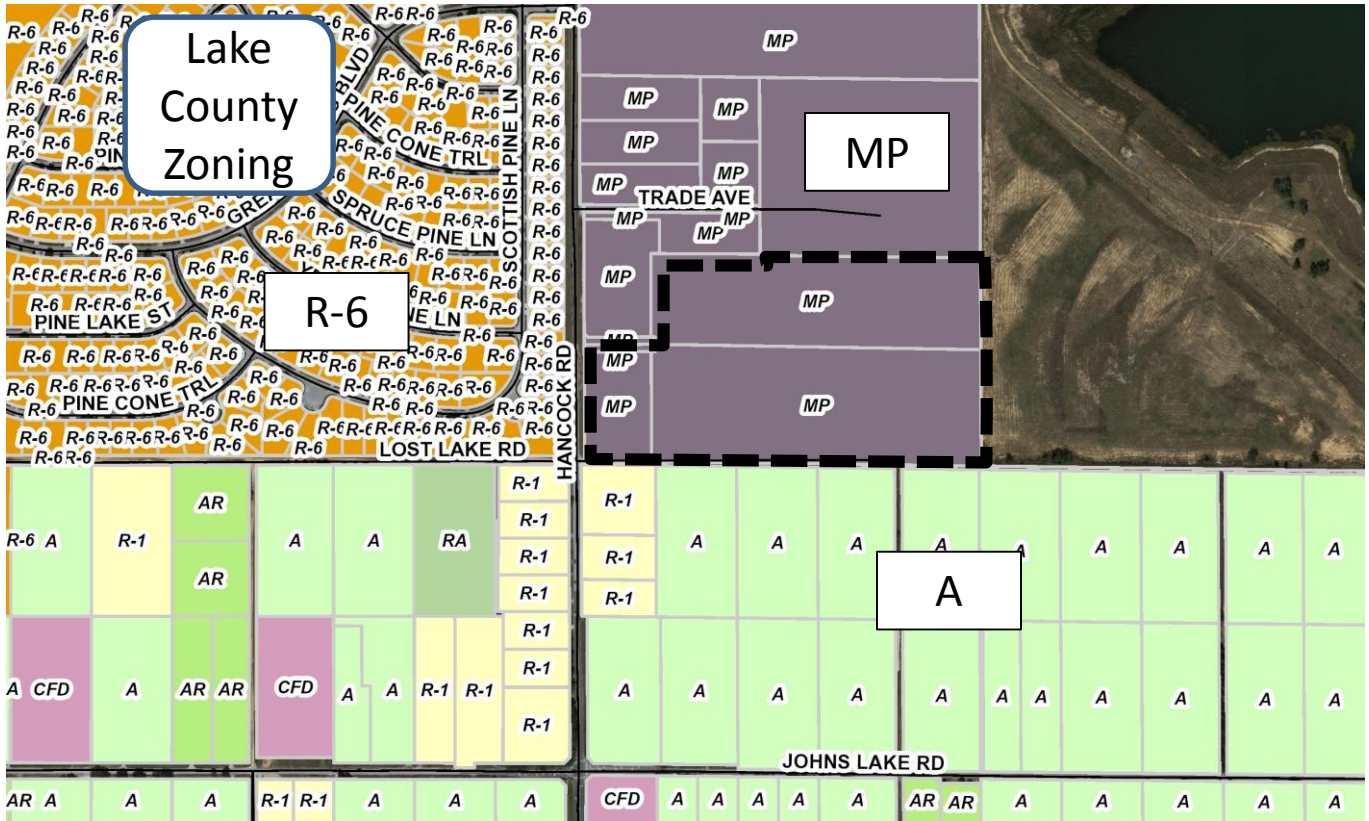
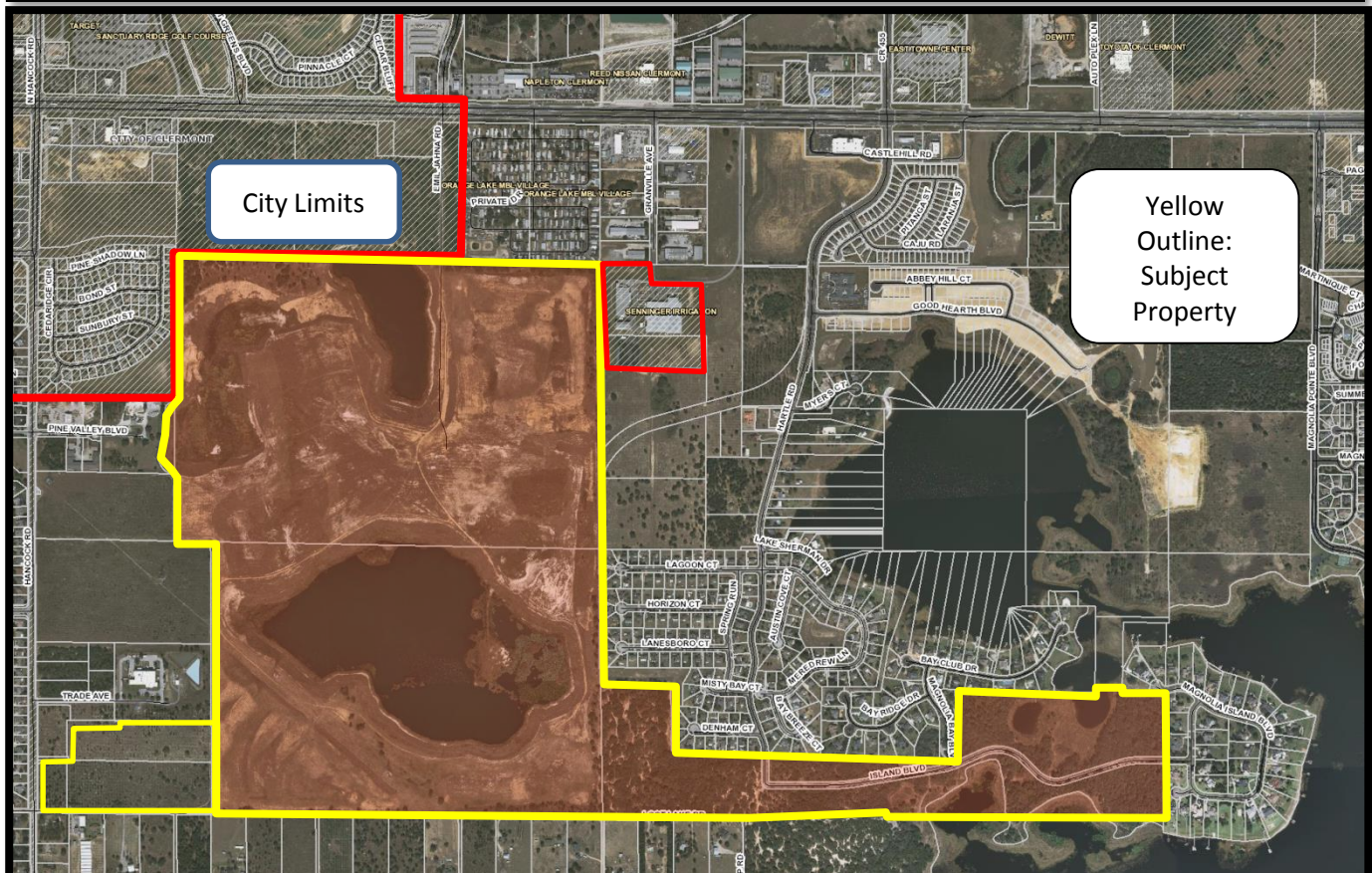
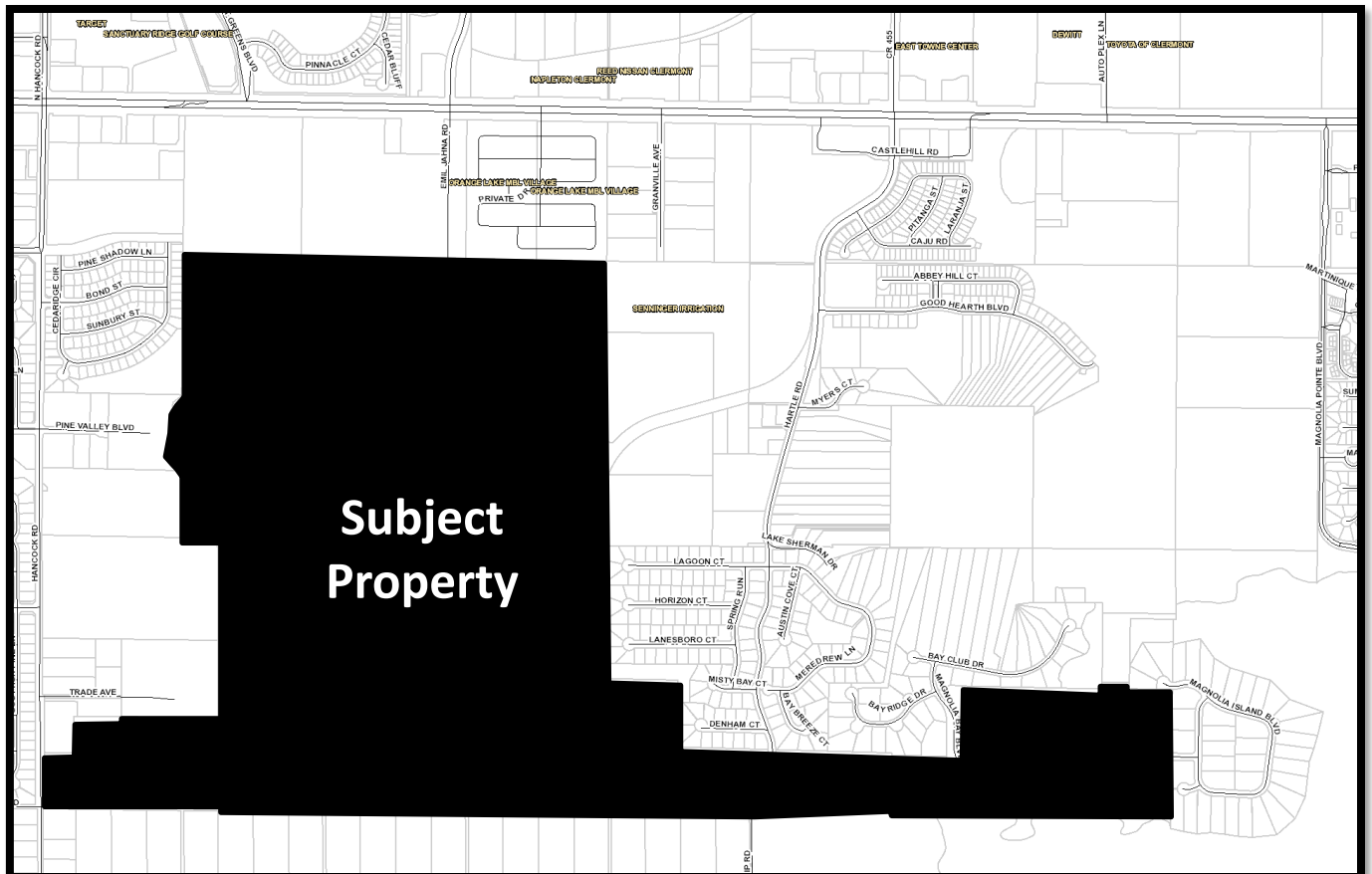
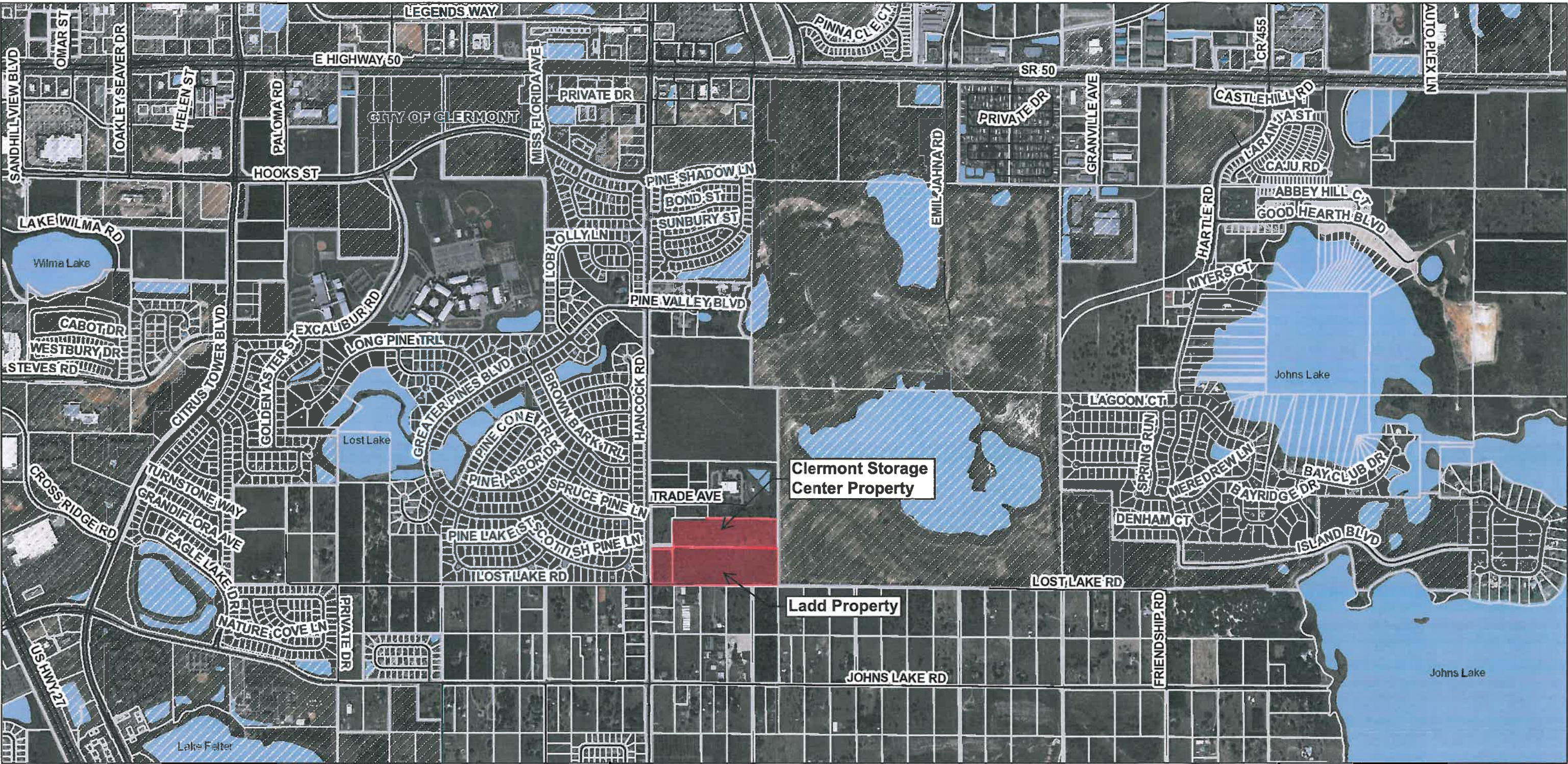


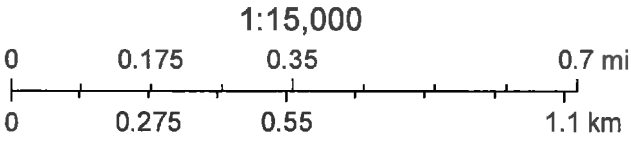
Exhibit - Location Map WaterBrooke





March 23, 2016

- County Boundary
- Water Bodies
- Street Names
- Local Streets
- Tax Parcels
- City Limits In
- Surrounding Counties



**City of Clermont
MINUTES
PLANNING AND ZONING COMMISSION
MAY 3, 2016**

Page 7

Commissioner Whitehead moved to recommend approval of the conditional use permit; seconded by Commissioner Solis. The vote was 4-3 to recommend approval, with Commissioners Proli, Hubbard, and Martin opposing.

3. REQUEST FOR COMPREHENSIVE PLAN AMENDMENT

REQUEST: To change the future land use from Lake County Regional Commercial to Low Density Residential

PROJECT: WaterBrooke

Senior Planner Kruse presented the staff report as follows:

The applicant, Mattamy Homes, is requesting adoption of a future land use change for 28.6 acres that would be added to its residential subdivision, WaterBrooke. The proposed map amendment will change the future land use from Lake County's Regional Commercial to the City's Low Density Residential. The City's Low Density Residential allows up to 3 dwelling units per acre. The City's Low Density Residential does not permit commercial or industrial uses, as allowed by the County's future land use. The conversion from commercial and industrial uses to residential uses would be more logical in this area of the City since residential development has already occurred to the west of Hancock Road and is currently planned to the east of this parcel with the existing WaterBrooke development. Existing commercial uses are located a little more than 1-mile north along SR 50.

With the additional acreage added to the WaterBrooke subdivision, the applicant is requesting 1100 units on total 568.6 acres, which equates to 1.93 units per acre. This number is below the 3 dwelling units per acre allowable under the City's Low Density Residential future land use.

Upon approval by the City Council, the proposed amendment would be transmitted to the Florida Department of Economic Opportunity (DEO) and the reviewing agencies for review. DEO would then issue an Objections, Recommendations and Comments letter to the City, and the amendment would then be scheduled for a final public hearing in July.

Staff recommends approval of the transmittal of the large scale comprehensive plan amendment to change the future land use from Lake County Regional Commercial to the City's Low Density Residential.

4. REQUEST FOR REZONING

REQUEST: To change the zoning from UE Urban Estate to Planning Unit Development

PROJECT: WaterBrooke

Senior Planner Kruse presented the staff report as follows:

**City of Clermont
MINUTES
PLANNING AND ZONING COMMISSION
MAY 3, 2016**

Page 8

The applicant, Mattamy Homes, is requesting to add 28.6 +/- acres to the existing residential subdivision, WaterBrooke. The property is located at the southwest corner of the approved subdivision and fronts Hancock Road. The property is currently in Lake County with a future land use of Regional Commercial and a Planned Industrial zoning. The applicant is requesting annexation and a change in zoning to allow single family and multi-family residential in the City. In addition, with the City's recent adoption of Planned Unit Development zoning, the applicant is requesting a change in zoning from a Conditional Use Permit for a Planned Unit Development in Urban Estate to Planned Unit Development zoning for the entire WaterBrooke subdivision. The WaterBrooke subdivision was approved by Council in October of 2015.

With the additional acreage added to the WaterBrooke subdivision, the applicant is requesting an increase from 950 units to 1100 units on a total of 568.6 acres, which equates to 1.93 units per acre. The additional land has allowed the applicant the ability to rearrange some of the units in the overall project and provide another access point. In doing so, the overall density will increase from 1.76 units per acre to 1.93 units per acre, or approximately 9% increase. This number is still below the 3 dwelling units per acre allowable under the City's Low Density Residential future land use. The applicant has provided a school concurrency report for the additional units indicating school capacity is available. All the conditions in the existing Conditional Use Permit will be in the Planned Unit Development ordinance with the exception of a change for an increase in total number of units and an updated Exhibit B to show the additional acreage to the overall project.

Staff has reviewed the applicant's request for a rezoning from Urban Estate (default zoning upon annexation) and the existing Conditional Use Permit in Urban Estate to Planned Unit Development zoning. Staff believes the proposal meets the standards in regards to Section 122-315, Review Criteria for a Planned Unit Development. Staff recommends approval of Ordinance 2016-20 for a Planned Unit Development.

Cecelia Bonifay, Akerman, representing Mattamy Homes, stated that the applicant is requesting to add 28.6 acres to expand the boundaries to WaterBrooke subdivision. She stated that they are requesting to increase the number of units to 1100, but will still be below 3 units per acre at 1.93 units per acre. She stated that this will complement the existing residential that is already in the area.

Commissioner Proli stated that she is concerned about the traffic that will be added to the area.

Ms. Bonifay talked about the various locations where entrances and exits for WaterBrooke will be located and the expansion of Hartle Road.

Commissioner Martin moved to recommend approval of the large-scale comprehensive plan amendment; seconded by Commissioner Whitehead. The vote was unanimous to recommend approval.

**City of Clermont
MINUTES
PLANNING AND ZONING COMMISSION
MAY 3, 2016**

Page 9

Commissioner Whitehead moved to recommend approval of the rezoning; seconded by Commissioner Solis. The vote was unanimous to recommend approval.

5. REQUEST FOR CONDITIONAL USE PERMIT

REQUEST: To allow an amendment to conditional use permit (Resolution 1316) to allow for an expansion to the existing Wal-Mart building.

PROJECT: Wal-Mart

Senior Planner Kruse presented the staff report as follows:

The applicant is requesting an amendment to the existing Wal-Mart Conditional Use Permit (Resolution 1316) to allow for an increase in building square footage. Currently, the existing Wal-Mart located at 1450 Johns Lake Rd. is limited to 218,685 square feet. The applicant is requesting to build a 3,905 square foot expansion to the east side of the building. The proposed expansion, which will be for liquor sales, will not be accessible from inside the main building. Combining the existing allowable square footage of 218,685 and the proposed addition of 3,905 square feet, the new proposed building size will be limited to 222,590 square feet.

The proposed use is a permitted use under the Land Development Code, Section 122-223, for C-2 uses and requires an amendment to the Conditional Use Permit for the increased square footage of the project. The proposed amendment has been addressed in the attached Resolution 2016-12 language. Strikethroughs indicate deletions and underlines indicate additions.

This same request was previously considered at the December 9, 2014 City Council meeting with a final decision of denial. The applicant has the right to reapply after a period of one year for this location. The year timeframe has been completed and the applicant is reapplying for the same amendment as before. Based upon the submitted information and the Land Development Code, staff recommends approval of Resolution 2016-12 for an increase of 3,905 square feet.

Jonathon Huels, 215 N. Eola Drive, Orlando, an attorney with Lowndes law firm, stated that they concur with staff's recommendation.

Commissioner Proli asked what the hours will be for the liquor store.

City Attorney Mantzaris stated that they will have to follow city code which is from 7 a.m. to 2 a.m.

Commissioner Whitehead moved to recommend approval of the conditional use permit; seconded by Commissioner Smith. The vote was unanimous to recommend approval.



CITY OF CLERMONT
COMPREHENSIVE PLAN AMENDMENT
Application

DATE: 4/1/16

FEE: \$1500.00

Project Name (if applicable): WaterBrooke PUD

Applicant: Mattamy Orlando LLC (agent)

Contact Person: Keith Trace

Address: 1900 Summit Tower Blvd., Suite 500

City: Orlando State: Florida Zip: 32810

Phone: 407-599-2228 Fax: 321-444-6565

E-Mail: Keith.Trace@mattamyhomes.com

OWNER: Ladd Development, Inc. - Attn: Dale J. Ladd

Address: 1135 East Avenue

City: Clermont State: Florida Zip: 34711

Phone: 352-394-8686 Fax: 407-641-8618

E-Mail: mimi@highlandrealestate.biz

OWNER: Clermont Storage Center LLC - Attn: Richard Beavers

Address: 1041 Crown Park Circle

City: Winter Garden State: Florida Zip: 34787

Phone: 321-278-7928 Fax: N/A

E-Mail: rbeavers60@gmail.com

General Location: Northeast quadrant of the intersection of Hancock Road and Lost Lake Road

Legal Description (include copy of survey): See attached

Property size (in acres or square feet): ±28.61 acres

Flood hazard area (yes) ☐ and approx. acreage ☐ (no) ☒

Existing (Actual) Land Use: Vacant land

Existing Zoning: MP – Planned Industrial District (County)

Existing Future Land Use: Regional Commercial (County)

Proposed Future Land Use: Low Density Residential (City)



Type of development proposed: Expansion of WaterBrooke PUD (residential)

Proposed density (dwelling units/acre) or intensity: 1.9 dwelling units per gross acre across entire WaterBrooke PUD

Proposed Zoning District: PUD

Summary of the proposed amendment content and effect that describes any changed conditions that would justify the proposed amendment, and why there is a need for the proposed amendment (use additional sheets if necessary).

Mattamy Orlando, LLC (Mattamy) is under contract to purchase approximately ±29 acres of land in unincorporated Lake County adjacent to the previously approved WaterBrooke PUD. Since the property is contiguous to the city limits, Mattamy is filing on behalf of the Owner an Application for Annexation, which requires that the City's Comprehensive Plan be amended to provide a City Future Land Use designation. Mattamy is also filing an Application for Rezoning in order to add the subject property to the WaterBrooke PUD. Mattamy is requesting a City Future Land Use designation of Low Density Residential, which is consistent with the Future Land Use of the WaterBrooke PUD and compatible with the surrounding Lake County Future Land Use designations.

The City of Clermont may require additional information to justify, clarify or explain the necessity of the requested Comprehensive Plan Amendment which may include the following:

- Information regarding the compatibility of the proposed land use amendment(s) with the Goals, Objectives and Policies of the Future Land Use Element and any other affected comprehensive plan elements.
- A description of how the proposed amendment(s) will result in an orderly and logical development pattern with existing and proposed land use(s) of the area.
- A description of the present availability of, and estimated demand on the following public facilities: potable water, sanitary sewer, transportation system and recreation, as appropriate.

* * * * * NOTICE * * * * *

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

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



APPLICANT'S AFFIDAVIT

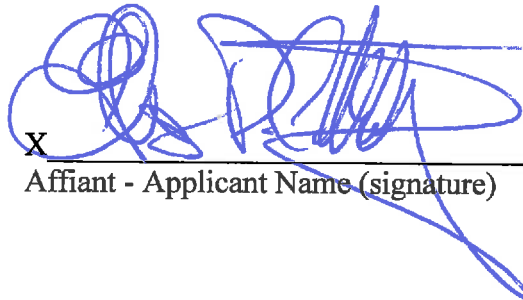
STATE OF FLORIDA

COUNTY OF LAKE:

Before me, the undersigned authority personally appeared Thomas McCarthy, Vice President of Mattamy Orlando LLC (agent), who being by me first duly sworn on oath, deposes and says:

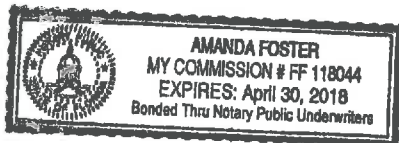
1. That he (she) affirms and certifies that he (she) understands and will comply with all ordinances, regulations and policies of Lake County, Florida, and that all statements and diagrams submitted herewith are true and accurate to the best of his knowledge and belief, and further, that this application and attachments shall become part of the official records of the City of Clermont, Florida, and are not returnable.
2. That he desires a Future Land Use Amendment from Regional Commercial (County) to Low Density Residential (City) for the property legally described on the attachment of this application.
3. That the submittal requirements for the application have been completed and attached hereto as part of the application.

Thomas McCarthy, Vice President
Mattamy Orlando LLC (agent)
 Affiant - Applicant Name (print)

X 
 Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by Thomas McCarthy, produced FLDL.

or personally known by me this 1st day of April, 2016.



X 
 Notary Public, State of Florida at Large

My Commission Expires: 4/30/18



OWNER'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE:

Before me, the undersigned authority personally appeared Dale J. Ladd of Ladd Development, Inc., who being by me first duly sworn on oath, deposes and says:

1. That he is the fee-simple owner of the property legally described on the attachment of this application.
2. That he desires a Future Land Use Amendment from Regional Commercial (County) to Low Density Residential (City) for the property legally described on the attachment of this application.
3. That the owner of said property has appointed Thomas McCarthy, Vice President of Mattamy Orlando LLC and Cecilia Bonifay of Akerman, LLP to act as agent(s) on his behalf to accomplish the above. The owner is required to complete the APPLICANT'S AFFIDAVIT of this application if no agent is appointed to act in his (her) stead.

Dale J. Ladd
Ladd Development, Inc.
Affiant - Applicant Name (print)

X 
Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

or personally known by me this 28 day of March, 2016.



X 
Notary Public, State of Florida at Large
My Commission Expires: 8-7-17



OWNER'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE:

Before me, the undersigned authority personally appeared Richard Beavers of Clermont Storage Center LLC, who being by me first duly sworn on oath, deposes and says:

1. That he is the fee-simple owner of the property legally described on the attachment of this application.
2. That he desires a Future Land Use Amendment from Regional Commercial (County) to Low Density Residential (City) for the property legally described on the attachment of this application.
3. That the owner of said property has appointed Thomas McCarthy, Vice President of Mattamy Orlando LLC and Cecilia Bonifay of Akerman, LLP to act as agent(s) on his behalf to accomplish the above. The owner is required to complete the APPLICANT'S AFFIDAVIT of this application if no agent is appointed to act in his (her) stead.

Richard Beavers
Clermont Storage Center LLC
Affiant - Applicant Name (print)

X Richard Beavers
Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

or personally known by me this 15th day of April, 2016.



X Amanda Foster
Notary Public, State of Florida at Large
My Commission Expires: 4/30/18

CFN 2005101164
Bk 02878 Pgs 0844 - 846; (3pgs)
DATE: 07/05/2005 03:36:04 PM
JAMES C. WATKINS, CLERK OF COURT
LAKE COUNTY
RECORDING FEES 27.00
DEED DDC 17,462.90

This instrument was prepared
by and should be returned to:

William A. Beckett, Esquire
Lowndes, Drosdick, Doster, Kantor
& Reed, P.A.
Post Office Box 2809
Orlando, Florida 32802-2809

TAX PARCEL ID. NOS.:
34-22-26-1300-000-00200
34-22-26-1300-00A-00000
34-22-26-1300-00C-00000
34-22-26-00002-000-00200

WARRANTY DEED

THIS WARRANTY DEED, made and executed as of the 1st day of July,
2005, by MANLOW PROPERTIES, LLC, a Florida limited liability company, whose address is
215 N. Eola Drive, Orlando, Florida 32801 (hereinafter referred to as the "Grantor") to LADD
DEVELOPMENT, INC., a Florida corporation, whose address is 1135 East Avenue, Clermont,
Florida 34711 (hereinafter referred to as the "Grantee");

WITNESSETH:

That the Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and
other valuable considerations, the receipt and sufficiency of which are hereby acknowledged by
these presents does grant, bargain, sell, alien, remise, release, convey, and confirm unto the
Grantee that certain piece, parcel or tract of land situated in Lake County, Florida more
particularly described as follows, to wit:

SEE ATTACHED EXHIBIT "A"
(hereinafter referred to as the "Subject Property");

TOGETHER WITH all the tenements, hereditaments, easements and appurtenances,
including riparian rights, if any, thereto belonging or in anywise appertaining;

TO HAVE AND TO HOLD the Subject Property in fee simple forever.

AND the Grantor hereby covenants with said Grantee that it is lawfully seized of the
Subject Property in fee simple; that it has good right and lawful authority to sell and convey the
Subject Property; that it hereby fully warrants the title to said Subject Property and will defend
the same against the lawful claims of all persons whomsoever; and that the Subject Property is
free of all encumbrances except ad valorem real property taxes and assessments for the year

2005, and easements and restrictions imposed of record, if any, the reference to which shall not operate to reimpose the same.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed in manner and form sufficient to bind it as of the day and year first above written.

Signed, sealed and delivered
in the presence of:

Sandra K. Merchut
Name: SAUDRA K. MERCHUT

Roxane H. Stratton
Name: ROXANE H. STRATTON

MANLOW PROPERTIES, LLC
a Florida limited liability company

By: Robert A. Mandell
Name: Robert A. Mandell
Title: Managing Member

Address:
215 N. Eola Drive
Orlando, Florida 32801

STATE OF FLORIDA
COUNTY OF Seminole

The foregoing instrument was acknowledged before me this 30 day of June, 2005 by Robert A. Mandell, as Managing Member of Manlow Properties, LLC, a Florida limited liability company, on behalf of the company. He is personally known to me or has produced Personally Known as identification.

(NOTARY SEAL)



Sandra K. Merchut
My Commission DD345026
Expires October 10, 2008

Sandra K. Merchut
Notary Public Signature

Typed or Printed Notary Name
Notary Public-State of _____
Commission No.: _____
My Commission Expires: _____

EXHIBIT "A"

SUBJECT PROPERTY

Description - Parcel A:

Lot 2, MANLOW PARK, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

AND

The South $\frac{1}{2}$ of Tract C, MANLOW PARK, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

AND

That portion of the South 1575.00 feet of the West 1660.00 feet of the North $\frac{1}{2}$ of Section 34, Township 22 South, Range 26 East, Lake County, Florida, Less the North 726.00 feet of the East 900.00 feet thereof, lying East of Lot 2 and Tract C, MANLOW PARK, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida and South of Easterly extension of the centerline of Tract C, MANLOW PARK, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

AND

Description - Parcel C:

The North $\frac{1}{2}$ of Tract B, MANLOW PARK, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

AND

The South $\frac{1}{2}$ of that portion of the following described land lying North of Tract B, MANLOW PARK, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida:

The South 1575.00 feet of the West 1660.00 feet of the North $\frac{1}{2}$ of Section 34, Township 22 South, Range 26 East, Lake County, Florida, Less the North 726.00 feet of the East 900.00 feet thereof.

Prepared by and return to:
Kenneth R. Uncapher
Carlton Fields, P.A.
Post Office Box 1171
Orlando, Florida 32802-1171



FISHBACK DOMINICK BENNETT STEPTER
ARDAMAN AHLERS & LANGLEY LLP
1947 LEE RD
WINTER PARK FL 32789

SPECIAL WARRANTY DEED

This Special Warranty Deed is executed effective the 8th day of November 2013, by **PNC BANK, NATIONAL ASSOCIATION**, successor by merger to RBC Bank (USA), whose address is 249 Fifth Avenue, Pittsburgh, PA, 15222 (hereinafter referred to as "Grantor"), to **CLERMONT STORAGE CENTER, LLC**, a Florida limited liability company, whose address is 1041 Crown Park Circle, Winter Garden, FL 34787 (hereinafter referred to as "Grantee"):

Subject to the limitations described herein, Grantor grants and conveys ownership of the property (the "Property") described below to Grantee, to have and to hold the Property in fee simple forever, along with all of its rights and appurtenances, including any right, title, and interest of Grantor in adjacent streets, alleys, and rights-of-way.

The Property consists of the land, together with all tenements, hereditaments, and appurtenances thereto belonging or in anywise appertaining, in the County of Lake of the State of Florida. The legal description of the Property is:

Lot 1, MANLOW PARK, according to the Plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

AND

Tract A, MANLOW PARK, according to the Plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

AND

The North Half of Tract C, MANLOW PARK, according to the Plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

AND

The South Half of Tract B, MANLOW PARK, according to the Plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

AND

That portion of the South 1575.00 feet of the West 1660.00 feet of the North Half of Section 34, Township 22 South, Range 26 East, Lake County, Florida, LESS the North 726 feet of the East 900.00 feet thereof, lying East of Lot 1 and Tract C, MANLOW PARK, according to the Plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida and North of an Easterly extension of the centerline of Tract C, MANLOW PARK, according to the Plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida and South of Tract A, MANLOW PARK, according to the Plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

This Special Warranty Deed was made for and in consideration of the sum of \$10.00 and other good and valuable consideration paid to the undersigned by Grantee.

Grantor covenants with Grantee that Grantor specially warrants title to the Property conveyed here, and that Grantor will forever warrant and defend title to the Property for Grantee and Grantee's heirs and personal representatives and assigns, from and against the claims and demands of Grantor and all persons claiming by, through, or under Grantor, but not against the claims of any others.

The conveyance of the Property is made subject to the following exceptions, reservations or restrictions: Taxes for the year 2013, all easements, reservations, exceptions, and restrictions of record, but any reference in this Special Warranty Deed to any easement, reservation, exception, encumbrance or restriction shall not serve to or be deemed to reimpose or reinstate any such easement, reservation, exception, or restriction unless such reinstatement or reimposition is specifically set forth in this Special Warranty Deed.

The covenants made in this deed are legally binding on Grantor and all who lawfully succeed to Grantor's rights and responsibilities. These covenants can be enforced by Grantee and all future owners of the Property.

IN WITNESS WHEREOF, Grantor has caused this Special Warranty Deed to be executed as of the day and year first above written.

Signed, Sealed and Delivered
in the Presence of:

Sheri Ondercik

Witness

Sheri Ondercik

(Please Print or Type Name)

Kristina Sanders

Witness

Kristina Sanders

(Please Print or Type Name)

PNC BANK, NATIONAL ASSOCIATION

By: John R. Gassie

John R. Gassie, Senior Vice President

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 8th day of November, 2013, by JOHN R. GASSIE as Senior Vice President of PNC BANK, NATIONAL ASSOCIATION, who is personally known to me or has produced _____ as identification.

(SEAL)

Sharon E. Ondercik
Notary Public-State of Florida

SHARON E. ONDERCIK
NOTARY PUBLIC - STATE OF FLORIDA
COMMISSION# EE118511
EXPIRES 8/3/2015
BONDED THRU 1-888-NOTARY1

NOLA/MATTAMY
LADD DEVELOPMENT PARCEL

DESCRIPTION (Furnished by Client):

PARCEL 1:

Lot 2, MANLOW PARK, according to the plat thereof as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

PARCEL 2:

The South 1/2 of Tract C, MANLOW PARK, according to the plat thereof as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

PARCEL 3:

That portion of the South 1575.00 feet of the West 1660.00 feet of the North 1/2 of Section 34, Township 22 South, Range 26 East, Lake County, Florida, LESS the North 726.00 feet of the East 900.00 feet thereof, lying East of Lot 2 and Tract C, MANLOW PARK, according to the plat thereof as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida and that is lying South of Easterly extension of the centerline of Tract C, MANLOW PARK, according to the plat thereof as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

LESS Road Right-of-Way for Lost Lake Road.

WATERBROOKE
Clermont Storage
(Mattamy Purchase Parcel)

DESCRIPTION (Prepared by Donald W. McIntosh Associates, Inc.):

That part of Section 34, Township 22 South, Range 26 East, Lake County, Florida, being more particularly described as follows:

Commence at the West 1/4 corner of Section 34, Township 22 South, Range 26 East, thence run N00°05'36"W along the West line of the Northwest 1/4 of said Section 34, a distance of 475.28 feet to the intersection of the West line of the Northwest 1/4 of Section 34 and the Westerly extension of the centerline of Tract C, MANLOW PARK, according to the Plat thereof as recorded in Plat Book 50, Pages 86 and 87, of the Public Records of Lake County, Florida (vacated in Official Records Book 4749, Page 1398, of said Public Records); thence departing said West line run N89°54'28"E along said centerline of Tract C and the Easterly extension thereof, 340.00 feet to the POINT OF BEGINNING; thence departing said centerline of Tract C and the Easterly extension run N00°05'36"W, 328.50 feet; thence run S89°33'02"E, 419.99 feet to the Southerly extension of the Easterly line of Tract A of aforementioned MANLOW PARK plat; thence run N00°05'36"W along said Southerly extension and said Easterly line, 42.11 feet to the Southwest corner of the North 726.00 feet of the East 900.00 feet of the West 1660.00 feet of the South 1575.00 feet of the North 1/2 of said Section 34; thence run S89°33'20"E along the South line of said North 726.00 feet of the East 900.00 feet of the West 1660.00 feet of the South 1575.00 feet of the North 1/2 of said Section 34, a distance of 900.07 feet to Southeast corner of the North 726.00 feet of the East 900.00 feet of the West 1660.00 feet of the South 1575.00 feet of the North 1/2 of said Section 34; thence run S00°05'36"E along the East line of the West 1660.00 feet of the North 1/2 of said Section 34, a distance of 358.20 feet to the intersection of the Easterly extension of aforementioned centerline of Tract C and the East line of the West 1660.00 feet of said Section 34; thence departing said East line run S89°54'28"W along said Easterly extension, 1320.00 feet to the POINT OF BEGINNING.

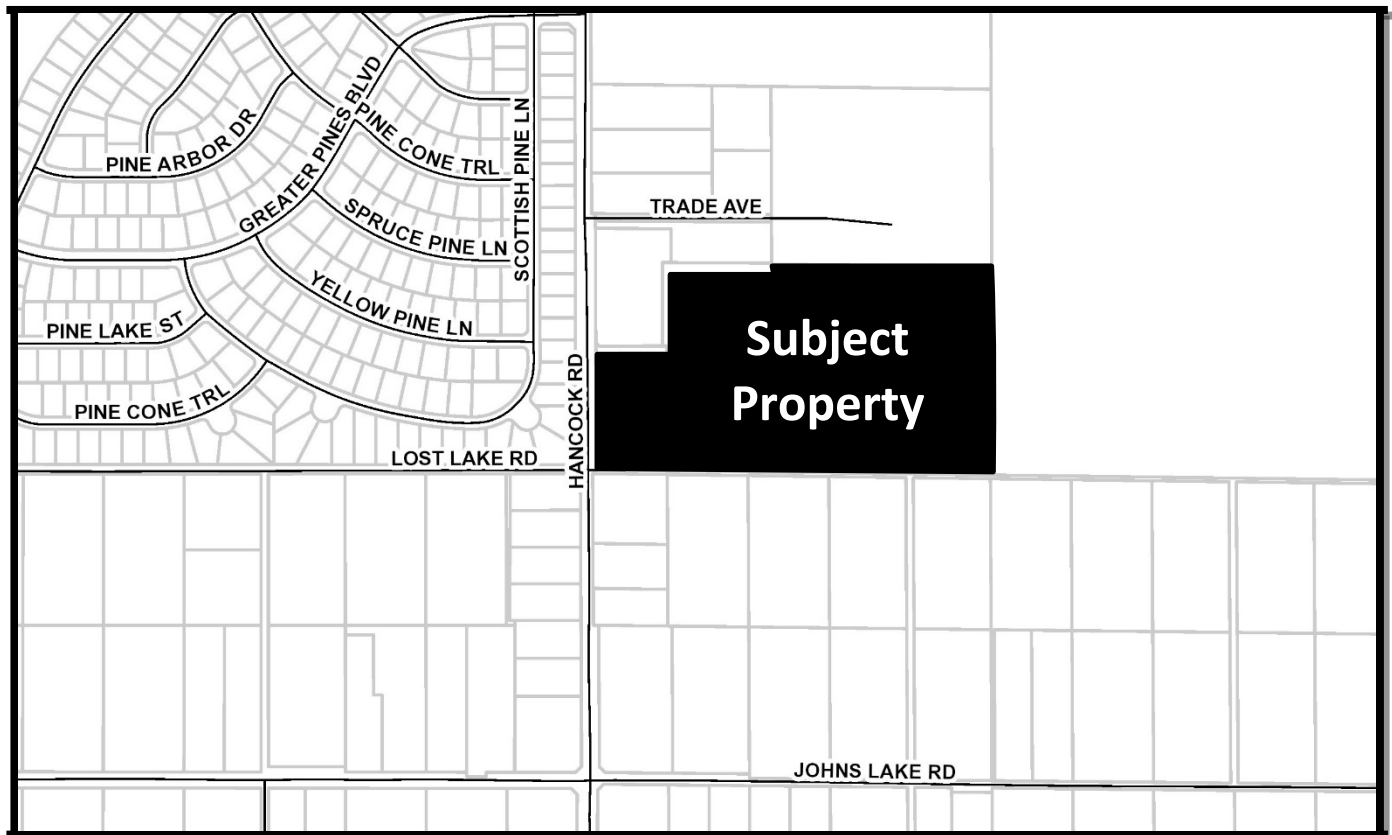
Containing 10.636 acres (463,314 square feet) more or less, and being subject to any easements, rights-of-way or restrictions of record.

CITY OF CLERMONT

NOTICE OF PROPOSED AMENDMENT TO COMPREHENSIVE PLAN ORDINANCE NO. 2016-19

The City of Clermont will hold public hearings Tuesday, May 3, 2016 at 6:30 p.m. before the Planning and Zoning Commission and Tuesday, May 24, 2016 at 6:30 p.m. before the City Council to consider transmittal of 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 Lake County Regional Commercial to Low Density Residential.

The City of Clermont will hold public hearings on Tuesday, July 26, 2016 (final reading of the ordinance) beginning at 6:30 p.m. before the City Council to consider the adoption of the proposed change to the City's Future Land Use Map.



***Location: South of Trade Ave., East of Hancock Road,
and North of Johns Lake Road
WaterBrooke Amendment +/- 28.6 acres
Alternate Keys 2899191, 3823388, 3840014, 3840012***

Ordinance #2016-19:

An ordinance of the City Council of the City of Clermont, Lake County, Florida, adopting the large-scale comprehensive plan amendment for the City of Clermont, Florida, pursuant to the Local Government Comprehensive Planning Act, Chapter 163, Part II, Florida Statutes; setting forth the authority for adoption of the large-scale comprehensive plan amendment; setting

forth the purpose and intent of the large-scale comprehensive plan amendment; providing for the adoption of the large-scale comprehensive plan amendment; establishing the legal status of the large-scale comprehensive plan amendment; providing a severability clause; and providing an effective date.

The public hearings are in the Council chambers of City Hall, 685 W. Montrose Street, and are open to public comment. Please call (352) 241-7302 if you have any questions.

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 hearings.

Tracy Ackroyd Howe, MMC
City Clerk

Daily Commercial
April 22 & July 12, 2016



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, May 24, 2016		
Agenda Item Name		
Ordinance No. 2016-20 <i>Final</i> <i>WaterBrooke</i>		
Requested Action		
Recommend approval of Ordinance 2016-20.		
Staff Report		
The applicant, Mattamy Homes, is requesting to add 28.6 +/- acres to the existing residential subdivision, WaterBrooke. The property is located at the southwest corner of the approved subdivision and fronts Hancock Road. The subject property is currently in Lake County with a future land use of Regional Commercial and a Planned Industrial zoning. The applicant is requesting annexation and a change in zoning to allow single family and multi-family residential in the City. In addition, with the City's recent adoption of PUD (Planned Unit Development) zoning, the applicant is requesting a change in zoning from a conditional use permit (CUP) for a PUD in Urban Estate to PUD zoning for the entire WaterBrooke subdivision. The WaterBrooke subdivision was approved by the Council in October 2015 under Resolution 2015-24. With the additional acreage added to the WaterBrooke subdivision, the applicant is requesting an increase from 950 units to 1,100 units on a total of 568.6 acres, which equates to 1.93 units per acre. The additional land has allowed the applicant the ability to rearrange some of the units in the overall project and provide another access point. In doing so, the overall density will increase from 1.76 units per acre to 1.93 units per acre, or approximately 9 percent increase. This number is still below the 3 dwelling units per acre allowable under the City's Low Density Residential future land use. The applicant has provided a school concurrency report for the additional units indicating school capacity is available. All the conditions in the existing CUP will be in the PUD ordinance along with a change to reflect the increase in total number of units and an updated Exhibit B to show the additional acreage added to the overall project. Staff has reviewed the applicant's request for a rezoning from Urban Estate (default zoning upon annexation) and the existing CUP in Urban Estate to PUD zoning. Staff believes the proposal meets the standards in Section 122-315, Review Criteria for a PUD. Staff recommends approval of Ordinance 2016-20 for a rezoning to PUD. <i>At the May 3, 2016 Planning and Zoning Commission meeting, Commissioner Cuqui Whitehead moved to recommend approval of the rezoning; seconded by Commissioner Carlos Solis. The vote was unanimous to recommend approval.</i>		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)		
1.	Ordinance	2016-20 WB rezone.doc
2.	Maps	WaterBrooke Maps 2016.pdf
3.	Exhibit B - Conceptual Plan	3-30-16 Exhibit B.pdf
4.	School Capacity Report	WaterBrooke School Capacity Report.pdf
5.	CUP for Resolution 2015-24	Resolution 2015-24.pdf
6.	P&Z minutes	P&Z Minutes-May2016.pdf
7.	Application	REZ Application.pdf
8.	Legal ad	REZ WaterBrooke legal ad.docx

CITY OF CLERMONT
ORDINANCE No. 2016-20

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

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

SECTION 1:

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

LEGAL DESCRIPTION

Parcel 1:

The East 3/4 of the South 1/2 of Section 27, Township 22 South, Range 26 East;

AND

Parcel 2:

The North 1/2 of Section 34, Township 22 South, Range 26 East, less and except the west 1660 feet thereof;

AND

Parcel 3:

U.S. Government Lot 1, less and except the north 660 feet of the west 660 feet, lying in Section 35, Township 22 South, Range 26 East;

AND

Parcel 4:

The NW 1/4 of the SW 1/4 of the NW 1/4 of Section 35, Township 22 South, Range 26 East;

AND

Parcel 5:

Begin 50.25 feet north of the southeast corner of the NW 1/4 of Section 35, Township 22 South, Range 26 East; thence run west 1305 feet; thence run south 8.3 feet; thence run west to the southwest corner of the NW 1/4 of said Section 35; thence north to the northwest corner of the south 1/2 of the SW 1/4 of the NW 1/4 of said Section 35; thence east to the northeast corner of the south 1/2 of the SE 1/4 of the NW 1/4; thence south to the point of beginning;

AND

Parcel 6:

That part of Section 27, Township 22 South, Range 26 East, Lake County, Florida, described as follows:

Begin at the Southeast corner of Lot 5, Pine Valley Industrial Park, according to the plat thereof, as recorded in Plat Book 29, Page 70, of the Public Records of Lake County, Florida; thence

N00°55'27"E along the east line of said Lot 5, for a distance of 701.16 feet to the north line of

CITY OF CLERMONT
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the southwest 1/4 of the southwest 1/4 of said Section 27; thence S89°03'05"E along said north line, 16.98 feet to the west line of the east 3/4 of the south 1/2 of said Section 27; thence S00°24'50"W along said west line, 710.74 feet to the north line of the south 610.00 feet of the southwest 1/4 of the southwest 1/4 of said Section 27; thence departing said west line run N75°03'48"W, 39.92 feet to the south line of said Lot 5; thence S88°41'58"E along said south line, 15.41 feet to the point of beginning.

AND

Parcel 7:

That part of Lot 5, Pine Valley Industrial Park, according to the plat thereof, as recorded in Plat Book 29, Page 70, of the Public Records of Lake County, Florida, described as follows: Begin at the southeast corner of said Lot 5; thence N00°55'27"E along the east line of said Lot 5 for a distance of 696.49 feet; thence departing said east line run S53°23'08"W, 100.90 feet; thence S08°50'46"W, 57.13 feet; thence S33°38'56"W, 31.61 feet; thence S04°49'02"E, 40.96 feet; thence S02°58'52"E, 93.11 feet; thence S08°48'35"W, 60.57 feet; thence S20°20'22"W, 82.37 feet; thence S05°30'28"W, 59.91 feet; thence S10°59'05"W, 70.76 feet; thence S18°19'44"E, 68.63 feet; thence S32°06'31"E, 46.35 feet; thence S44°29'07"E, 31.79 feet; thence S61°25'49"E, 40.03 feet; thence S75°03'48"E, 26.77 feet to the south line of said Lot 5; thence S88°41'58"E along said south line, 15.41 feet to the Point of Beginning.

Easement Parcel A:

Together with an easement for ingress and egress to State Road 50 over the entire stretch of asphalt road the center line of which begins 174.60 feet west of the northeast corner of the SW 1/4 of the NE 1/4 of Section 27, Township 22 South, Range 26 East, and run south 0°10' west through the entire SW 1/4 of the NE 1/4 of Section 27, which easement shall be 60 feet in width;
LESS AND EXCEPT FROM PARCELS 1 THROUGH 7 ABOVE:

The east 150.00 feet of the following described property (Magnolia Bay Boulevard according to the plat thereof, as recorded in Plat Book 34, Pages 47 through 49, of the Public Records of Lake County, Florida):

Begin at an iron rod and cap marked "RLS 4264" at the southeast corner of the north 660.00 feet of the west 660.00 feet of Government Lot 1, Section 35, Township 22 South, Range 26 East, Lake County, Florida; thence run N88°47'56"W along the south line of said north 660.00 feet of the west 660.00 feet of Government Lot 1 for a distance of 545.00 feet; thence run S01°12'04"W for a distance of 124.51 feet to the northerly right of way line of Hartle Road; thence run N80°06'21"E along said northerly right of way line for a distance of 433.09 feet to the beginning of a tangent curve concave to the northwest and having a radius of 467.00 feet; thence run northeasterly along the arc of said curve for a distance of 121.09 feet through a central angle of 14°51'22" to the end of said curve; thence run N65°14'58"E along said northerly right of way line for a distance of 6.13 feet to a point on the east line of said west 660.00 feet of Government Lot 1; thence leaving said northerly right of way line run N00°29'39"W along aid east line for a distance of 0.12 feet to the point of beginning;

AND FURTHER LESS AND EXCEPT FROM PARCELS 1 THROUGH 7 ABOVE:

A strip of land for road right of way purposes 66.00 feet wide lying in Section 35, Township 22 South, Range 26 East, Lake County, Florida, the centerline of which is described as follows:

Commencing at the northwest corner of Section 35, Township 22 South, Range 26 East, run S00°30'48"E along west line of the northwest 1/4 of said Section 35, for a distance of 1856.75 feet to

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the northwest corner of the south 1/2 of the southwest 1/4 of the northwest 1/4 of said Section 35; thence leaving said west line run S88°23'30"E along the north line of the south 1/2 of the southwest 1/4 of the northwest 1/4 and the north line of the south 1/2 of the southeast 1/4 of the northwest 1/4 of said Section 35, for a distance of 1531.02 feet to the point of beginning; thence leaving said north line run S00°00'09"E for a distance of 298.67 feet to a point designated as point A; thence run S89°59'51"W for a distance of 58.00 feet to a point of termination A of this centerline; begin again at aforesaid point A; thence run N89°59'51"E for a distance of 573.66 feet to a point on a tangent curve concave to the northwest and having a radius of 2000.00 feet; thence run northeasterly along the arc of said curve for a distance of 345.29 feet, through a central angle of 09°53'30" to the end of said curve; thence run N80°06'21"E for a distance of 753.88 feet to a point on a tangent curve concave to the northwest and having a radius of 500.00 feet; thence run northeasterly along the arc of said curve for a distance of 129.64 feet, through a central angle of 14°51'22" to the end of said curve; thence run N65°14'59"E for a distance of 252.91 feet to a point on a tangent curve concave to the southwest and having a radius of 350.00 feet; thence run easterly along the arc of said curve for a distance of 431.07 feet, through a central curve (sic) of 70°34'02" to the end of said curve; thence run S44°11'00"E for a distance of 169.91 feet to a point on a tangent curve concave to the northeast and having a radius of 250.00 feet; thence run southeasterly along the arc of said curve for a distance of 276.31 feet, through a central angle of 63°19'35" to the end of said curve; thence run N72°29'25"E for a distance of 514.79 feet to a point on a tangent curve concave to the southeast and having a radius of 750.00 feet; thence run northeasterly along the arc of said curve for a distance of 240.51 feet through a central angle of 18°22'24" to the end of said curve; thence run S89°08'11"E for a distance of 203.12 feet to the east line of Government Lot 1, said Section 35 and the point of termination B of the aforesaid centerline.

AND FURTHER LESS AND EXCEPT FROM PARCELS 1 THROUGH 7 ABOVE:

That part of Section 35, Township 22 South, Range 26 East, Lake County, Florida, described as follows:

Commence at the west 1/4 corner of said Section 35, said corner marked by a 4"x4" concrete monument (no identification) (Certified Corner Record No. 38693); thence S88°00'40"E along the east-west center of section line of said Section 35, a distance of 857.52 feet to the point of beginning; thence continue along said center of section line S88°00'40"E, a distance of 481.86 feet to a point on the east line of the platted portion of Postal Colony Company, as recorded in Plat Book 9, Page 65, of the Public Records of Lake County, Florida, said point lying N88°00'40"W, a distance of 3891.93 feet from the East 1/4 corner of said Section 35, said east 1/4 corner being marked by a 3" diameter iron pipe (no identification) (Certified Corner Record No. 38386); thence departing said center of section line, run N00°07'48"W along said east line, a distance of 12.98 feet to the northeast corner of said platted portion of Postal Colony Company; thence departing said east line, run N89°33'17"W along the north line of said Postal Colony Company, a distance of 481.55 feet to the point of beginning.

Containing 540.223 acres more or less (excluding that portion of Johns Lake south of Island Blvd. lying waterward of the Safe Upland Line (elevation 98.0 NGVD 29).

AND FURTHER LESS AND EXCEPT FROM PARCELS 1 THROUGH 7 ABOVE:

That part of Section 35, Township 22 South, Range 26 East, Lake County, Florida, described as follows:

Commence at the West 1/4 corner of said Section 35, said corner marked by a 4"x4" concrete

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monument (no identification) (Certified Corner Record No. 38693); thence S88°00'40"E along the East-West center of section line of said Section 35, a distance of 857.52 feet to the POINT OF BEGINNING; thence continue along said center of section line S88°00'40"E, a distance of 481.86 feet to a point on the East line of the platted portion of POSTAL COLONY COMPANY, as recorded in Plat Book 9, Page 65, of the Public Records of Lake County, Florida, said point lying N88°00'40"W, a distance of 3891.93 feet from the East 1/4 corner of said Section 35, said East 1/4 corner being marked by a 3" diameter iron pipe (no identification) (Certified Corner Record No. 38386); thence departing said center of section line, run N00°07'48"W along said East line, a distance of 12.98 feet to the Northeast corner of said platted portion of POSTAL COLONY COMPANY; thence departing said East line, run N89°33'17"W along the North line of said POSTAL COLONY COMPANY, a distance of 481.55 feet to the POINT OF BEGINNING.

TOGETHER WITH:

LADD DEVELOPMENT PARCEL:

PARCEL 1:

Lot 2, MANLOW PARK, according to the plat thereof as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

PARCEL 2:

The South 1/2 of Tract C, MANLOW PARK, according to the plat thereof as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

PARCEL 3:

That portion of the South 1575.00 feet of the West 1660.00 feet of the North 1/2 of Section 34, Township 22 South, Range 26 East, Lake County, Florida, LESS the North 726.00 feet of the East 900.00 feet thereof, lying East of Lot 2 and Tract C, MANLOW PARK, according to the plat thereof as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida and that is lying South of Easterly extension of the centerline of Tract C, MANLOW PARK, according to the plat thereof as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

LESS Road Right-of-Way for Lost Lake Road.

TOGETHER WITH:

CLERMONT STORAGE MATTAMY PURCHASE PARCEL:

That part of Section 34, Township 22 South, Range 26 East, Lake County, Florida, being more particularly described as follows:

Commence at the West 1/4 corner of Section 34, Township 22 South, Range 26 East, thence run N00°05'36"W along the West line of the Northwest 1/4 of said Section 34, a distance of 475.28 feet to the intersection of the West line of the Northwest 1/4 of Section 34 and the Westerly extension of the centerline of Tract C, MANLOW PARK, according to the Plat thereof as recorded in Plat Book 50, Pages 86 and 87, of the Public Records of Lake County, Florida (vacated in Official Records Book 4749, Page 1398, of said Public Records); thence departing said West line run N89°54'28"E along said centerline of Tract C and the Easterly extension thereof, 340.00 feet to the POINT OF BEGINNING; thence departing said centerline of Tract C and the Easterly extension run N00°05'36"W, 328.50 feet; thence run S89°33'02"E, 419.99 feet to the Southerly extension of the Easterly line of Tract A of aforementioned MANLOW PARK plat; thence run N00°05'36"W along said Southerly extension and said Easterly line, 42.11 feet to the Southwest corner of the North 726.00 feet of the East 900.00 feet of the West 1660.00 feet of the South 1575.00 feet of the North 1/2 of said Section 34; thence run S89°33'20"E along the

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South line of said North 726.00 feet of the

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East 900.00 feet of the West 1660.00 feet of the South 1575.00 feet of the North 1/2 of said Section 34, a distance of 900.07 feet to Southeast corner of the North 726.00 feet of the East 900.00 feet of the West 1660.00 feet of the South 1575.00 feet of the North 1/2 of said Section 34; thence run S00°05'36"E along the East line of the West 1660.00 feet of the North 1/2 of said Section 34, a distance of 358.20 feet to the intersection of the Easterly extension of aforementioned centerline of Tract C and the East line of the West 1660.00 feet of said Section 34; thence departing said East line run S89°54'28"W along said Easterly extension, 1320.00 feet to the POINT OF BEGINNING.

Containing 568.831 acres more or less, and being subject to any easements, rights-of-way or restrictions of record.

South of S.R. 50, West of the Hartle Road, East of Hancock Road,
and North and South of Island Blvd., WaterBrooke (Jahna) PUD
(Alternate Keys 1095972, 3882911, 1095964, 2717874,
2899191, 3823388, 3840014, and 3840012)

FROM: UE Urban Estate
TO: Planned Unit Development

Section 2 – Land Uses

1. Residential:
 - a. A total of 1100 residential dwelling units, comprised of single-family dwelling units, duplexes, and multifamily dwelling units (townhouses).
 - b. Phasing of Development: The project may be developed in one or more phases.
 - c. Development Standards: Development standards for the development of the residential dwelling units, shall be based on the size of the lot, as indicated in the table below:

Design item	Multifamily Dwelling Units (townhouses)		Single Family Detached			Single Family Attached Duplexes
	Rear Load (feet)	Front Load (feet)	Rear Load (feet)	Front Load (feet)	Front Load (feet) (80 feet and Greater)	Front Load and Rear Load
Minimum Lot Area	1,600	1,800	2,400	4,400	9,600	2,400

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Minimum Living Area	1,000	1,000	1,400	1,500	1,500	1,200
Minimum Lot Width	20	20	30	40	80	24
Minimum Lot Depth	80	90	80	110	120	100
Minimum Front Building Setback	15	15	15	15	15	15
Minimum Front Porch Setback	10	10	10	10	10	10
Minimum Front Garage Setback	-	20	-	20	20	20
Minimum Rear Garage Setback	20	-	20	-	-	20
Minimum Side Yard Setback ¹	5	5	5	5	5	5
Setback From Side Street	15	15	15	15	15	15
Minimum Rear Yard Setback	20	20	20	20	20	20
Minimum Building Separation	10	10	10	10	10	10
Minimum Rear Yard Setback for Pools, Patios, Decks or Ancillary Structures	5	5	5	5	5	5
Maximum Impervious Surface Ratio (ISR) *** (See Note) ²	0.85	0.85	0.75	0.75	0.75	0.85
Maximum Building Height	40	40	40	40	40	40
Setback from Ordinary High Water Line, Mean High Water Line, or Jurisdictional Wetland Line	50	50	50	50	50	50
Minimum Front Yard Utility Easement	10	10	10	10	10	10
Minimum Side and Rear Yard Drainage and Utility Easement	5 ¹	5 ¹	5	5	5	5 ¹

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¹Does not apply to interior side yards of attached townhomes and/or duplexes

²The maximum allowable ISR for the overall PUD development shall be 0.60. Individual lot ISR may exceed 0.60 as shown in the table above as long as overall maximum is not exceeded.

Section 3 – Open Space

Open Space: A minimum of 25% of the net buildable area of the Planned Unit Development shall be provided as open space in accordance with the Comprehensive Plan and Land Development Code (LDC), as amended. A waiver to Section 122-316(b)(4) of the Land Development Code has been granted to allow individual phases of the Planned Unit Development to exceed the overall density of the Planned Unit Development and to allow individual phases of the Planned Unit Development to be developed without providing common open space in proportion to that contained within the entire Planned Unit Development.

Section 4 – Landscaping, Buffering, and Screening

1. A 40-foot wide natural buffer with a six-foot high wall shall be provided along a portion of the northern boundary of Tract N-7 from the entrance to Magnolia Bay subdivision, west to the existing Hartle Road, as shown on the Exhibit "B" - Conceptual Plan.
2. A 50-foot landscaped buffer shall be provided along the boundary common with the Hills of Clermont subdivision.
3. No landscaping buffer is required along the perimeter of the Planned Unit Development adjacent to wetlands, open water and conservation areas.
4. A waiver to Section 118-71(1) of the Land Development Code is granted in order to allow street trees within the right-of-way along the frontage of a residential lot to count toward the minimum number of required trees on the lot and to allow such trees to be less than six feet from curbs and sidewalks as long as a minimum of five feet of clearance is provided between the tree and any public potable water, wastewater or reclaimed water main.
5. All other landscaping, buffering, and screening requirements shall be in accordance with the Land Development Code, as amended. Existing trees may be used to meet the landscape buffer requirements in accordance with the Land Development Code, as amended.

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Section 5 – Environmental:

1. An environmental assessment addressing habitat and species shall be submitted to the City during the construction plans approval stage of each phase of the project. Applicable permits for any gopher tortoises and associated burrow commensal species or other threatened or endangered species found on the property must be received from the appropriate regulatory agencies prior to the initiation of development activity.
2. Wetlands onsite have been placed in a conservation easement. Areas placed in a perpetual conservation easement are shown in the Corrective Conservation Easement, which has been recorded in Lake County Official Records Book 4531, Pages 2401-2408. There are two existing borrow pits on the property that exist as a result of the former mining operation. The two borrow pits shall be utilized for stormwater management and are not required to meet any additional surface water and/or wetland requirements, including, but not limited to setbacks and buffers.
3. Site Grading/Mine Reclamation: Master Site Grading and Mine Reclamation for the project has been completed in accordance with the Mass Grading Plan dated December 14, 2005, submitted to and approved by the Lake County Water Resources Management Division. The site grading was completed pursuant to Florida Department of Environmental Protection (FDEP) Permit No. 0139060-002, issued on January 18, 2011. All grading in accordance with Mass Grading Plan has been completed and has been accepted in lieu of reclamation of the mining site. Mass Grading Plan was approved on August 6, 2014. Approval of Ordinance 2014-80 therefore revoked and released the property from the September 28, 1990, vesting of the Jahna Clermont East Mine (Tracking #90/10/5), which was to be reclaimed through the proposed mass grading Ordinance 2006-30 (Tracking #110-05-PUD). All further grading for the project must be in accordance with City standards.

Section 6 – Environmental Services:

1. The developer shall connect to the existing City 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.
3. Any proposed City-maintained utilities that are not located within a City-maintained right-of-way shall be placed in a utility easement dedicated to the City. Easements shall be provided at no expense to the City. Utilities are allowed to be placed within the County build out right-of-way along Hartle Road.

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4. The developer shall be responsible for all costs of on-site and off-site improvements, including, but not limited to design, material, permitting and installation of sufficient size lines, lift stations and other appurtenances necessary to allow the City to serve the property.
5. Any existing 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. No building permits shall be issued until water and sewer are provided to the site or until a bond or letter of credit, acceptable to the City, is in place to guarantee completion of off-site improvements. No Certificate of Occupancy shall be issued until water and sewer extensions have been completed and accepted by the City.
7. In the event the City chooses to oversize the lines or appurtenances, the City shall provide to the developer specifications regarding sizes to be included in the final improvement plans.
8. 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 the developer to the City and approved in advance by the City.
9. The developer 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 estimates shall be contractors' bid as certified by developer's project engineer. The City shall review and either approve or reject the costs.
10. The developer and City shall agree on the cost difference, which will be the responsibility of the City, prior to commencement of construction.
11. Reimbursement for the difference in costs as determined in Section 8 and 9 from the City shall be in the form of Impact Fee Credits.
12. The Impact Fee Credits shall be established subject to Sections 8 and 9 and at the time of issuance of each building permit by applying the then current impact fee, which shall be deducted from the Impact Fee Credit balance until credit is used.
13. Impact Fee Credits may not be transferred outside of the property, but may be assignable to any heirs, assigns or successors in interest or title to part or all of said property.
14. The developer shall be responsible for all applicable fees, including, but not limited to impact fees, connection fees and permitting fees.

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15. The City may require a looped system to provide reliability and redundancy to the property.

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16. Central water and sewer connection shall be provided in accordance with the comprehensive plan and Land Development Code, as amended.
17. The project shall be plumbed for reuse water with purple piping to irrigate single family lots. Irrigation of common areas shall be from a well.
18. A master lift station shall be designed and constructed on a 50-foot-by-50-foot lot dedicated to the City. Lift station shall be designed to allow for the connection of the existing force main on Hartle Road. A 20-inch force main shall be constructed from the master lift station to the existing 30-inch force main located on CW Harrell Road.
19. A minimum eight-inch potable water main (east-west main) shall be constructed from the western project boundary to Hartle Road at such location that allows for the future extension of Hartle Road and a minimum eight-inch potable water main (north-south main) shall be constructed from State Road 50 to the proposed east-west main.
20. A 12-inch potable water main shall be constructed from the proposed terminus of a 12-inch potable water main on Hartle Road, which is to be constructed in conjunction with Lake County Fire Station #90/Clermont Fire Station #104, south to the existing potable water main on Lost Lake Road.
21. A 16-inch reuse main shall be constructed from the eastern property line along the build out Hartle Road right-of-way to the existing 30-inch reuse main located on CW Harrell Road.
22. All utilities shall be designed and installed as per the City's specifications and approved by City staff.
23. Drainage/Stormwater Management: The developer shall submit drainage calculations and a stormwater management plan when filing for final engineering approval. The Homeowners Association (HOA) shall be responsible for maintenance of all stormwater ponds and drainage systems for private streets.
24. Easements shall be provided on any existing and proposed utilities that the City will own and maintain at no expense to the City.
25. Fiber optic conduit and pull boxes may be required to be installed by the developer in the easements to extend the City's fiber optic network. The City will reimburse the developer at 100 percent for all costs including design, permitting, materials, and construction of the fiber optic conduit and pull boxes.

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26. The developer reserves its rights, pursuant to Section 2-267 – Credits, of the City Code, to enter into an impact fee agreement with the City which shall provide for the establishment of credits and payment of impact fees in a specified manner and time. The terms and conditions of an impact fee agreement between the developer and the City may replace or supersede the conditions contained in the Planned Unit Development approved for development.

Section 7 – Transportation Improvements/Access Management:

1. The development shall comply with all applicable City, County and Florida Department of Transportation access management requirements. Prior to the issuance of the first Certificate of Occupancy, a secondary entrance shall be constructed off Hartle Road for the residents of the development.
2. The developer shall dedicate on the final plat a 120-foot right-of-way for Hartle Road, necessary to accommodate permanent construction plus additional slope easements (not to exceed 100 feet in total width), in accordance with the preferred route outlined within Lake County's PD&E study for the realignment of Hartle Road. The slope easement shall be identified at preliminary plat and shown on the final plat. The developer shall coordinate with the County and City on alignment and grading of Hartle Road. The slope easement width will be adjusted with design plans approved by Lake County and the City.

In the alternative, the land within the slope easement area may be graded by the developer for future roadway alignment. With County approval of the grading plan and completion of grading work by the developer, the slope easement requirement may be deemed complete.

A waiver to Section 94-195(b)(3) of the Land Development Code is granted to allow cuts and fills of up to twenty (20) feet for the construction of Hartle Road to accommodate required road grades in consideration of the existing topography in the road right-of-way.

3. By virtue of the transportation system needs for the project, the developer shall dedicate on the Final Plat a 100-foot right-of-way for Hooks Street within the project boundary, from the northwest corner, along the north property line, to northeast corner of the project boundary. In addition to this 100-foot right-of-way, additional land necessary to accommodate temporary construction easements; not to exceed 100 feet in width, shall be provided. The slope easement shall be identified at Preliminary Plat and shown on the Final Plat. The developer shall coordinate with the County and City on alignment and grading of Hooks Street. The slope easement width will be adjusted with design plans approved by the County and the City.

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4. At the developer's option and approval by Lake County, the developer may construct Hartle Road a distance of approximately 4,365 feet from its proposed terminus, which is to be constructed in conjunction with Lake County Fire Station #90/Clermont Fire Station #104, to approximately 315 feet north of the southern project boundary. If the developer constructs Hartle Road, a developer's agreement between the County and the developer shall be executed for the construction of Hartle Road and for the allocation of transportation impact fee credits associated with the construction.
5. The developer shall accommodate stormwater retention capacity sufficient for Hartle Road and Hooks Street drainage requirements based on stormwater permitting requirements in place at the time of approval of this Planned Unit Development within the limits of drainage basin along the route alignments. The developer intends to utilize on-site ponds as an amenity and desires for the runoff to be treated to remove roadway debris collected. Therefore, the County shall provide pre-treatment of the water for debris, such as a skimmer, at the latest terminus before the runoff water enters the water body. At time of Hartle Road and Hooks Street final design, the County shall coordinate with the developer for final configuration of Hooks Street and Hartle Road roadway stormwater system connection to the on-site drainage system acceptable to both the County and the developer. The County shall bear the cost of the roadway drainage connection to the on-site stormwater system. The Hartle Road and Hooks Street stormwater sewer shall be separate from the Planned Unit Development stormwater system, unless a coordinated system design is provided by the developer. It shall be located within a drainage easement to Lake County having a straight alignment, direct access from County right-of-way and storm pipe not shared with developer's system. The County shall also have an easement over the shared stormwater ponds. The developer shall coordinate with the County on pretreatment design and construction.
6. A public hearing shall be required for the Island Boulevard right-of-way vacation. The developer will be responsible to submit and pay for the vacation petition request. The relocation of Island Boulevard shall not occur until the City has granted approval for the vacation through a public hearing. Approval of the road vacation is not guaranteed. Paved access shall be maintained to the existing developments along the current Island Boulevard. Before Island Boulevard right-of-way is vacated, new right-of-way must be dedicated and new road must be constructed and accepted by the City as a public roadway. The right-of-way vacation may be conditioned upon the new road alignment of Island Boulevard being constructed, open to traffic, and accepted by the City.
7. The developer, at its expense, shall be required to improve Emil Jahna Road from its project entrance north to State Road 50 and shall pay to modify the existing traffic signal, as needed, to accommodate turning movements from Emil Jahna Road onto State Road

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50. Emil Jahna Road shall be improved to facilitate safe and efficient traffic flow from the project entrance to and including the intersection at State Road 50.

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The improvements will consist of the following:

- a. Reconstructing the roadway to meet current standards;
- b. Turn lane improvements and any associated signal modifications at the intersection of Emil Jahna Road and State Road 50 as determined to be necessary by a transportation analysis to be approved by the applicable governmental agencies; the City, the County and/or Florida Department of Transportation;
- c. The reconfiguration of the westbound left-turn lane on State Road 50 to provide dual turning movements (removing the current striping to open the additional left-turn lane) as warranted by the traffic impact study; and
- d. A waiver to Section 110-194(3) and (4) of the Land Development Code is granted to allow construction of a 10-foot wide concrete sidewalk along only the west side of Emil Jahna Road to serve as a multipurpose path for both pedestrians and cyclists in lieu of in-street bikeways and five-foot wide sidewalks on both sides due to the constrained right-of-way width.

8. Sidewalks/Streets:

- a. Sidewalks to be constructed on both sides of residential and commercial streets.
- b. Streets shall have F-type curb and street pavement must be a minimum 24 feet wide.
- c. Right-of-way width for residential streets must be a minimum 60 feet.
- d. A waiver to Section 110-192(1) of the Land Development Code is granted to allow private streets with gates. Streets within the development will be gated and will be maintained by the developer or Home Owners Association.
- e. A waiver to Section 110-195(b) of the Land Development Code is granted to allow construction of 20-foot-wide, one-way alleys with 12 feet of pavement as long as 20 feet of unobstructed emergency access is maintained, unless greater distances are warranted by fire code.

9. Roadway Lighting: The developer shall arrange with the power utility provider for installation of street lights along Emil Jahna Road. The cost of installation shall be paid by the developer, and the ongoing rental of lights shall be paid by the developer or WaterBrooke's Homeowner's Association.

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Section 8 – Schools

School concurrency shall be met before final plat approval in accordance with the Comprehensive Plan and Land Development Code.

Section 9 – Lighting

Exterior lighting shall be in accordance with the Land Development Code, as amended.

Section 10 – Fire Protection and Emergency Services Access

Fire Protection and Emergency Services Access: Access and fire safety requirements of the development shall be provided in accordance with the Florida Fire Prevention Code and Land Development Code, as amended. A secondary emergency access approved by the City's fire marshal shall be designated and constructed prior to the issuance of the first building permit.

Section 11 – Concurrency Management Requirements

Concurrency Management Requirements: Any development shall comply with the Lake County and the City of Clermont Concurrency Management System, as amended.

Section 12 – Development Review and Approval

1. Prior to the issuance of permits, the developer shall be required to submit a Preliminary Plat, Construction Plans, and Final Plat generally consistent with Exhibit "B" - Conceptual Plan, prepared by Donald W. McIntosh Associates, Inc., dated 3/30/16 for review and approval in accordance with the Comprehensive Plan and Land Development Code, as amended.
2. Planned Unit Development Expiration: Pursuant to Exhibit B4 of the Stipulated Settlement Agreement between the County and Nola Land Company, Inc., which was executed by the last party (Lake County) on July 26, 2011, the development described in Ordinance #2006-30 is vested for a period of 12 years from execution of the agreement. Accordingly, physical development of the Planned Unit Development shall commence by July 26, 2023. Failure to commence construction by July 26, 2023 shall cause the automatic revocation of this Ordinance.

Section 13 – Future Amendments to Statutes, Code, Plans, and/or Regulations

The specific references in this Planned Unit Development to the Florida Statutes, Florida Administrative Code, City Comprehensive Plan, and City Land Development Code shall include

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any future amendments to the statutes, code, plans, and/or regulations.

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Section 14 – Additional Conditions

1. After establishment of the facilities as provided herein, the aforementioned property shall only be used for the purposes named in this Planned Unit Development. Any other proposed use must be specifically authorized by the Clermont City Council.
2. No person, firm, or corporation shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building structure, add other uses, or alter the land in any manner within the boundaries of the above described land without first obtaining the necessary approvals in accordance with the Clermont Code of Ordinances, as amended, and obtaining the permits required from the other appropriate governmental agencies.
3. This Planned Unit Development shall inure to the benefit of, and shall constitute a covenant running with the land and the terms, conditions, and provisions hereof, and shall be binding upon the present owner and any successor, and shall be subject to each and every condition herein set out.
4. Construction and operation of the proposed use shall at all times comply with the regulations of this and other governmental permitting agencies.
5. The transfer of ownership or lease of any or all of the property described in this Planned Unit Development shall be included in the transfer or lease agreement, a provision that the purchaser or lessee is made good and aware of the conditions established by this Planned Unit Development and agrees to be bound by these conditions. The purchaser or lessee may request a change from the existing plans and conditions by following procedures contained in the Land Development Code, as amended.

SECTION 15:

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

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ORDINANCE No. 2016-20

CITY OF CLERMONT
ORDINANCE No. 2016-20

Location map:



CITY OF CLERMONT
ORDINANCE No. 2016-20

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 24th day of May, 2016.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Exhibit - Location Map WaterBrooke Amendment 2016

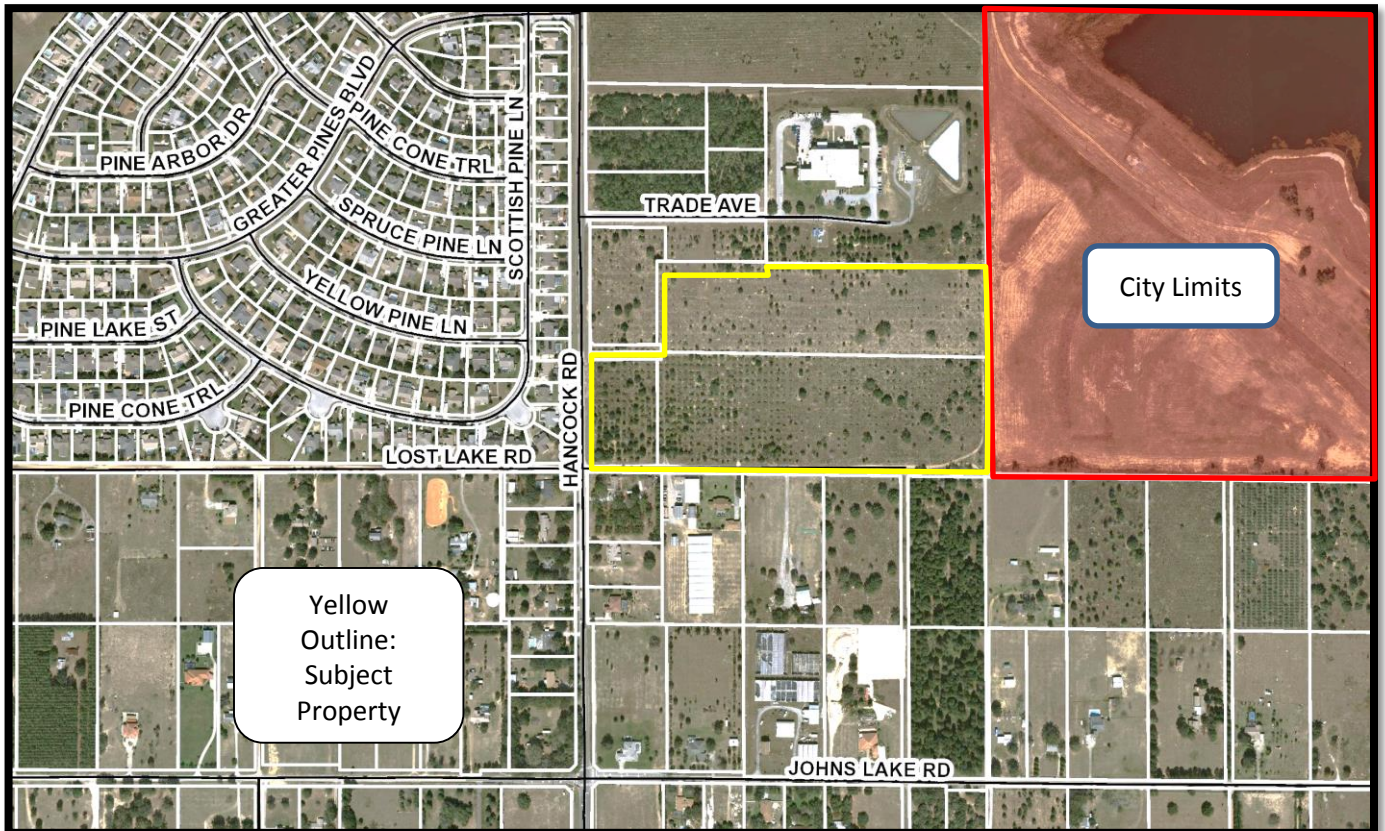
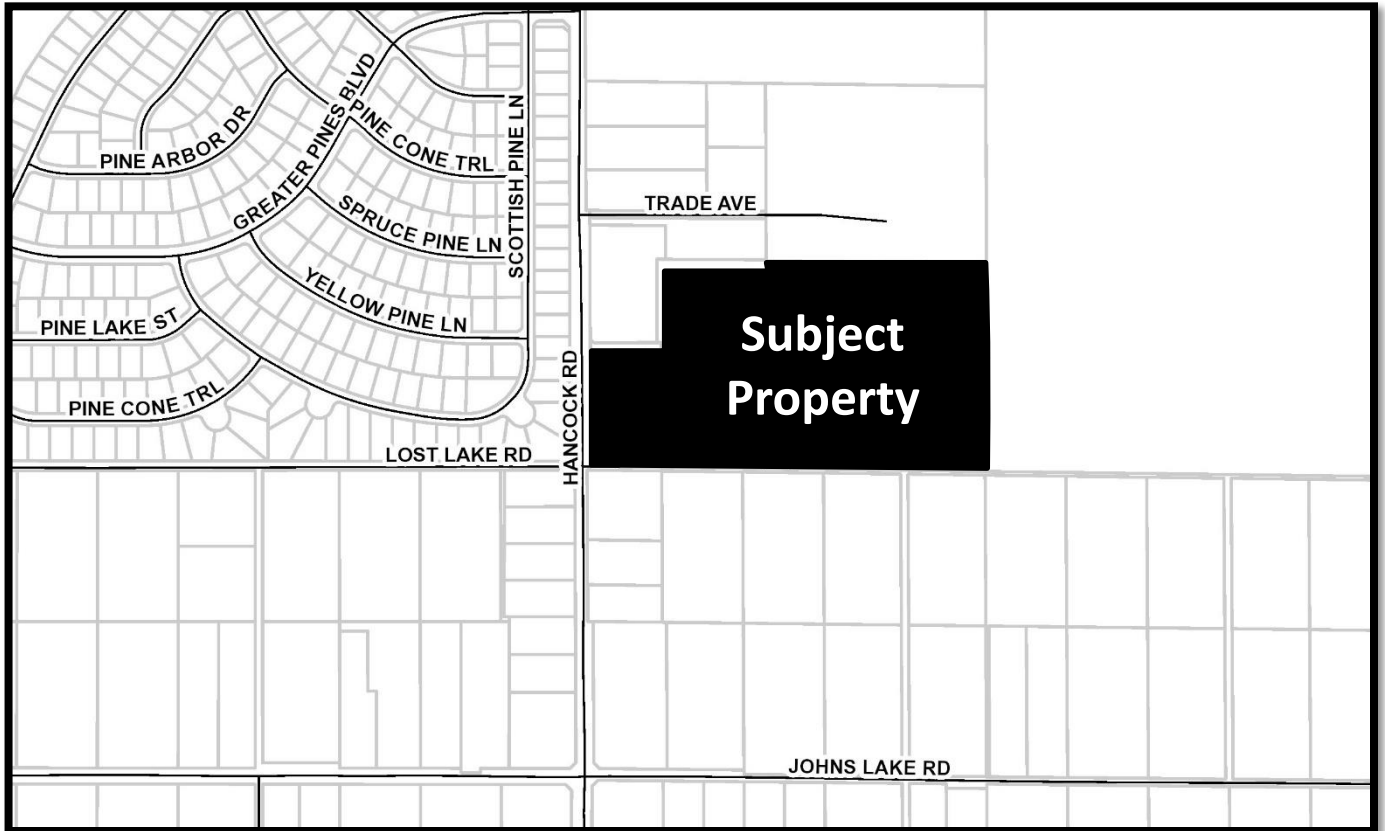


Exhibit – Future Land Use Map
WaterBrooke Amendment 2016

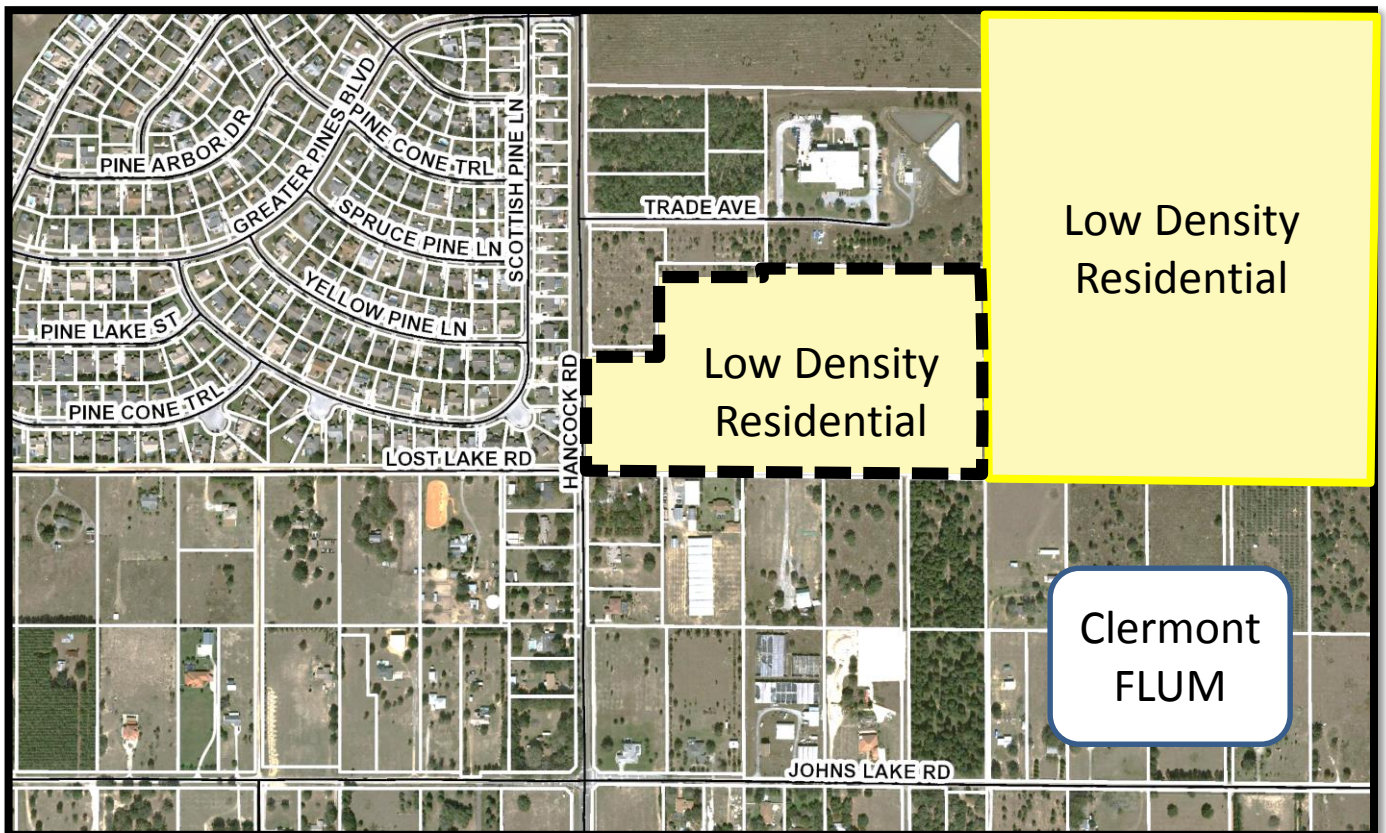
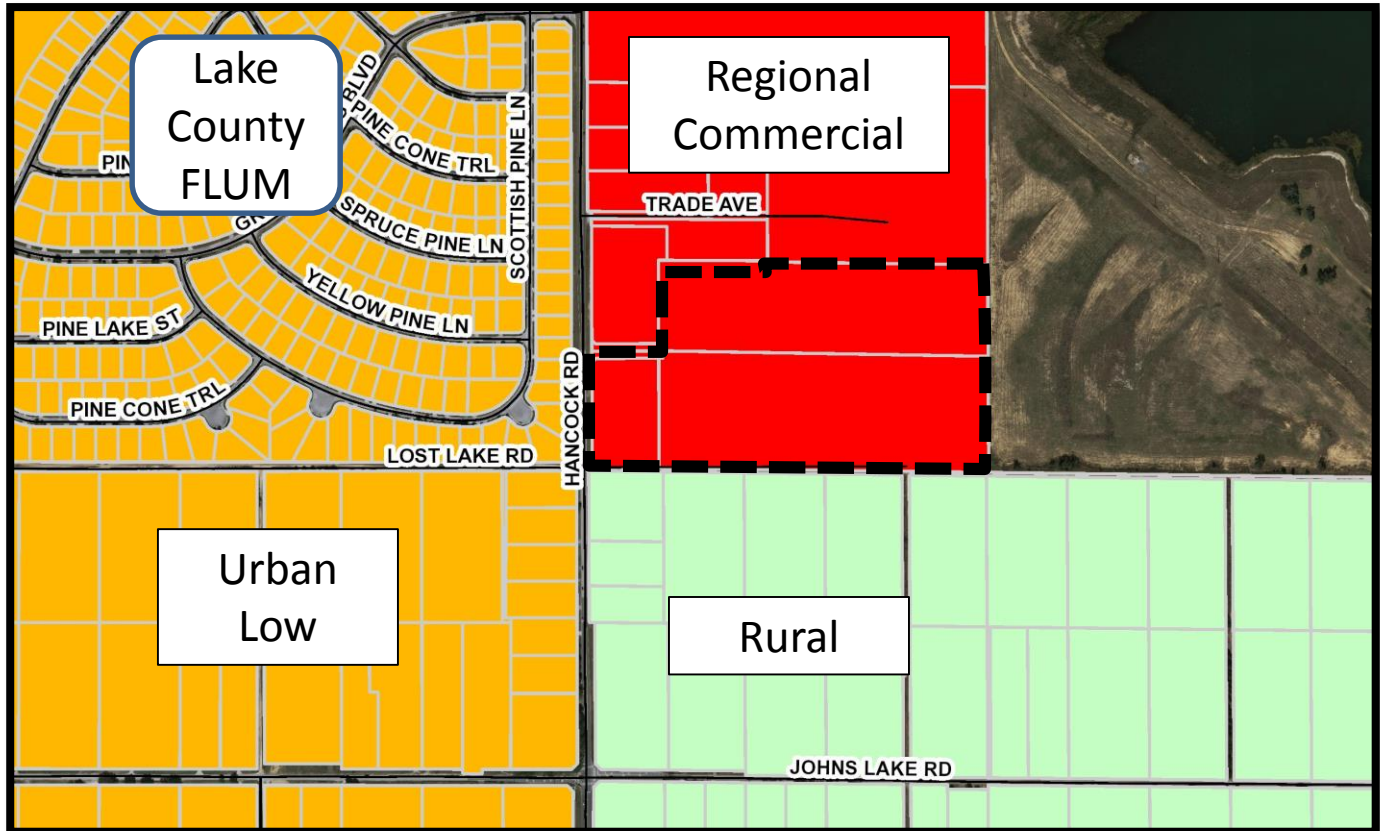


Exhibit – Zoning Map WaterBrooke Amendment 2016

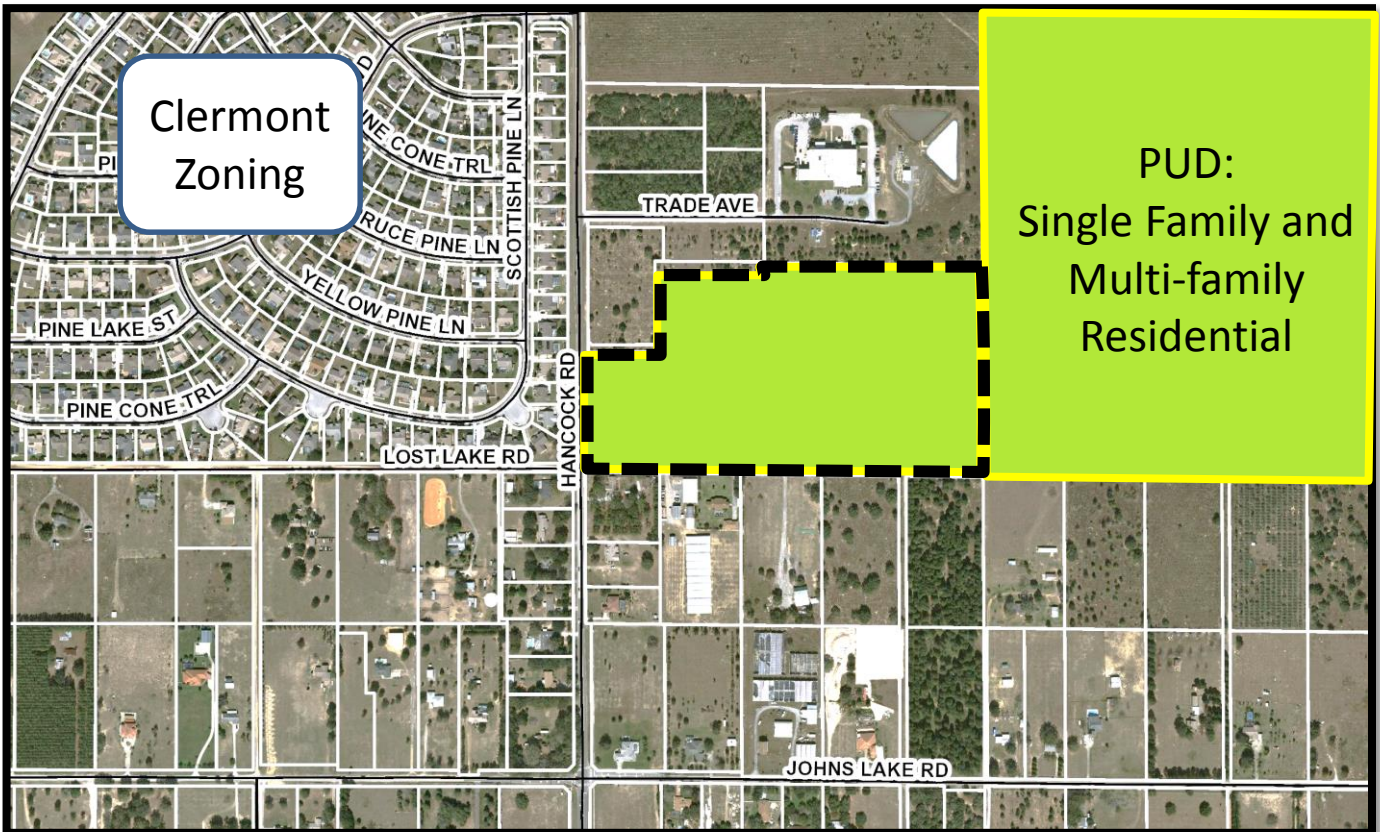
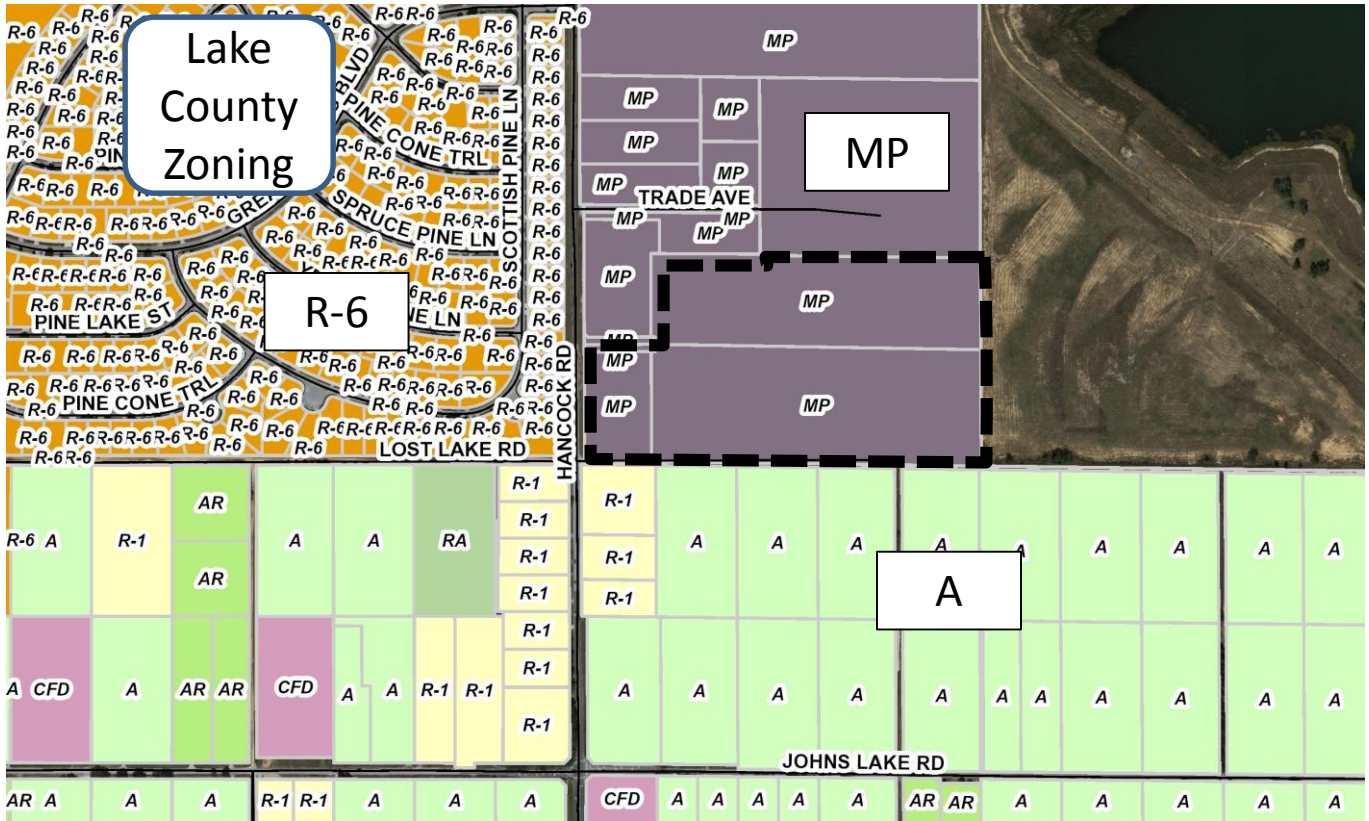
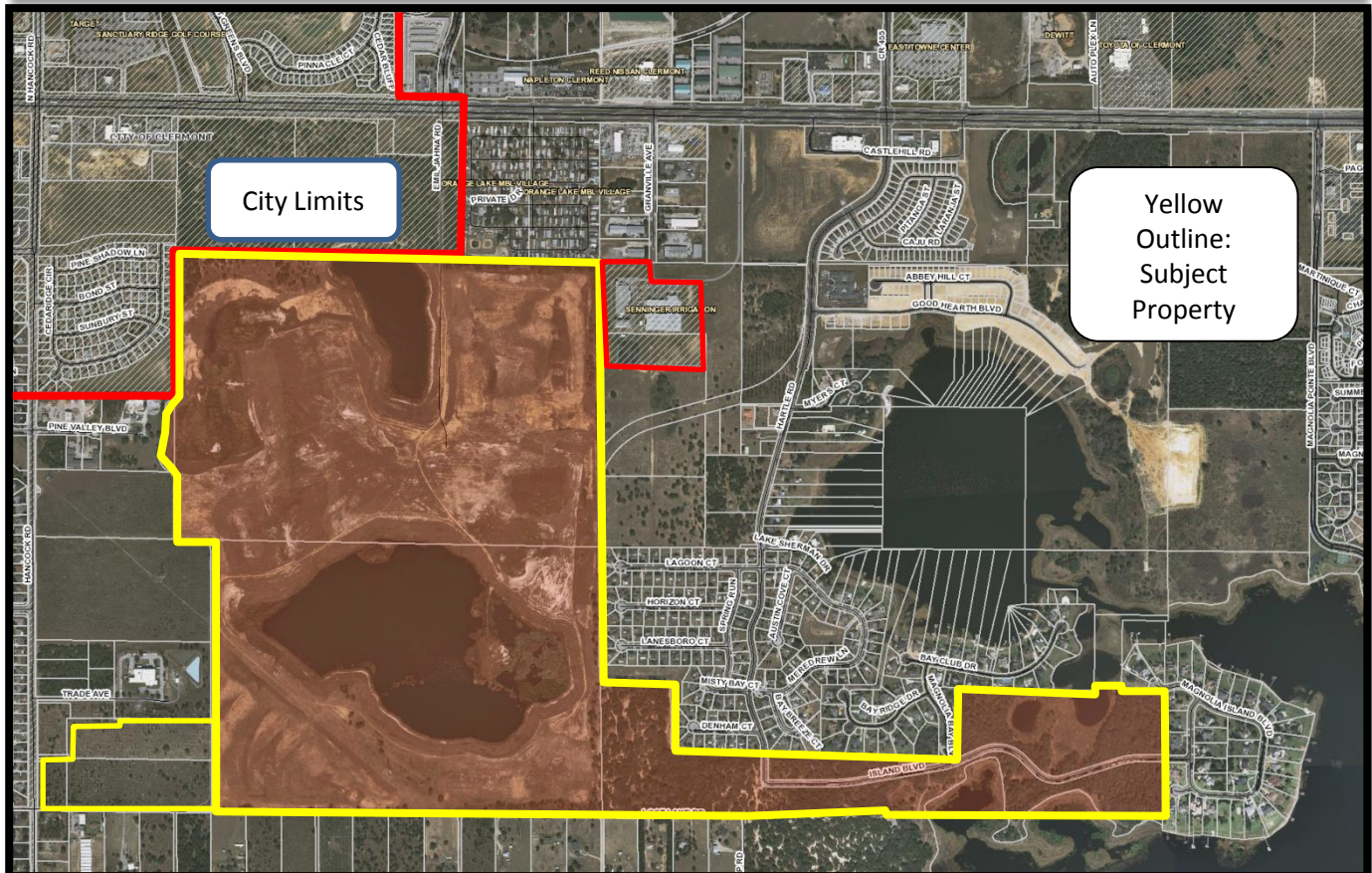
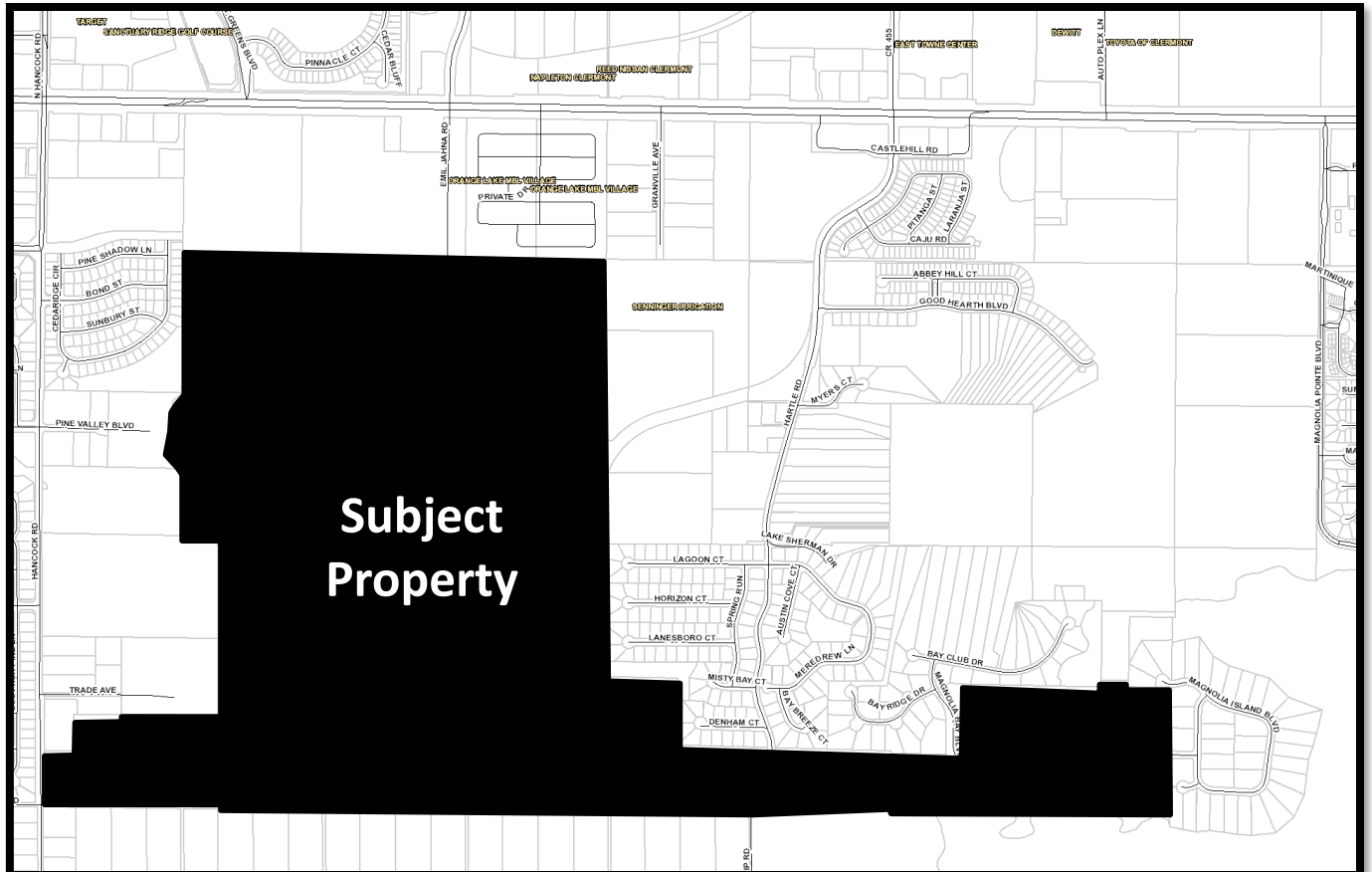
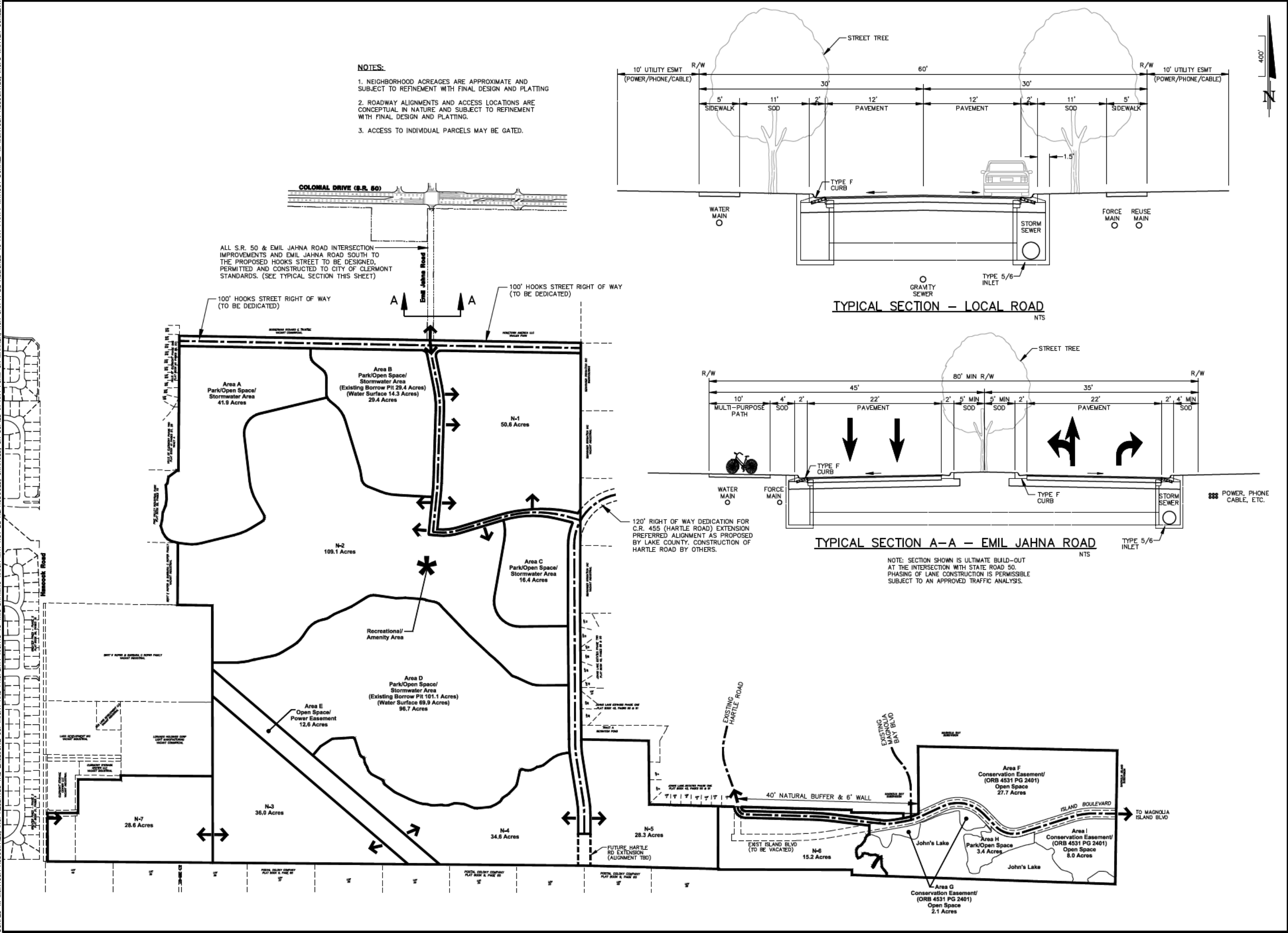


Exhibit - Location Map WaterBrooke



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DRAWING SITEPLAN.DWG	6 OF 7	SHEET	WATERBROOKE PUD CITY OF CLERMONT, FLORIDA DEVELOPMENT CONCEPT PLAN		DONALD W. MCINTOSH ASSOCIATES, INC. ENGINEERS PLANNERS SURVEYORS 2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 644-4068						DONALD W. MCINTOSH ASSOCIATES, INC. AUTHORIZATION NO. 68					
					DRAWN BY CWW		DESIGNED BY JUN		CHECKED BY JUN		DATE 3/30/16		SCALE 1"=400'		JOB NUMBER 14085	



Committed to Excellence

201 West Burleigh Boulevard • Tavares • FL 32778-2496
(352) 253-6500 • Fax (352) 253-6503 • www.lake.k12.fl.us

Superintendent:
Susan Moxley, Ed.D.

School Board Members:
District 1
Bill Mathias
District 2
Rosanne Brandenburg
District 3
Marc Dodd
District 4
Debbie Stivender
District 5
Stephanie Luke

April 19, 2016

Mattamy Homes
c/o Cecilia Bonifay, Esq.
Akerman LLP
420 S. Orange Avenue, Ste. 1200
Orlando, FL 32801

RE: Water Brooke School Concurrency Capacity Report (District Project #LCS 2016-08)

Dear Ms. Bonifay:

The School Board of Lake County, Florida ("School Board") has been requested to complete a School Concurrency Capacity Report for Water Brooke development, which is located in Clermont. The applicant proposes 150 single-family dwelling units. It should be noted that these units are in addition to the previously approved concurrency reservations for 894 units (LCS#2016-03) and 56 units (LCS#2015-16).

The City of Clermont requires the applicant receive a School Concurrency Capacity Report, prior to the approval of a final plat, pursuant to Section 5.5.2 of the Interlocal. The purpose of a School Concurrency Capacity Report is to identify if sufficient school capacity exists to provide educational services for the students who will live in homes constructed in the Water Brooke. The proposed development is estimated to generate 49 students (23 Elementary, 11 Middle, and 15 High).

Based on the information provided to us in the application, Concurrency Service Area (CSA) 12 adopted levels of service with the addition of this project are met at the Elementary, Middle and High School levels. Therefore, the projected student enrollment with the impact of this development does not exceed the LOS at the Elementary, Middle, and High School levels. District staff has determined at this time that school capacity is available and will be reserved for the Water Brooke development. The reservation of capacity is valid for one year from issuance. Once a final site plan is secured within the year, reservation of capacity will be valid for the life of the project. If you should require additional time when securing the final site plan approval, please notify District staff prior to the expiration date to discuss time extension options. Once the reservation expires, the capacity will be released and a new completed application and fee will be required. If you have any questions, please contact me at (352) 253-6694, or at lavalleyh@lake.k12.fl.us.

Sincerely,



Helen LaValley
Senior Planner
Growth Planning Department

Attachment

cc: Barbara Hollerand, Development Services Director, City of Clermont

Lake County Florida School Board CIP

School Concurrency Availability Determination

Project Name: Water Brooke (3)

Date Received: 4/13/2016

Case Number:

Builder Name: Mattamy Homes

Location: NEC of Hancock Road and Lost Lake Road, Clermont, FL

Project Planned Units:

Single Family: 150 # Multi-Family: 0

Townhomes: 0 # Apartments: 0

Additional Information: These units are in addition to the LCS#2016-03 (894 units)
and LCS2015-16 (56 units)
Adjacency applied at Middle School Level

Project Unit Yield By Type of School

Yield Elem Mid High

Single Family	0.152	###		
Single Family	0.102			###
Single Family	0.074		###	

Service Area Analysis

School Service Area Boundary (SSAB)	Current Capacity	Programmed Capacity	Total Capacity	Current Enrollment	Vested Demand	Total Demand	Available Capacity	Project Demand
CSA #12 - Elementary	4928	0	4928	4248	621	4869	59	23
CSA #12 - Middle	2501	0	2501	1936	342	2278	223	11
CSA #12 - High	4483	0	4483	4142	244	4386	97	15

Project Demand may differ from Project Yield by Type of School due to rounding

REVIEWING AUTHORITY
NAME / CASE NUMBER
OWNER / DEVELOPER
ITEM DESCRIPTION

Lake County School District
Water Brooke 3 (District Project #LCS 2016-08)
 Mattamy Homes
 The applicant has requested a Concurrency Determination for 150 single-family residential dwelling units.
LOCATION Sections 27, 34 & 35, Township 22S, Range 26E

CURRENT FUTURE LAND USE
CURRENT ZONING

Recently annexed - TBD
 Recently annexed - TBD

NEW DU IMPACT
STUDENT GENERATION
 Elementary School
 Middle School
 High School

SF-DU	MF-DU	Mobile	SF Impacts	
				150 DUs
0.328	0.283	0.206		49
0.152	0.143	0.097		23
0.074	0.063	0.047		11
0.102	0.077	0.062		15

CSA 13

Elementary School
 Middle School
 High School

Student Enrollment 2019-2020*	Concurrency Student Capacity*	% of Concurrency Capacity
4,300	4,928	87%
1,912	2,501	76%
4,272	4,483	95%

**Lake County Schools Five Year Facilities Master Plan, FY 2016-2020*

FUTURE CONDITIONS

The projected student enrollment with the impact of this development meets the level of service (LOS) within CSA 12 at the Elementary, Middle and High school levels. Therefore, the projected student enrollment with the impact of this development does not exceed the LOS at the Elementary, Middle, and High school levels.



The School District of Lake County School Concurrency Application & Service Provider Form

Instructions: Submit one copy of the completed application and fees for each new residential project requiring a determination of concurrency for schools. A determination will be provided within thirty (30) working days of receipt of a complete application. A determination is not transferable and is valid for one year from date of issuance. Once the Development Order is issued, the concurrency determination shall be valid for the life of the Development Order.

Please check (✓) type of application (one only):

☒ Concurrency Capacity Report ☐ Exemption ☐ Amendment (Equivalency)
☐ Adequate School Facilities Determination ☐ Letter of No Impact ☐ Time Extension
Fees: Concurrency Capacity Report ≤ 90 DU (\$800) ≥ 91 DU (\$1000); Amendment (\$500); Adequacy (\$500);
Time Extension (\$300)

PART 1: PROJECT INFORMATION

Please attach a copy of the site/subdivision plan, last recorded warranty deed and consent form

Project Name: WaterBrooke
Municipality: City of Clermont
Parcel Identification Number (PIN): AK #s 2899191, 3840012, 3823388
Location / Address Of Subject Property: Northeast corner of Hancock Road and Lost Lake Road, Clermont

DEVELOPMENT REQUEST:

Project Data	Type of Units and Number of Units
Section/Township/Range: 34/22/26	Single Family 150
Project Acreage: 28.6	Multi-Family
Total Number of Units: 150	Mobile Home
Will the Project be Phased? ¹ (Y/N): unknown at this time	Age Restricted (Adults Only) ²
Concurrency Service Area (CSA): 12	

¹ If applicable, please attach a Phasing Plan showing the number and type of units to receive certificate of occupancy yearly.

² A Restrictive Covenant is required for age-restricted communities.

OWNERSHIP / AGENT INFORMATION:

Owner's Name: Mattamy Homes
Agent's Name: Akerman LLP, c/o Cecelia Bonifay, Esq.
Mailing Address: 420 S. Orange Ave., Suite 1200, Orlando, FL 32801
Telephone Number: 407-419-8540 Fax Number: 407-254-4230

I hereby certify the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge.

Owner or Owner's Agent Signature: *Cecelia Bonifay*

Date: 3/30/16

PART 2: LOCAL GOVERNMENT REVIEW

Date Application Filed: April 1, 2016	Petition Number:
Reviewed By: Barbara Hollerand	Title: Development Services Director
Did the Applicant pay the filing fee to you? no	YES (Please attach proof of payment)
NO (If no, the applicant must pay the School District.) The School District will not review without payment.	

Government Representative Signature: *Barbara Hollerand*

Date: 4/6/16

PART 3: TO BE COMPLETED BY SCHOOL DISTRICT

Date & Time Received: 4/13/16	Case Number: 2016-08
I verify that the project complies with the adopted Level of Service (LOS) for Schools.	I verify that the project will comply with the adopted Level of Service (LOS) for Schools subject to the attached conditions
I cannot verify that the project will comply with the adopted Level of Service (LOS) for Schools	
School District Representative: <i>Debra J. Kelly</i>	Date: 4-19-16

The School District of Lake County
Growth Planning Department
201 West Burleigh Boulevard
Tavares, FL 32778
Phone: (352) 253-6690 or (352) 253-6500
Fax: (352) 253-6691



DEVELOPMENT SERVICES
352-394-4083

CONDITIONAL USE PERMIT

Article IX of the City Zoning Ordinance provides that the Conditional Use Permit shall not become effective for any reason unless and until the following events have occurred:

1. Permittees shall have agreed to each and every condition by properly executing and signing the Conditional Use Permit.
2. Such Conditional Use Permit executed as indicated, along with a copy of the recorded Conditional Use Permit short form, shall have been filed in the office of the City Clerk within ninety (90) days of its approval by City Council. Upon expiration of this period, the permit shall become null and void, and the permittees must apply for rehearing.
3. In the event of failure of the permittee to fulfill development in substantial accordance with the plans as submitted to the Planning and Zoning Commission and the City Council; comply with the codes of the governmental agencies having lawful and appropriate jurisdiction thereon; or meet any of the terms of the Conditional Use Permit, the permit may be revoked after due public hearings before the Planning and Zoning Commission and the City Council.

PERMITTEE: Mattamy Homes LLC
Keith Trace
1900 Summit Tower Blvd., Suite 500
Orlando, FL 32810

CONDITIONAL USE PERMIT FOR: To allow for a single-family and multi-family residential planned unit development in the UE Urban Estate zoning district.

LOCATION: (Alternate Keys 1095972, 3882911, 1095964, and 2717874), south of S.R. 50, west of the Hartle Road, east of Hancock Road, and north and south of Island Blvd., WaterBrooke (Jahna) PUD

ZONING: PUD

RESOLUTION: No. 2015-24

EXECUTION DATE: This CUP must be signed and returned along with a copy of the recorded Conditional Use Permit short form to the office of the City Clerk, by **January 25, 2016** or this permit shall expired and become null and void.

CONDITIONS:

Section 1 – Land Uses

1. Residential:
 - a. A total of 950 residential dwelling units, comprising of single-family dwelling units, duplexes, and multifamily dwelling units (townhouses).
 - b. Phasing of Development: The project may be developed in one or more phases.
 - c. Development Standards: Development standards for the development of the residential dwelling units, shall be based on the size of the lot, as indicated in the table below:

<u>Design item</u>	<u>Multifamily Dwelling Units (townhouses)</u>		<u>Single Family Detached</u>			<u>Single Family Attached Duplexes</u>
	<u>Rear Load (feet)</u>	<u>Front Load (feet)</u>	<u>Rear Load (feet)</u>	<u>Front Load (feet)</u>	<u>Front Load (feet) (80 feet and Greater)</u>	<u>Front Load and Rear Load</u>
<u>Minimum Lot Area</u>	<u>1,600</u>	<u>1,800</u>	<u>2,400</u>	<u>4,400</u>	<u>9,600</u>	<u>2,400</u>
<u>Minimum Living Area</u>	<u>1,000</u>	<u>1,000</u>	<u>1,400</u>	<u>1,500</u>	<u>1,500</u>	<u>1,200</u>
<u>Minimum Lot Width</u>	<u>20</u>	<u>20</u>	<u>30</u>	<u>40</u>	<u>80</u>	<u>24</u>
<u>Minimum Lot Depth</u>	<u>80</u>	<u>90</u>	<u>80</u>	<u>110</u>	<u>120</u>	<u>100</u>
<u>Minimum Front Building Setback</u>	<u>15</u>	<u>15</u>	<u>15</u>	<u>15</u>	<u>15</u>	<u>15</u>
<u>Minimum Front Porch Setback</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>
<u>Minimum Front Garage Setback</u>	<u>-</u>	<u>20</u>	<u>-</u>	<u>20</u>	<u>20</u>	<u>20</u>
<u>Minimum Rear Garage Setback</u>	<u>20</u>	<u>-</u>	<u>20</u>	<u>-</u>	<u>-</u>	<u>20</u>
<u>Minimum Side Yard Setback¹</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>
<u>Setback From Side Street</u>	<u>15</u>	<u>15</u>	<u>15</u>	<u>15</u>	<u>15</u>	<u>15</u>
<u>Minimum Rear Yard Setback</u>	<u>20</u>	<u>20</u>	<u>20</u>	<u>20</u>	<u>20</u>	<u>20</u>
<u>Minimum Building Separation</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>
<u>Minimum Rear Yard Setback for Pools, Patios, Decks or Ancillary Structures</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>
<u>Maximum Impervious Surface Ratio (ISR) *** (See Note)²</u>	<u>0.85</u>	<u>0.85</u>	<u>0.75</u>	<u>0.75</u>	<u>0.75</u>	<u>0.85</u>
<u>Maximum Building Height</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>
<u>Setback from Ordinary High Water Line, Mean High Water Line,</u>	<u>50</u>	<u>50</u>	<u>50</u>	<u>50</u>	<u>50</u>	<u>50</u>

<u>or Jurisdictional Wetland line</u>						
<u>Minimum Front Yard Utility Easement</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>
<u>Minimum Side and Rear Yard Drainage and Utility Easement</u>	<u>5¹</u>	<u>5¹</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5¹</u>

¹Does not apply to interior side yards of attached townhomes and/or duplexes

²The maximum allowable ISR for the overall PUD development shall be 0.60. Individual lot ISR may exceed 0.60 as shown in the table above as long as overall maximum is not exceeded.

Section 2 – Open Space

A minimum of 25% of the net buildable area of the planned unit development shall be provided as open space in accordance with the comprehensive plan and land development code, as amended. A waiver to Section 122-316(b)(4) of the land development code has been granted to allow individual phases of the planned unit development to exceed the overall density of the planned unit development and to allow individual phases of the planned unit development to be developed without providing common open space in proportion to that contained within the entire planned unit development.

Section 3 – Landscaping, Buffering, and Screening

1. A 40-foot wide natural buffer with a six-foot high wall shall be provided along a portion of the northern boundary of Tract N-7 from the entrance to Magnolia Bay subdivision, west to the existing Hartle Road, as shown on the Exhibit "B" - Conceptual Plan.
2. A 50-foot landscaped buffer shall be provided along the boundary common with the Hills of Clermont subdivision.
3. No landscaping buffer is required along the perimeter of the Planned Unit Development adjacent to wetlands, open water and conservation areas.
4. A waiver to §118-71(1) of the Land Development Code is granted in order to allow street trees within the right-of-way along the frontage of a residential lot to count toward the minimum number of required trees on the lot and to allow such trees to be less than six feet from curbs and sidewalks as long as a minimum of five feet of clearance is provided between the tree and any public potable water, wastewater or reclaimed water main.
5. All other landscaping, buffering, and screening requirements shall be in accordance with the Land Development Code, as amended. Existing trees may be used to meet the landscape buffer requirements in accordance with the Land Development Code, as amended.

Section 4 – Environmental:

1. An environmental assessment addressing habitat and species shall be submitted to the City

during the construction plans approval stage of each phase of the project. Applicable permits for any gopher tortoises and associated burrow commensal species or other threatened or endangered species found on the property must be received from the appropriate regulatory agencies prior to the initiation of development activity.

2. Wetlands onsite have been placed in a conservation easement. Areas placed in a perpetual conservation easement are shown in the Corrective Conservation Easement, which has been recorded in Lake County Official Records Book 4531, Pages 2401-2408. There are two existing borrow pits on the property that exist as a result of the former mining operation. The two borrow pits shall be utilized for stormwater management and are not required to meet any additional surface water and/or wetland requirements, including, but not limited to setbacks and buffers.
3. Site Grading/Mine Reclamation: Master Site Grading and Mine Reclamation for the project has been completed in accordance with the mass grading plan dated December 14, 2005, submitted to and approved by the Lake County Water Resources Management Division. The site grading was completed pursuant to Florida Department of Environmental Protection (FDEP) Permit No. 0139060-002, issued on January 18, 2011. All grading in accordance with Mass Grading Plan has been completed and has been accepted in lieu of reclamation of the mining site. Mass Grading Plan was approved on August 6, 2014. Approval of Ordinance 2014-80 therefore revoked and released the property from the September 28, 1990, vesting of the Jahna Clermont East Mine (Tracking #90/10/5), which was to be reclaimed through the proposed mass grading Ordinance 2006-30 (Tracking #110-05-PUD). All further grading for the project must be in accordance with City standards.

Section 5 – Utilities:

1. The developer shall connect to the existing City 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.
3. Any proposed City-maintained utilities that are not located within a City-maintained right-of-way shall be placed in a utility easement dedicated to the City. Easements shall be provided at no expense to the City. Utilities are allowed to be placed within the County build out right-of-way along Hartle Road.
4. The developer shall be responsible for all costs of on-site and off-site improvements, including, but not limited to design, material, permitting and installation of sufficient size lines, lift stations and other appurtenances necessary to allow the City to serve the property.
5. Any existing 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. No building permits shall be issued until water and sewer are provided to the site or until a bond or letter of credit, acceptable to the City, is in place to guarantee completion of off-site improvements. No Certificate of Occupancy shall be issued until water and sewer extensions have been completed and accepted by the City.
7. In the event the City chooses to oversize the lines or appurtenances, the City shall provide to the developer specifications regarding sizes to be included in the final improvement plans.
8. 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 the developer to the City and approved in advance by the City.
9. The developer 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 estimates shall be contractors' bid as certified by developer's project engineer. The City shall review and either approve or reject the costs.
10. The developer and City shall agree on the cost difference, which will be the responsibility of the City, prior to commencement of construction.
11. Reimbursement for the difference in costs as determined in Section 8 and 9 from the City shall be in the form of Impact Fee Credits.
12. The Impact Fee Credits shall be established subject to Sections 8 and 9 and at the time of issuance of each building permit by applying the then current impact fee, which shall be deducted from the Impact Fee Credit balance until credit is used.
13. Impact Fee Credits may not be transferred outside of the property, but may be assignable to any heirs, assigns or successors in interest or title to part or all of said property.
14. The developer shall be responsible for all applicable fees including but not limited to impact fees, connection fees and permitting fees.
15. The City may require a looped system to provide reliability and redundancy to the property.
16. Central water and sewer connection shall be provided in accordance with the comprehensive plan and Land Development Code, as amended and pursuant to the Conditional Use Permit.
17. The project shall be plumbed for reuse water with purple piping to irrigate single family lots. Irrigation of common areas shall be from a well.
18. A master lift station shall be designed and constructed on a 50-foot-by-50-foot lot dedicated to the City. Lift station shall be designed to allow for the connection of the existing force main on Hartle Road. A 20-inch force main shall be constructed from the master lift station to the existing 30-inch force main located on CW Harrell Road.

19. A minimum eight-inch potable water main (east-west main) shall be constructed from the western project boundary to Hartle Road at such location that allows for the future extension of Hartle Road and a minimum eight-inch potable water main (north-south main) shall be constructed from State Road 50 to the proposed east-west main.
20. A 12-inch potable water main shall be constructed from the proposed terminus of a 12-inch potable water main on Hartle Road, which is to be constructed in conjunction with Lake County Fire Station #90/Clermont Fire Station #104, south to the existing potable water main on Lost Lake Road.
21. A 16-inch reuse main shall be constructed from the eastern property line along the build out Hartle Road right-of-way to the existing 30-inch reuse main located on CW Harrell Road.
22. All utilities shall be designed and installed as per the City's specifications and approved by City staff.
23. **Drainage/Stormwater Management:** The developer shall submit drainage calculations and a stormwater management plan when filing for final engineering approval. The Homeowners Association (HOA) shall be responsible for maintenance of all stormwater ponds and drainage systems for private streets.
24. Easements shall be provided on any existing and proposed utilities that the City will own and maintain at no expense to the City.
25. Fiber optic conduit and pull boxes may be required to be installed by the developer in the easements to extend the City's fiber optic network. The City will reimburse the developer at 100 percent for all costs including design, permitting, materials, and construction of the fiber optic conduit and pull boxes.
26. The developer reserves its rights, pursuant to Sec. 2-267 – Credits, of the City Code, to enter into an impact fee agreement with the City which shall provide for the establishment of credits and payment of impact fees in a specified manner and time. The terms and conditions of an impact fee agreement between the developer and the City may replace or supersede the conditions contained in the Conditional Use Permit and Planned Unit Development approved for development.

Section 6 – Transportation Improvements/Access Management:

1. The development shall comply with all applicable City, County and Florida Department of Transportation access management requirements. Prior to the issuance of the first certificate of occupancy, a secondary entrance shall be constructed off Hartle Road for the residents of the development.
2. The developer shall dedicate on the final plat a 120-foot right-of-way for Hartle Road, necessary to accommodate permanent construction plus additional slope easements (not to

exceed 100 feet in total width), in accordance with the preferred route outlined within Lake County's PD&E study for the realignment of Hartle Road. The slope easement shall be identified at preliminary plat and shown on the final plat. The developer shall coordinate with the County and City on alignment and grading of Hartle Road. The slope easement width will be adjusted with design plans approved by Lake County and the City.

In the alternative, the land within the slope easement area may be graded by the developer for future roadway alignment. With County approval of the grading plan and completion of grading work by the developer, the slope easement requirement may be deemed complete.

A waiver to §94-195(b)(3) of the Land Development Code is granted to allow cuts and fills of up to twenty (20) feet for the construction of Hartle Road to accommodate required road grades in consideration of the existing topography in the road right-of-way.

3. By virtue of the transportation system needs for the project, the developer shall dedicate on the final plat a 100-foot right-of-way for Hooks Street within the project boundary, from the northwest corner, along the north property line, to northeast corner of the project boundary. In addition to this 100-foot right-of-way, additional land necessary to accommodate temporary construction easements; not to exceed 100 feet in width, shall be provided. The slope easement shall be identified at preliminary plat and shown on the final plat. The developer shall coordinate with the County and City on alignment and grading of Hooks Street. The slope easement width will be adjusted with design plans approved by the County and the City.
4. At the developer's option and approval by Lake County, the developer may construct Hartle Road a distance of approximately 4,365 feet from its proposed terminus, which is to be constructed in conjunction with Lake County Fire Station #90/Clermont Fire Station #104, to approximately 315 feet north of the southern project boundary. If the developer constructs Hartle Road, a developer's agreement between the County and the developer shall be executed for the construction of Hartle Road and for the allocation of transportation impact fee credits associated with the construction.
5. The developer shall accommodate stormwater retention capacity sufficient for Hartle Road and Hooks Street drainage requirements based on stormwater permitting requirements in place at the time of approval of this Conditional Use Permit within the limits of drainage basin along the route alignments. The developer intends to utilize on-site ponds as an amenity and desires for the runoff to be treated to remove roadway debris collected. Therefore, the County shall provide pre-treatment of the water for debris, such as a skimmer, at the latest terminus before the runoff water enters the water body. At time of Hartle Road and Hooks Street final design, the County shall coordinate with the developer for final configuration of Hooks Street and Hartle Road roadway stormwater system connection to the on-site drainage system acceptable to both the County and the developer. The County shall bear the cost of the roadway drainage connection to the on-site stormwater system. The Hartle Road and Hooks Street stormwater sewer shall be separate from the Planned Unit Development stormwater system, unless a coordinated system design is provided by the developer. It shall be located within a drainage easement to Lake County having a straight

alignment, direct access from County right-of-way and storm pipe not shared with developer's system. The County shall also have an easement over the shared stormwater ponds. The developer shall coordinate with the County on pretreatment design and construction.

6. A public hearing shall be required for the Island Boulevard right-of-way vacation. The developer will be responsible to submit and pay for the vacation petition request. The relocation of Island Boulevard shall not occur until the City has granted approval for the vacation through a public hearing. Approval of the road vacation is not guaranteed. Paved access shall be maintained to the existing developments along the current Island Boulevard. Before Island Boulevard right-of-way is vacated, new right-of-way must be dedicated and new road must be constructed and accepted by the City as a public roadway. The right-of-way vacation may be conditioned upon the new road alignment of Island Boulevard being constructed, open to traffic, and accepted by the City.
7. The developer, at its expense, shall be required to improve Emil Jahna Road from its project entrance north to State Road 50 and shall pay to modify the existing traffic signal, as needed, to accommodate turning movements from Emil Jahna Road onto State Road 50. Emil Jahna Road shall be improved to facilitate safe and efficient traffic flow from the project entrance to and including the intersection at State Road 50.
The improvements will consist of the following:
 - a. Reconstructing the roadway to meet current standards;
 - b. Turn lane improvements and any associated signal modifications at the intersection of Emil Jahna Road and State Road 50 as determined to be necessary by a transportation analysis to be approved by the applicable governmental agencies (the City, the County and/or Florida Department of Transportation);
 - c. The reconfiguration of the westbound left-turn lane on State Road 50 to provide dual turning movements (removing the current striping to open the additional left-turn lane) as warranted by the traffic impact study; and
 - d. A waiver to §110-194(3) and (4) of the Land Development Code is granted to allow construction of a 10-foot wide concrete sidewalk along only the west side of Emil Jahna Road to serve as a multipurpose path for both pedestrians and cyclists in lieu of in-street bikeways and five-foot wide sidewalks on both sides due to the constrained right-of-way width.
8. Sidewalks/Streets:
 - a. Sidewalks to be constructed on both sides of residential and commercial streets.
 - b. Streets shall have F-type curb and street pavement must be a minimum 24 feet wide.
 - c. Right-of-way width for residential streets must be a minimum 60 feet.

- d. A waiver to §110-192(1) of the Land Development Code is granted to require private streets with gates. Streets within the development will be gated and will be maintained by the developer or Home Owners Association.
 - e. A waiver to §110-195(b) of the Land Development Code is granted to allow construction of 20-foot-wide, one-way alleys with 12 feet of pavement as long as 20 feet of unobstructed emergency access is maintained, unless greater distances are warranted by fire code.
9. Roadway Lighting: The developer shall arrange with the power utility provider for installation of street lights along Emil Jahna Road. The cost of installation shall be paid by the developer, and the ongoing rental of lights shall be paid by the developer or WaterBrooke's Homeowner's Association.

Section 7 – Schools

School concurrency shall be met before final plat approval in accordance with the comprehensive plan and land development code.

Section 8 – Lighting

Exterior lighting shall be in accordance with the Land Development Code, as amended.

Section 9 – Fire Protection and Emergency Services Access

Fire Protection and Emergency Services Access: Access and fire safety requirements of the development shall be provided in accordance with the Florida Fire Prevention Code and Land Development Code, as amended. A secondary emergency access approved by the City's fire marshal shall be designated and constructed prior to the issuance of the first building permit.

Section 10 – Concurrency Management Requirements

Concurrency Management Requirements: Any development shall comply with the Lake County and the City of Clermont Concurrency Management System, as amended.

Section 11 – Development Review and Approval

- 1. Prior to the issuance of permits, the developer shall be required to submit a preliminary plat, construction plans, and final plat generally consistent with Exhibit "B" - Conceptual Plan for review and approval in accordance with the comprehensive plan and Land Development Code, as amended.
- 2. Planned Unit Development Expiration: Pursuant to Exhibit B4 of the Stipulated Settlement Agreement between the County and Nola Land Company, Inc., which was executed by the

last party (Lake County) on July 26, 2011, the development described in Ordinance #2006-30 is vested for a period of 12 years from execution of the agreement. Accordingly, physical development of the Planned Unit Development shall commence by July 26, 2023. Failure to commence construction by July 26, 2023 shall cause the automatic revocation of this ordinance.

Section 12 – Future Amendments to Statutes, Code, Plans, and/or Regulations

The specific references in this Conditional Use Permit to the Florida Statutes, Florida Administrative Code, City Comprehensive Plan, and City Land Development Code shall include any future amendments to the statutes, code, plans, and/or regulations.

Section 13 – Additional Conditions

1. After establishment of the facilities as provided herein, the aforementioned property shall only be used for the purposes named in this Conditional Use Permit. Any other proposed use must be specifically authorized by the Clermont City Council.
2. No person, firm, or corporation shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building structure, add other uses, or alter the land in any manner within the boundaries of the above described land without first obtaining the necessary approvals in accordance with the Clermont Code of Ordinances, as amended, and obtaining the permits required from the other appropriate governmental agencies.
3. This Conditional Use Permit shall inure to the benefit of, and shall constitute a covenant running with the land and the terms, conditions, and provisions hereof, and shall be binding upon the present owner and any successor, and shall be subject to each and every condition herein set out.
4. Construction and operation of the proposed use shall at all times comply with the regulations of this and other governmental permitting agencies.
5. The transfer of ownership or lease of any or all of the property described in this Conditional Use Permit shall be included in the transfer or lease agreement, a provision that the purchaser or lessee is made good and aware of the conditions established by this Conditional Use Permit and agrees to be bound by these conditions. The purchaser or lessee may request a change from the existing plans and conditions by following procedures contained in the Land Development Code, as amended.

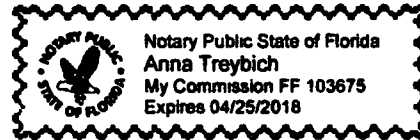
I, the undersigned, do hereby agree to each and every condition of this Conditional Use Permit.

[Signature]
Mattamy Homes LLC (Applicant/Owner)
~~Keith Trace~~ Thomas P. McCarthy V.P.

Date 11/12/2015

STATE OF FLORIDA

COUNTY OF ORANGE



The foregoing instrument was acknowledged before me this 12TH day of

NOVEMBER, 2015, by Thomas McCarthy.
(name of person acknowledging)

Anna Treybich
Signature of Notary Public

Who is personally known to me or who has produced _____ as identification.

Received in the office of the City Clerk on 11/13/2015
Date

[Signature]
for _____
City Clerk



RETURN TO:
Rae Chidlow, P&Z
City of Clermont
685 West Montrose St
Clermont, FL 34711

SHORT FORM CONDITIONAL USE PERMIT

THIS SHORT FORM CONDITIONAL USE PERMIT evidences that certain Conditional Use Permit adopted and approved by the Clermont City Council by Resolution No. 2015-24 and agreed to and accepted by the undersigned developer/applicant as of October 27, 2015, with regard to the following described real property

540.223 acres more or less located on south of S R 50, west of Hartle Road, east of Hancock Road, and north and south of Island Blvd.; Alternate Keys 1095972, 3882911, 1095964, 2717874: Clermont.

and is for the purposes of providing notice to all interested parties, the assigns, successors and heirs of the undersigned developer/applicant and all future owners of the above-referenced property that the real property described above is subject to the terms and conditions of the above-referenced Conditional Use Permit.

IN WITNESS WHEREOF, the undersigned has duly executed this Short Form Conditional Use Permit as of the day set forth below.

Signed, sealed and delivered in the presence of

Signed by Applicant


Signed by Applicant

Printed Name and Title

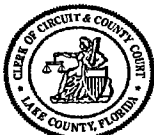
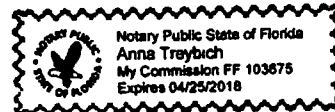
Thomas P. McCarthy
Printed Name and Title
Vice President

STATE OF FLORIDA:
COUNTY OF ORANGE

I HEREBY CERTIFY that on this 12th day of NOVEMBER, 2015, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgements, personally appeared Thomas McCarthy, who is personally known to me or who has produced _____ as identification, and who executed the foregoing instrument, and who did take an oath.

Anna Treybuch
NOTARY PUBLIC

My commission expires:
4/25/2018



I certify that the foregoing is an accurate copy of the document as reflected in the Official Records. Portions may be redacted
NEIL KELLY, CLERK OF CIRCUIT COURT LAKE COUNTY

By [Signature], Deputy Clerk 11/13/2015 3 18 32 PM

**RETURN TO:**

Rae Chidlow, P&Z
City of Clermont
685 West Montrose St.
Clermont, FL 34711

INSTRUMENT #2015124316
OR BK 4705 PG 1777 - 1777 (1 PGS)
DATE 11/13/2015 3 18 29 PM
NEIL KELLY, CLERK OF THE CIRCUIT COURT
LAKE COUNTY
RECORDING FEES \$10 00

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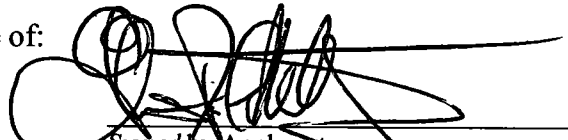
and is for the purposes of providing notice to all interested parties, the assigns, successors and heirs of the undersigned developer/applicant and all future owners of the above-referenced property that the real property described above is subject to the terms and conditions of the above-referenced Conditional Use Permit.

IN WITNESS WHEREOF, the undersigned has duly executed this Short Form Conditional Use Permit as of the day set forth below.

Signed, sealed and delivered in the presence of:

Signed by Applicant

Printed Name and Title

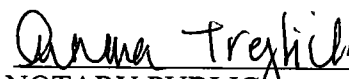


Signed by Applicant
Thomas P. C. McCarthy

Printed Name and Title
Vice President

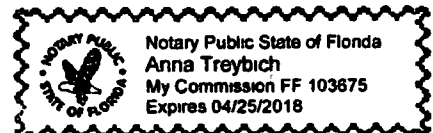
STATE OF FLORIDA:
COUNTY OF ORANGE:

I HEREBY CERTIFY that on this 12TH day of NOVEMBER, 2015, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgements, personally appeared Thomas McCarthy, who is personally known to me or who has produced _____ as identification, and who executed the foregoing instrument, and who did take an oath.



NOTARY PUBLIC

My commission expires:
4/25/2018



**City of Clermont
MINUTES
PLANNING AND ZONING COMMISSION
MAY 3, 2016**

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Commissioner Whitehead moved to recommend approval of the conditional use permit; seconded by Commissioner Solis. The vote was 4-3 to recommend approval, with Commissioners Proli, Hubbard, and Martin opposing.

3. REQUEST FOR COMPREHENSIVE PLAN AMENDMENT

REQUEST: To change the future land use from Lake County Regional Commercial to Low Density Residential

PROJECT: WaterBrooke

Senior Planner Kruse presented the staff report as follows:

The applicant, Mattamy Homes, is requesting adoption of a future land use change for 28.6 acres that would be added to its residential subdivision, WaterBrooke. The proposed map amendment will change the future land use from Lake County's Regional Commercial to the City's Low Density Residential. The City's Low Density Residential allows up to 3 dwelling units per acre. The City's Low Density Residential does not permit commercial or industrial uses, as allowed by the County's future land use. The conversion from commercial and industrial uses to residential uses would be more logical in this area of the City since residential development has already occurred to the west of Hancock Road and is currently planned to the east of this parcel with the existing WaterBrooke development. Existing commercial uses are located a little more than 1-mile north along SR 50.

With the additional acreage added to the WaterBrooke subdivision, the applicant is requesting 1100 units on total 568.6 acres, which equates to 1.93 units per acre. This number is below the 3 dwelling units per acre allowable under the City's Low Density Residential future land use.

Upon approval by the City Council, the proposed amendment would be transmitted to the Florida Department of Economic Opportunity (DEO) and the reviewing agencies for review. DEO would then issue an Objections, Recommendations and Comments letter to the City, and the amendment would then be scheduled for a final public hearing in July.

Staff recommends approval of the transmittal of the large scale comprehensive plan amendment to change the future land use from Lake County Regional Commercial to the City's Low Density Residential.

4. REQUEST FOR REZONING

REQUEST: To change the zoning from UE Urban Estate to Planning Unit Development

PROJECT: WaterBrooke

Senior Planner Kruse presented the staff report as follows:

**City of Clermont
MINUTES
PLANNING AND ZONING COMMISSION
MAY 3, 2016**

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The applicant, Mattamy Homes, is requesting to add 28.6 +/- acres to the existing residential subdivision, WaterBrooke. The property is located at the southwest corner of the approved subdivision and fronts Hancock Road. The property is currently in Lake County with a future land use of Regional Commercial and a Planned Industrial zoning. The applicant is requesting annexation and a change in zoning to allow single family and multi-family residential in the City. In addition, with the City's recent adoption of Planned Unit Development zoning, the applicant is requesting a change in zoning from a Conditional Use Permit for a Planned Unit Development in Urban Estate to Planned Unit Development zoning for the entire WaterBrooke subdivision. The WaterBrooke subdivision was approved by Council in October of 2015.

With the additional acreage added to the WaterBrooke subdivision, the applicant is requesting an increase from 950 units to 1100 units on a total of 568.6 acres, which equates to 1.93 units per acre. The additional land has allowed the applicant the ability to rearrange some of the units in the overall project and provide another access point. In doing so, the overall density will increase from 1.76 units per acre to 1.93 units per acre, or approximately 9% increase. This number is still below the 3 dwelling units per acre allowable under the City's Low Density Residential future land use. The applicant has provided a school concurrency report for the additional units indicating school capacity is available. All the conditions in the existing Conditional Use Permit will be in the Planned Unit Development ordinance with the exception of a change for an increase in total number of units and an updated Exhibit B to show the additional acreage to the overall project.

Staff has reviewed the applicant's request for a rezoning from Urban Estate (default zoning upon annexation) and the existing Conditional Use Permit in Urban Estate to Planned Unit Development zoning. Staff believes the proposal meets the standards in regards to Section 122-315, Review Criteria for a Planned Unit Development. Staff recommends approval of Ordinance 2016-20 for a Planned Unit Development.

Cecelia Bonifay, Akerman, representing Mattamy Homes, stated that the applicant is requesting to add 28.6 acres to expand the boundaries to WaterBrooke subdivision. She stated that they are requesting to increase the number of units to 1100, but will still be below 3 units per acre at 1.93 units per acre. She stated that this will complement the existing residential that is already in the area.

Commissioner Proli stated that she is concerned about the traffic that will be added to the area.

Ms. Bonifay talked about the various locations where entrances and exits for WaterBrooke will be located and the expansion of Hartle Road.

Commissioner Martin moved to recommend approval of the large-scale comprehensive plan amendment; seconded by Commissioner Whitehead. The vote was unanimous to recommend approval.

**City of Clermont
MINUTES
PLANNING AND ZONING COMMISSION
MAY 3, 2016**

Page 9

Commissioner Whitehead moved to recommend approval of the rezoning; seconded by Commissioner Solis. The vote was unanimous to recommend approval.

5. REQUEST FOR CONDITIONAL USE PERMIT

REQUEST: To allow an amendment to conditional use permit (Resolution 1316) to allow for an expansion to the existing Wal-Mart building.

PROJECT: Wal-Mart

Senior Planner Kruse presented the staff report as follows:

The applicant is requesting an amendment to the existing Wal-Mart Conditional Use Permit (Resolution 1316) to allow for an increase in building square footage. Currently, the existing Wal-Mart located at 1450 Johns Lake Rd. is limited to 218,685 square feet. The applicant is requesting to build a 3,905 square foot expansion to the east side of the building. The proposed expansion, which will be for liquor sales, will not be accessible from inside the main building. Combining the existing allowable square footage of 218,685 and the proposed addition of 3,905 square feet, the new proposed building size will be limited to 222,590 square feet.

The proposed use is a permitted use under the Land Development Code, Section 122-223, for C-2 uses and requires an amendment to the Conditional Use Permit for the increased square footage of the project. The proposed amendment has been addressed in the attached Resolution 2016-12 language. Strikethroughs indicate deletions and underlines indicate additions.

This same request was previously considered at the December 9, 2014 City Council meeting with a final decision of denial. The applicant has the right to reapply after a period of one year for this location. The year timeframe has been completed and the applicant is reapplying for the same amendment as before. Based upon the submitted information and the Land Development Code, staff recommends approval of Resolution 2016-12 for an increase of 3,905 square feet.

Jonathon Huels, 215 N. Eola Drive, Orlando, an attorney with Lowndes law firm, stated that they concur with staff's recommendation.

Commissioner Proli asked what the hours will be for the liquor store.

City Attorney Mantzaris stated that they will have to follow city code which is from 7 a.m. to 2 a.m.

Commissioner Whitehead moved to recommend approval of the conditional use permit; seconded by Commissioner Smith. The vote was unanimous to recommend approval.



CITY OF CLERMONT
REZONING
APPLICATION

DATE: 4/1/16

FEE: \$350.⁰⁰

PROJECT NAME (if applicable): WaterBrooke PUD

APPLICANT: Mattamy Orlando LLC

CONTACT PERSON: Keith Trace

Address: 1900 Summit Tower Blvd., Suite 500

City: Orlando State: Florida Zip: 32810

Phone: 407-599-2228 Fax: 321-444-6565

E-Mail: Keith.Trace@mattamyhomes.com

OWNER: Ladd Development, Inc. - Attn: Dale J. Ladd

Address: 1135 East Avenue

City: Clermont State: Florida Zip: 34711

Phone: 352-394-8686 Fax: 407-641-8618

OWNER: Clermont Storage Center LLC - Attn: Richard Beavers

Address: 1041 Crown Park Circle

City: Winter Garden State: Florida Zip: 34787

Phone: 321-278-7928 Fax: N/A

Address of Subject Property: Northeast quadrant of intersection of Hancock Rd & Lost Lake Rd

Legal Description (include copy of survey): See attached

Acreage: ±28.61

Land Use: Regional Commercial (County)

Low Density Residential (City) requested under
separate application
(City verification required)

Present Zoning: MP – Planned Industrial District (County) Proposed Zoning: PUD (City)
(City verification required)



**CITY OF CLERMONT
REZONING
APPLICATION**

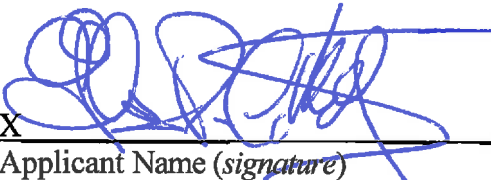
Page 2

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

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

Mattamy Orlando, LLC (Mattamy) is under contract to purchase approximately 29 acres of land in unincorporated Lake County adjacent to the previously approved ±540-acre WaterBrooke PUD. Since the property is contiguous to the city limits, Mattamy is filing on behalf of the Owner Applications for Annexation, Comprehensive Plan Amendment and Rezoning in order to add the subject property to the WaterBrooke PUD and increase the number of residential units within the WaterBrooke PUD to 1,100.

Thomas McCarthy, Vice President
Mattamy Orlando LLC
Applicant Name (print)

X 
Applicant Name (signature)

Dale J. Ladd
Ladd Development, Inc.
Owner Name (print)

X 
Owner Name (signature)

Richard Beavers
Clermont Storage Center LLC
Owner Name (print)

X 
Owner Name (signature)

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

INSTRUMENT#: 2015063184 OR BK 4637 PG 795 PAGES: 6 6/11/2015 3:38:57 PM
NEIL KELLY, LAKE COUNTY CLERK OF THE CIRCUIT COURT
REC FEES: \$52.50 DEED DOC:\$117985.00

This Instrument was Prepared by
and Should be Returned to:

Grant T. Downing
Godbold, Downing & Bill, P.A.
222 W. Comstock Avenue, Suite 101
Winter Park, Florida 32789

Parcel ID# 2722260003-000-00500; 3422260001-000-00100; 3522260001-000-00600; and 2722260500-000-00501

-----[SPACE ABOVE THIS LINE FOR RECORDING DATA]-----

WARRANTY DEED

THIS WARRANTY DEED is made and entered into as of this 5TH day of JUNE, 2015, by **NOLA LAND COMPANY, INC.**, a Florida corporation, whose address is 202 E. Stuart Avenue, Lake Wales, Florida 33853 (hereinafter called the "Grantor"), to **MATTAMY ORLANDO LLC**, a Delaware limited liability company, whose address is 1900 Summit Tower Boulevard, Suite 500, Orlando, Florida 32820 (hereinafter called the "Grantee").

WITNESSETH:

The Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the Grantee, all that certain land situate in Lake County, Florida (the "Property"), described as follows:

See Exhibit "A" attached hereto and incorporated herein.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND, the Grantor hereby covenants with the Grantee that it is lawfully seized of the Property in fee simple; that it has good right and lawful authority to sell and convey the Property; that it hereby fully warrants the title to the Property and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except real property taxes accruing subsequent to December 31, 2014, and easements, restrictions and reservations of record, if any; however, this reference thereto shall not serve to reimpose same.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand and seal as of the day and year first written above.

Signed, sealed and delivered
in the presence of:

Deborah Partlow
Print Name: Deborah Partlow

C. B. MYERS III
Print Name: C. B. MYERS III

NOLA LAND COMPANY, INC., a Florida
corporation

By: [Signature]
Print Name: Allen J. Keesler, Jr.
Its: President/CEO

STATE OF FLORIDA
COUNTY OF POLK

The foregoing instrument was acknowledged before me this 5TH day of JUNE, 2015, by ALLEN J. KEESLER, JR., as PRESIDENT/CEO of Nola Land Company, Inc., a Florida corporation, who [X] is personally known to me, or [] has produced _____ for identification.

(SEAL)

Deborah Partlow
Notary Signature

DEBORAH PARTLOW
Notary Public, State of Florida
My Comm. Expires Mar. 8, 2018
Commission No. FF 88384

Exhibit "A"**Parcel 1**

The East 3/4 of the South 1/2 of Section 27, Township 22 South, Range 26 East;

and

Parcel 2

The North 1/2 of Section 34, Township 22 South, Range 26 East, LESS AND EXCEPT the West 1660 feet thereof;

and

Parcel 3

U.S. Government Lot 1, LESS AND EXCEPT the North 660 feet of the West 660 feet, lying in Section 35, Township 22 South, Range 26 East;

and

Parcel 4

The NW 1/4 of the SW 1/4 of the NW 1/4 of Section 35, Township 22 South, Range 26 East;

and

Parcel 5

Begin 50.25 feet North of the Southeast corner of the NW 1/4 of Section 35, Township 22 South, Range 26 East; thence run West 1305 feet; thence run South 8.3 feet; thence run West to the Southwest corner of the NW 1/4 of said Section 35; thence North to the Northwest corner of the South 1/2 of the SW 1/4 of the NW 1/4 of said Section 35; thence East to the Northeast corner of the South 1/2 of the SE 1/4 of the NW 1/4; thence South to the Point of Beginning;

and

Parcel 6

That part of Section 27, Township 22 South, Range 26 East, Lake County, Florida, described as follows:

BEGIN at the Southeast corner of Lot 5, PINE VALLEY INDUSTRIAL PARK, according to the plat thereof, as recorded in Plat Book 29, Page 70, of the Public Records of Lake County, Florida; thence North 00°55'27" East along the East line of said Lot 5, for a distance of 701.16 feet to the North line of the Southwest 1/4 of the Southwest 1/4 of said Section 27; thence South 89°03'05" East along said North line, 16.98 feet to the West line of the East 3/4 of the South 1/2

of said Section 27; thence South 00°24'50" West along said West line, 710.74 feet to the North line of the South 610.00 feet of the Southwest 1/4 of the Southwest 1/4 of said Section 27; thence departing said West line run North 75°03'48" West, 39.92 feet to the South line of said Lot 5; thence South 88°41'58" East along said South line, 15.41 feet to the Point of Beginning.

and

Parcel 7

That part of Lot 5, PINE VALLEY INDUSTRIAL PARK, according to the plat thereof, as recorded in Plat Book 29, Page 70, of the Public Records of Lake County, Florida, described as follows:

BEGIN at the Southeast corner of said Lot 5; thence North 00°55'27" East along the East line of said Lot 5 for a distance of 696.49 feet; thence departing said East line run South 53°23'08" West, 100.90 feet; thence South 08°50'46" West, 57.13 feet; thence South 33°38'56" West, 31.61 feet; thence South 04°49'02" East, 40.96 feet; thence South 02°58'52" East, 93.11 feet; thence South 08°48'35" West, 60.57 feet; thence South 20°20'22" West, 82.37 feet; thence South 05°30'28" West, 59.91 feet; thence South 10°59'05" West, 70.76 feet; thence South 18°19'44" East, 68.63 feet; thence South 32°06'31" East, 46.35 feet; thence South 44°29'07" East, 31.79 feet; thence South 61°25'49" East, 40.03 feet; thence South 75°03'48" East, 26.77 feet to the South line of said Lot 5; thence South 88°41'58" East along said South line, 15.41 feet to the POINT OF BEGINNING.

Easement Parcel A:

TOGETHER WITH an easement for ingress and egress to State Road 50 over the entire stretch of asphalt road the centerline of which begins 174.60 feet West of the Northeast corner of the SW 1/4 of the NE 1/4 of Section 27, Township 22 South, Range 26 East, and run South 0°10' West through the entire SW 1/4 of the NE 1/4 of Section 27, which easement shall be 60 feet in width;

ALL OF THE ABOVE LYING AND BEING IN LAKE COUNTY, FLORIDA.

LESS AND EXCEPT FROM PARCELS 1 THROUGH 7 ABOVE:

The East 150.00 feet of the following described property (Magnolia Bay Boulevard according to the plat thereof, as recorded in Plat Book 34, Pages 47 through 49, of the Public Records of Lake County, Florida): BEGIN at an iron rod and cap marked "RLS 4264" at the Southeast corner of the North 660.00 feet of the West 660.00 feet of Government Lot 1, Section 35, Township 22 South, Range 26 East, Lake County, Florida; thence run North 88°47'56" West along the South line of said North 660.00 feet of the West 660.00 feet of Government Lot 1 for a distance of 545.00 feet; thence run South 01°12'04" West for a distance of 124.51 feet to the Northerly right of way line of Hartle Road; thence run North 80°06'21" East along said Northerly right of way line for a distance of 433.09 feet to the beginning of a tangent curve concave to the Northwest and having a radius of 467.00 feet; thence run Northeasterly along the arc of said curve for a distance of 121.09 feet through a central angle of 14°51'22" to the end of said curve; thence run

North 65°14'58" East along said Northerly right of way line for a distance of 6.13 feet to a point on the East line of said West 660.00 feet of Government Lot 1; thence leaving said Northerly right of way line run North 00°29'39" West along said East line for a distance of 0.12 feet to the Point of Beginning.

AND FURTHER LESS AND EXCEPT FROM PARCELS 1 THROUGH 7 ABOVE:

A strip of land for road right of way purposes 66.00 feet wide lying in Section 35, Township 22 South, Range 26 East, Lake County, Florida, the centerline of which is described as follows:

Commencing at the Northwest corner of Section 35, Township 22 South, Range 26 East, run South 00°30'48" East along West line of the Northwest 1/4 of said Section 35, for a distance of 1856.75 feet to the Northwest corner of the South 1/2 of the Southwest 1/4 of the Northwest 1/4 of said Section 35; thence leaving said West line run South 88°23'30" East along the North line of the South 1/2 of the Southwest 1/4 of the Northwest 1/4 and the North line of the South 1/2 of the Southeast 1/4 of the Northwest 1/4 of said Section 35, for a distance of 1531.02 feet to the POINT OF BEGINNING; thence leaving said North line run South 00°00'09" East for a distance of 298.67 feet to a point designated as POINT A; thence run South 89°59'51" West for a distance of 58.00 feet to a POINT OF TERMINATION A of this centerline; BEGIN again at aforesaid POINT A; thence run North 89°59'51" East for a distance of 573.66 feet to a point on a tangent curve concave to the Northwest and having a radius of 2000.00 feet; thence run Northeasterly along the arc of said curve for a distance of 345.29 feet, through a central angle of 09°53'30" to the end of said curve; thence run North 80°06'21" East for a distance of 753.88 feet to a point on a tangent curve concave to the Northwest and having a radius of 500.00 feet; thence run Northeasterly along the arc of said curve for a distance of 129.64 feet, through a central angle of 14°51'22" to the end of said curve; thence run North 65°14'59" East for a distance of 252.91 feet to a point on a tangent curve concave to the Southwest and having a radius of 350.00 feet; thence run Easterly along the arc of said curve for a distance of 431.07 feet, through a central curve (sic) of 70°34'02" to the end of said curve; thence run South 44°11'00" East for a distance of 169.91 feet to a point on tangent curve concave to the Northeast and having a radius of 250.00 feet; thence run Southeasterly along the arc of said curve for a distance of 276.31 feet, through a central angle of 63°19'35" to the end of said curve; thence run North 72°29'25" East for a distance of 514.79 feet to a point on a tangent curve concave to the Southeast and having a radius of 750.00 feet; thence run Northeasterly along the arc of said curve for a distance of 240.51 feet through a central angle of 18°22'24" to the end of said curve; thence run South 89°08'11" East for a distance of 203.12 feet to the East line of Government Lot 1, said Section 35 and the POINT OF TERMINATION B of the aforesaid centerline.

Excluding that portion of Johns Lake South of Island Blvd. lying waterward of the Safe Upland Line (elevation 98.0 NGVD 29).

AND FURTHER LESS AND EXCEPT FROM PARCELS 1 THROUGH 7 ABOVE:

That part of Section 35, Township 22 South, Range 26 East, Lake County, Florida, described as follows:

Commence at the West 1/4 corner of said Section 35, said corner marked by a 4"x4" concrete

monument (no identification) (Certified Corner Record No. 38693); thence South 88°00'40" East along the East-West center of section line of said Section 35, a distance of 857.52 feet to the POINT OF BEGINNING; thence continue along said center of section line South 88°00'40" East, a distance of 481.86 feet to a point on the East line of the platted portion of POSTAL COLONY COMPANY, as recorded in Plat Book 9, Page 65, of the Public Records of Lake County, Florida, said point lying North 88°00'40" West, a distance of 3891.93 feet from the East 1/4 corner of said Section 35, said East 1/4 corner being marked by a 3" diameter iron pipe (no identification) (Certified Corner Record No. 38386); thence departing said center of section line, run North 00°07'48" West along said East line, a distance of 12.98 feet to the Northeast corner of said platted portion of POSTAL COLONY COMPANY; thence departing said East line, run North 89°33'17" West along the North line of said POSTAL COLONY COMPANY, a distance of 481.55 feet to the Point of Beginning.

CFN 2005101164
BK 02878 Pgs 0844 - 846: (3pgs)
DATE: 07/05/2005 03:36:04 PM
JAMES C. WATKINS, CLERK OF COURT
LAKE COUNTY
RECORDING FEES 27.00
DEED DOC 17,462.90

This instrument was prepared
by and should be returned to:

William A. Beckett, Esquire
Lowndes, Drosdick, Doster, Kantor
& Reed, P.A.
Post Office Box 2809
Orlando, Florida 32802-2809

TAX PARCEL ID. NOS.:
34-22-26-1300-000-00200
34-22-26-1300-00A-00000
34-22-26-1300-00C-00000
34-22-26-00002-000-00200

WARRANTY DEED

THIS WARRANTY DEED, made and executed as of the 1st day of July, 2005, by MANLOW PROPERTIES, LLC, a Florida limited liability company, whose address is 215 N. Eola Drive, Orlando, Florida 32801 (hereinafter referred to as the "Grantor") to LADD DEVELOPMENT, INC., a Florida corporation, whose address is 1135 East Avenue, Clermont, Florida 34711 (hereinafter referred to as the "Grantee");

WITNESSETH:

That the Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable considerations, the receipt and sufficiency of which are hereby acknowledged by these presents does grant, bargain, sell, alien, remise, release, convey, and confirm unto the Grantee that certain piece, parcel or tract of land situated in Lake County, Florida more particularly described as follows, to wit:

SEE ATTACHED EXHIBIT "A"
(hereinafter referred to as the "Subject Property");

TOGETHER WITH all the tenements, hereditaments, easements and appurtenances, including riparian rights, if any, thereto belonging or in anywise appertaining;

TO HAVE AND TO HOLD the Subject Property in fee simple forever.

AND the Grantor hereby covenants with said Grantee that it is lawfully seized of the Subject Property in fee simple; that it has good right and lawful authority to sell and convey the Subject Property; that it hereby fully warrants the title to said Subject Property and will defend the same against the lawful claims of all persons whomsoever; and that the Subject Property is free of all encumbrances except ad valorem real property taxes and assessments for the year

2005, and easements and restrictions imposed of record, if any, the reference to which shall not operate to reimpose the same.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed in manner and form sufficient to bind it as of the day and year first above written.

Signed, sealed and delivered
in the presence of:

Sandra K. Merchut
Name: SANDRA K. MERCHUT

Roxane H. Stratton
Name: Roxane H. Stratton

MANLOW PROPERTIES, LLC
a Florida limited liability company

By: [Signature]
Name: Robert A. Mandell
Title: Managing Member

Address:
215 N. Eola Drive
Orlando, Florida 32801

STATE OF FLORIDA
COUNTY OF Seminole

The foregoing instrument was acknowledged before me this 30 day of June, 2005 by Robert A. Mandell, as Managing Member of Manlow Properties, LLC, a Florida limited liability company, on behalf of the company. He is personally known to me or has produced Personally Known as identification.

(NOTARY SEAL)



Sandra K. Merchut
Notary Public Signature

Typed or Printed Notary Name
Notary Public-State of _____
Commission No.: _____
My Commission Expires: _____

EXHIBIT "A"

SUBJECT PROPERTY

Description - Parcel A:

Lot 2, MANLOW PARK, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

AND

The South $\frac{1}{2}$ of Tract C, MANLOW PARK, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

AND

That portion of the South 1575.00 feet of the West 1660.00 feet of the North $\frac{1}{2}$ of Section 34, Township 22 South, Range 26 East, Lake County, Florida, Less the North 726.00 feet of the East 900.00 feet thereof, lying East of Lot 2 and Tract C, MANLOW PARK, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida and South of Easterly extension of the centerline of Tract C, MANLOW PARK, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

AND

Description - Parcel C:

The North $\frac{1}{2}$ of Tract B, MANLOW PARK, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

AND

The South $\frac{1}{2}$ of that portion of the following described land lying North of Tract B, MANLOW PARK, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida:

The South 1575.00 feet of the West 1660.00 feet of the North $\frac{1}{2}$ of Section 34, Township 22 South, Range 26 East, Lake County, Florida, Less the North 726.00 feet of the East 900.00 feet thereof.



FISHBACK DOMINICK BENNETT STEPTER
ARDAMAN AHLERS & LANGLEY LLP
1947 LEE RD
WINTER PARK FL 32789

Prepared by and return to:
Kenneth R. Uncapher
Carlton Fields, P.A.
Post Office Box 1171
Orlando, Florida 32802-1171

SPECIAL WARRANTY DEED

This Special Warranty Deed is executed effective the 8th day of November 2013, by **PNC BANK, NATIONAL ASSOCIATION**, successor by merger to RBC Bank (USA), whose address is 249 Fifth Avenue, Pittsburgh, PA, 15222 (hereinafter referred to as "Grantor"), to **CLERMONT STORAGE CENTER, LLC**, a Florida limited liability company, whose address is 1041 Crown Park Circle, Winter Garden, FL 34787 (hereinafter referred to as "Grantee"):

Subject to the limitations described herein, Grantor grants and conveys ownership of the property (the "Property") described below to Grantee, to have and to hold the Property in fee simple forever, along with all of its rights and appurtenances, including any right, title, and interest of Grantor in adjacent streets, alleys, and rights-of-way.

The Property consists of the land, together with all tenements, hereditaments, and appurtenances thereto belonging or in anywise appertaining, in the County of Lake of the State of Florida. The legal description of the Property is:

Lot 1, MANLOW PARK, according to the Plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

AND

Tract A, MANLOW PARK, according to the Plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

AND

The North Half of Tract C, MANLOW PARK, according to the Plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

AND

The South Half of Tract B, MANLOW PARK, according to the Plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

AND

That portion of the South 1575.00 feet of the West 1660.00 feet of the North Half of Section 34, Township 22 South, Range 26 East, Lake County, Florida, LESS the North 726 feet of the East 900.00 feet thereof, lying East of Lot 1 and Tract C, MANLOW PARK, according to the Plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida and North of an Easterly extension of the centerline of Tract C, MANLOW PARK, according to the Plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida and South of Tract A, MANLOW PARK, according to the Plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

This Special Warranty Deed was made for and in consideration of the sum of \$10.00 and other good and valuable consideration paid to the undersigned by Grantee.

Grantor covenants with Grantee that Grantor specially warrants title to the Property conveyed here, and that Grantor will forever warrant and defend title to the Property for Grantee and Grantee's heirs and personal representatives and assigns, from and against the claims and demands of Grantor and all persons claiming by, through, or under Grantor, but not against the claims of any others.

The conveyance of the Property is made subject to the following exceptions, reservations or restrictions: Taxes for the year 2013, all easements, reservations, exceptions, and restrictions of record, but any reference in this Special Warranty Deed to any easement, reservation, exception, encumbrance or restriction shall not serve to or be deemed to reimpose or reinstate any such easement, reservation, exception, or restriction unless such reinstatement or reimposition is specifically set forth in this Special Warranty Deed.

The covenants made in this deed are legally binding on Grantor and all who lawfully succeed to Grantor's rights and responsibilities. These covenants can be enforced by Grantee and all future owners of the Property.

IN WITNESS WHEREOF, Grantor has caused this Special Warranty Deed to be executed as of the day and year first above written.

Signed, Sealed and Delivered
in the Presence of:

Sheri Ondercik
Witness

Sheri Ondercik
(Please Print or Type Name)

[Signature]
Witness

Kristina Sanders
(Please Print or Type Name)

PNC BANK, NATIONAL ASSOCIATION

By: *John R. Gassie*
John R. Gassie, Senior Vice President

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 8th day of November, 2013, by JOHN R. GASSIE as Senior Vice President of PNC BANK, NATIONAL ASSOCIATION, who is personally known to me or has produced _____ as identification.

(SEAL)

Sharon E. Ondercik
Notary Public-State of Florida

SHARON E. ONDERCIK
NOTARY PUBLIC - STATE OF FLORIDA
COMMISSION #EE118511
EXPIRES 8/3/2015
BONDED THRU 1-888-NOTARY1

WATERBROOKE
(INCLUDING NOLA LAND CO., CLERMONT STORAGE PURCHASE PARCEL AND
LADD DEVELOPMENT PARCEL)

DESCRIPTION:

NOLA LAND COMPANY PARCEL:

Parcel 1:

The East 3/4 of the South 1/2 of Section 27, Township 22 South, Range 26 East;

AND

Parcel 2:

The North 1/2 of Section 34, Township 22 South, Range 26 East, LESS AND EXCEPT the West 1660 feet thereof;

AND

Parcel 3:

U.S. Government Lot 1, LESS AND EXCEPT the North 660 feet of the West 660 feet, lying in Section 35, Township 22 South, Range 26 East;

AND

Parcel 4:

The NW 1/4 of the SW 1/4 of the NW 1/4 of Section 35, Township 22 South, Range 26 East;

AND

Parcel 5:

Begin 50.25 feet North of the Southeast corner of the NW 1/4 of Section 35, Township 22 South, Range 26 East; thence run West 1305 feet; thence run South 8.3 feet; thence run West to the Southwest corner of the NW 1/4 of said Section 35; thence North to the Northwest corner of the South 1/2 of the SW 1/4 of the NW 1/4 of said Section 35; thence East to the Northeast corner of the South 1/2 of the SE 1/4 of the NW 1/4; thence South to the Point of Beginning;

AND

Parcel 6:

The East 150.00 feet of the following described property (Magnolia Bay Boulevard according to the plat thereof, as recorded in Plat Book 34, Pages 47 through 49, of the Public Records of Lake County, Florida):

BEGIN at an iron rod and cap marked "RLS 4264" at the Southeast corner of the North 660.00 feet of the West 660.00 feet of Government Lot 1, Section 35, Township 22 South, Range 26 East, Lake County, Florida; thence run N88°47'56"W along the South line of said North 660.00 feet of the West 660.00 feet of Government Lot 1 for a distance of 545.00 feet; thence run S01°12'04"W for a distance of 124.51 feet to the Northerly right of way line of Hartle Road; thence run N80°06'21"E along said Northerly right of way line for a distance of 433.09 feet to the beginning of a tangent curve concave to the Northwest and having a radius of 467.00 feet; thence run Northeasterly along the arc of said curve for a distance of 121.09 feet through a central angle of 14°51'22" to the end of said curve; thence run N65°14'58"E along said Northerly right of way line for a distance of 6.13 feet to a point on the East line of said West 660.00 feet of Government Lot 1; thence leaving said Northerly right of way line run N00°29'39"W along said East line for a distance of 0.12 feet to the Point of Beginning;

AND FURTHER LESS AND EXCEPT FROM PARCELS 1 THROUGH 7 ABOVE:

A strip of land for road right of way purposes 66.00 feet wide lying in Section 35, Township 22 South, Range 26 East, Lake County, Florida, the centerline of which is described as follows:

Commencing at the Northwest corner of Section 35, Township 22 South, Range 26 East, run S00°30'48"E along West line of the Northwest 1/4 of said Section 35, for a distance of 1856.75 feet to the Northwest corner of the South 1/2 of the Southwest 1/4 of the Northwest 1/4 of said Section 35; thence leaving said West line run S88°23'30"E along the North line of the South 1/2 of the Southwest 1/4 of the Northwest 1/4 and the North line of the South 1/2 of the Southeast 1/4 of the Northwest 1/4 of said Section 35, for a distance of 1531.02 feet to the POINT OF BEGINNING; thence leaving said North line run S00°00'09"E for a distance of 298.67 feet to a point designated as POINT A; thence run S89°59'51"W for a distance of 58.00 feet to a POINT OF TERMINATION A of this centerline; BEGIN again at aforesaid POINT A; thence run N89°59'51"E for a distance of 573.66 feet to a point on a tangent curve concave to the Northwest and having a radius of 2000.00 feet; thence run Northeasterly along the arc of said curve for a distance of 345.29 feet, through a central angle of 09°53'30" to the end of said curve; thence run N80°06'21"E for a distance of 753.88 feet to a point on a tangent curve concave to the Northwest and having a radius of 500.00 feet; thence run Northeasterly along the arc of said curve for a distance of 129.64 feet, through a central angle of 14°51'22" to the end of said curve; thence run N65°14'59"E for a distance of 252.91 feet to a point on a tangent curve concave to the Southwest and having a radius of 350.00 feet; thence run Easterly along the arc of said curve for a distance of 431.07 feet, through a central curve (sic) of 70°34'02" to the end of said curve; thence run S44°11'00"E for a distance of 169.91 feet to a point on a tangent curve concave to the Northeast and having a radius of 250.00 feet; thence run Southeasterly along the arc of said curve for a

distance of 276.31 feet, through a central angle of 63°19'35" to the end of said curve; thence run N72°29'25"E for a distance of 514.79 feet to a point on a tangent curve concave to the Southeast and having a radius of 750.00 feet; thence run Northeasterly along the arc of said curve for a distance of 240.51 feet through a central angle of 18°22'24" to the end of said curve; thence run S89°08'11"E for a distance of 203.12 feet to the East line of Government Lot 1, said Section 35 and the POINT OF TERMINATION B of the aforesaid centerline.

Excluding that portion of Johns Lake South of Island Blvd. lying water ward of the Safe Upland Line (elevation 98.0 NGVD 29).

AND FURTHER LESS AND EXCEPT FROM PARCELS 1 THROUGH 7 ABOVE:

That part of Section 35, Township 22 South, Range 26 East, Lake County, Florida, described as follows:

Commence at the West 1/4 corner of said Section 35, said corner marked by a 4"x4" concrete monument (no identification) (Certified Corner Record No. 38693); thence S88°00'40"E along the East-West center of section line of said Section 35, a distance of 857.52 feet to the POINT OF BEGINNING; thence continue along said center of section line S88°00'40"E, a distance of 481.86 feet to a point on the East line of the platted portion of POSTAL COLONY COMPANY, as recorded in Plat Book 9, Page 65, of the Public Records of Lake County, Florida, said point lying N88°00'40"W, a distance of 3891.93 feet from the East 1/4 corner of said Section 35, said East 1/4 corner being marked by a 3" diameter iron pipe (no identification) (Certified Corner Record No. 38386); thence departing said center of section line, run N00°07'48"W along said East line, a distance of 12.98 feet to the Northeast corner of said platted portion of POSTAL COLONY COMPANY; thence departing said East line, run N89°33'17"W along the North line of said POSTAL COLONY COMPANY, a distance of 481.55 feet to the POINT OF BEGINNING.

TOGETHER WITH:

LADD DEVELOPMENT PARCEL:

PARCEL 1:

Lot 2, MANLOW PARK, according to the plat thereof as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

PARCEL 2:

The South 1/2 of Tract C, MANLOW PARK, according to the plat thereof as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

PARCEL 3:

That portion of the South 1575.00 feet of the West 1660.00 feet of the North 1/2 of Section 34, Township 22 South, Range 26 East, Lake County, Florida, LESS the North 726.00 feet of the East 900.00 feet thereof, lying East of Lot 2 and Tract C, MANLOW PARK, according to the plat thereof as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida and that is lying South of Easterly extension of the centerline of Tract C, MANLOW PARK, according to the plat thereof as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

LESS Road Right-of-Way for Lost Lake Road.

TOGETHER WITH:

CLERMONT STORAGE MATTAMY PURCHASE PARCEL:

That part of Section 34, Township 22 South, Range 26 East, Lake County, Florida, being more particularly described as follows:

Commence at the West 1/4 corner of Section 34, Township 22 South, Range 26 East, thence run N00°05'36"W along the West line of the Northwest 1/4 of said Section 34, a distance of 475.28 feet to the intersection of the West line of the Northwest 1/4 of Section 34 and the Westerly extension of the centerline of Tract C, MANLOW PARK, according to the Plat thereof as recorded in Plat Book 50, Pages 86 and 87, of the Public Records of Lake County, Florida (vacated in Official Records Book 4749, Page 1398, of said Public Records); thence departing said West line run N89°54'28"E along said centerline of Tract C and the Easterly extension thereof, 340.00 feet to the POINT OF BEGINNING; thence departing said centerline of Tract C and the Easterly extension run N00°05'36"W, 328.50 feet; thence run S89°33'02"E, 419.99 feet to the Southerly extension of the Easterly line of Tract A of aforementioned MANLOW PARK plat; thence run N00°05'36"W along said Southerly extension and said Easterly line, 42.11 feet to the Southwest corner of the North 726.00 feet of the East 900.00 feet of the West 1660.00 feet of the South 1575.00 feet of the North 1/2 of said Section 34; thence run S89°33'20"E along the South line of said North 726.00 feet of the East 900.00 feet of the West 1660.00 feet of the South 1575.00 feet of the North 1/2 of said Section 34, a distance of 900.07 feet to Southeast corner of the North 726.00 feet of the East 900.00 feet of the West 1660.00 feet of the South 1575.00 feet of the North 1/2 of said Section 34; thence run S00°05'36"E along the East line of the West 1660.00 feet of the North 1/2 of said Section 34, a distance of 358.20 feet to the intersection of the Easterly extension of aforementioned centerline of Tract C and the East line of the West 1660.00 feet of said Section 34; thence departing said East line run S89°54'28"W along said Easterly extension, 1320.00 feet to the POINT OF BEGINNING.

Containing 568.831 acres more or less, and being subject to any easements, rights-of-way or restrictions of record.

LEGAL NOTICE

Notice is hereby given that the City Council of the City of Clermont will consider the enactment of following proposed ordinance. All interested parties will be given an opportunity to express their views on this matter.

ORDINANCE NO. 2016-20

An ordinance under the Code of Ordinances of the City of Clermont, Lake County, Florida amending the official zoning map of the City of Clermont, referred to in Chapter 122 of Ordinance No. 289-C, Code of Ordinances; Rezoning the real properties described herein as shown below, providing for severability, an effective date and publication.

LOCATION

South of S.R. 50, West of the Hartle Road, east of Hancock Road,
and north and south of Island Blvd

LEGAL DESCRIPTION

Parcel 1:

The East 3/4 of the South 1/2 of Section 27, Township 22 South, Range 26 East;

AND

Parcel 2:

The North 1/2 of Section 34, Township 22 South, Range 26 East, less and except the west 1660 feet thereof;

AND

Parcel 3:

U.S. Government Lot 1, less and except the north 660 feet of the west 660 feet, lying in Section 35, Township 22 South, Range 26 East;

AND

Parcel 4:

The NW 1/4 of the SW 1/4 of the NW 1/4 of Section 35, Township 22 South, Range 26 East;

AND

Parcel 5:

Begin 50.25 feet north of the southeast corner of the NW 1/4 of Section 35, Township 22 South, Range 26 East; thence run west 1305 feet; thence run south 8.3 feet; thence run west to the southwest corner of the NW 1/4 of said Section 35; thence north to the northwest corner of the south 1/2 of the SW 1/4 of the NW 1/4 of said Section 35; thence east to the northeast corner of the south 1/2 of the SE 1/4 of the NW 1/4; thence south to the point of beginning;

AND

Parcel 6:

That part of Section 27, Township 22 South, Range 26 East, Lake County, Florida, described as follows: Begin at the Southeast corner of Lot 5, Pine Valley Industrial Park, according to the plat thereof, as recorded in Plat Book 29, Page 70, of the Public Records of Lake County, Florida; thence N00°55'27"E along the east line of said Lot 5, for a distance of 701.16 feet to the north line of the southwest 1/4 of the southwest 1/4 of said Section 27; thence S89°03'05"E along said north line, 16.98 feet to the west line of the east 3/4 of the south 1/2 of said Section 27; thence S00°24'50"W along said west line, 710.74 feet to the north line of the south 610.00 feet of the southwest 1/4 of the southwest 1/4 of said Section 27; thence departing said west line run N75°03'48"W, 39.92 feet to the south line of said Lot 5; thence S88°41'58"E along said south line, 15.41 feet to the point of beginning.

AND

Parcel 7:

That part of Lot 5, Pine Valley Industrial Park, according to the plat thereof, as recorded in Plat Book 29, Page 70, of the Public Records of Lake County, Florida, described as follows: Begin at the southeast corner of said Lot 5; thence N00°55'27"E along the east line of said Lot 5 for a distance of 696.49 feet; thence departing said east line run S53°23'08"W, 100.90 feet; thence S08°50'46"W, 57.13 feet; thence S33°38'56"W, 31.61 feet; thence S04°49'02"E, 40.96 feet; thence S02°58'52"E, 93.11 feet; thence S08°48'35"W, 60.57 feet; thence S20°20'22"W, 82.37 feet; thence S05°30'28"W, 59.91 feet; thence S10°59'05"W, 70.76 feet; thence S18°19'44"E, 68.63 feet; thence S32°06'31"E, 46.35 feet; thence S44°29'07"E, 31.79 feet; thence S61°25'49"E, 40.03 feet; thence S75°03'48"E, 26.77 feet to the south line of said Lot 5; thence S88°41'58"E along said south line, 15.41 feet to the Point of Beginning.

Easement Parcel A:

Together with an easement for ingress and egress to State Road 50 over the entire stretch of asphalt road the center line of which begins 174.60 feet west of the northeast corner of the SW 1/4 of the NE 1/4 of Section 27, Township 22 South, Range 26 East, and run south 0°10' west through the entire SW 1/4 of the NE 1/4 of Section 27, which easement shall be 60 feet in width;

LESS AND EXCEPT FROM PARCELS 1 THROUGH 7 ABOVE:

The east 150.00 feet of the following described property (Magnolia Bay Boulevard according to the plat thereof, as recorded in Plat Book 34, Pages 47 through 49, of the Public Records of Lake County, Florida): Begin at an iron rod and cap marked "RLS 4264" at the southeast corner of the north 660.00 feet of the west 660.00 feet of Government Lot 1, Section 35, Township 22 South, Range 26 East, Lake County, Florida; thence run N88°47'56"W along the south line of said north 660.00 feet of the west 660.00 feet of Government Lot 1 for a distance of 545.00 feet; thence run S01°12'04"W for a distance of 124.51 feet to the northerly right of way line of Hartle Road; thence run N80°06'21"E along said northerly right of way line for a distance of 433.09 feet to the beginning of a tangent curve concave to the northwest and having a radius of 467.00 feet; thence run northeasterly along the arc of said curve for a distance of 121.09 feet through a central angle of 14°51'22" to the end of said curve; thence run N65°14'58"E along said northerly right of way line for a distance of 6.13 feet to a point on the east line of said west 660.00 feet of Government Lot 1; thence leaving said northerly right of way line run N00°29'39"W along aid east line for a distance of 0.12 feet to the point of beginning;

AND FURTHER LESS AND EXCEPT FROM PARCELS 1 THROUGH 7 ABOVE:

A strip of land for road right of way purposes 66.00 feet wide lying in Section 35, Township 22 South, Range 26 East, Lake County, Florida, the centerline of which is described as follows:

Commencing at the northwest corner of Section 35, Township 22 South, Range 26 East, run S00°30'48"E along west line of the northwest 1/4 of said Section 35, for a distance of 1856.75 feet to the northwest corner of the south 1/2 of the southwest 1/4 of the northwest 1/4 of said Section 35; thence leaving said west line run S88°23'30"E along the north line of the south 1/2 of the southwest 1/4 of the northwest 1/4 and the north line of the south 1/2 of the southeast 1/4 of the northwest 1/4 of said Section 35, for a distance of 1531.02 feet to the point of beginning; thence leaving said north line run S00°00'09"E for a distance of 298.67 feet to a point designated as point A; thence run S89°59'51"W for a distance of 58.00 feet to a point of termination A of this centerline; begin again at aforesaid point A; thence run N89°59'51"E for a distance of 573.66 feet to a point on a tangent curve concave to the northwest and having a radius of 2000.00 feet; thence run northeasterly along the arc of said curve for a distance of 345.29 feet, through a central angle of 09°53'30" to the end of said curve; thence run N80°06'21"E for a distance of 753.88 feet to a point on a tangent curve concave to the northwest and having a radius of 500.00 feet; thence run northeasterly along the arc of said curve for a distance of 129.64 feet, through a central angle of 14°51'22" to the end of said curve; thence run N65°14'59"E for a distance of 252.91 feet to a point on a tangent curve

concave to the southwest and having a radius of 350.00 feet; thence run easterly along the arc of said curve for a distance of 431.07 feet, through a central curve (sic) of 70°34'02" to the end of said curve; thence run S44°11'00"E for a distance of 169.91 feet to a point on a tangent curve concave to the northeast and having a radius of 250.00 feet; thence run southeasterly along the arc of said curve for a distance of 276.31 feet, through a central angle of 63°19'35" to the end of said curve; thence run N72°29'25"E for a distance of 514.79 feet to a point on a tangent curve concave to the southeast and having a radius of 750.00 feet; thence run northeasterly along the arc of said curve for a distance of 240.51 feet through a central angle of 18°22'24" to the end of said curve; thence run S89°08'11"E for a distance of 203.12 feet to the east line of Government Lot 1, said Section 35 and the point of termination B of the aforesaid centerline.

AND FURTHER LESS AND EXCEPT FROM PARCELS 1 THROUGH 7 ABOVE:

That part of Section 35, Township 22 South, Range 26 East, Lake County, Florida, described as follows: Commence at the west 1/4 corner of said Section 35, said corner marked by a 4"x4" concrete monument (no identification) (Certified Corner Record No. 38693); thence S88°00'40"E along the east-west center of section line of said Section 35, a distance of 857.52 feet to the point of beginning; thence continue along said center of section line S88°00'40"E, a distance of 481.86 feet to a point on the east line of the platted portion of Postal Colony Company, as recorded in Plat Book 9, Page 65, of the Public Records of Lake County, Florida, said point lying N88°00'40"W, a distance of 3891.93 feet from the East 1/4 corner of said Section 35, said east 1/4 corner being marked by a 3" diameter iron pipe (no identification) (Certified Corner Record No. 38386); thence departing said center of section line, run N00°07'48"W along said east line, a distance of 12.98 feet to the northeast corner of said platted portion of Postal Colony Company; thence departing said east line, run N89°33'17"W along the north line of said Postal Colony Company, a distance of 481.55 feet to the point of beginning.

Containing 540.223 acres more or less (excluding that portion of Johns Lake south of Island Blvd. lying waterward of the Safe Upland Line (elevation 98.0 NGVD 29).

AND FURTHER LESS AND EXCEPT FROM PARCELS 1 THROUGH 7 ABOVE:

That part of Section 35, Township 22 South, Range 26 East, Lake County, Florida, described as follows: Commence at the West 1/4 corner of said Section 35, said corner marked by a 4"x4" concrete monument (no identification) (Certified Corner Record No. 38693); thence S88°00'40"E along the East-West center of section line of said Section 35, a distance of 857.52 feet to the POINT OF BEGINNING; thence continue along said center of section line S88°00'40"E, a distance of 481.86 feet to a point on the East line of the platted portion of POSTAL COLONY COMPANY, as recorded in Plat Book 9, Page 65, of the Public Records of Lake County, Florida, said point lying N88°00'40"W, a distance of 3891.93 feet from the East 1/4 corner of said Section 35, said East 1/4 corner being marked by a 3" diameter iron pipe (no identification) (Certified Corner Record No. 38386); thence departing said center of section line, run N00°07'48"W along said East line, a distance of 12.98 feet to the Northeast corner of said platted portion of POSTAL COLONY COMPANY; thence departing said East line, run N89°33'17"W along the North line of said POSTAL COLONY COMPANY, a distance of 481.55 feet to the POINT OF BEGINNING.

TOGETHER WITH:

LADD DEVELOPMENT PARCEL:

PARCEL 1:

Lot 2, MANLOW PARK, according to the plat thereof as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

PARCEL 2:

The South 1/2 of Tract C, MANLOW PARK, according to the plat thereof as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

PARCEL 3:

That portion of the South 1575.00 feet of the West 1660.00 feet of the North 1/2 of Section 34, Township 22 South, Range 26 East, Lake County, Florida, LESS the North 726.00 feet of the East 900.00 feet thereof, lying East of Lot 2 and Tract C, MANLOW PARK, according to the plat thereof as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida and that is lying South of Easterly extension of the centerline of Tract C, MANLOW PARK, according to the plat thereof as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

LESS Road Right-of-Way for Lost Lake Road.

TOGETHER WITH:

CLERMONT STORAGE MATTAMY PURCHASE PARCEL:

That part of Section 34, Township 22 South, Range 26 East, Lake County, Florida, being more particularly described as follows:

Commence at the West 1/4 corner of Section 34, Township 22 South, Range 26 East, thence run N00°05'36"W along the West line of the Northwest 1/4 of said Section 34, a distance of 475.28 feet to the intersection of the West line of the Northwest 1/4 of Section 34 and the Westerly extension of the centerline of Tract C, MANLOW PARK, according to the Plat thereof as recorded in Plat Book 50, Pages 86 and 87, of the Public Records of Lake County, Florida (vacated in Official Records Book 4749, Page 1398, of said Public Records); thence departing said West line run N89°54'28"E along said centerline of Tract C and the Easterly extension thereof, 340.00 feet to the POINT OF BEGINNING; thence departing said centerline of Tract C and the Easterly extension run N00°05'36"W, 328.50 feet; thence run S89°33'02"E, 419.99 feet to the Southerly extension of the Easterly line of Tract A of aforementioned MANLOW PARK plat; thence run N00°05'36"W along said Southerly extension and said Easterly line, 42.11 feet to the Southwest corner of the North 726.00 feet of the East 900.00 feet of the West 1660.00 feet of the South 1575.00 feet of the North 1/2 of said Section 34; thence run S89°33'20"E along the South line of said North 726.00 feet of the East 900.00 feet of the West 1660.00 feet of the South 1575.00 feet of the North 1/2 of said Section 34, a distance of 900.07 feet to Southeast corner of the North 726.00 feet of the East 900.00 feet of the West 1660.00 feet of the South 1575.00 feet of the North 1/2 of said Section 34; thence run S00°05'36"E along the East line of the West 1660.00 feet of the North 1/2 of said Section 34, a distance of 358.20 feet to the intersection of the Easterly extension of aforementioned centerline of Tract C and the East line of the West 1660.00 feet of said Section 34; thence departing said East line run S89°54'28"W along said Easterly extension, 1320.00 feet to the POINT OF BEGINNING.

Containing 568.831 acres more or less, and being subject to any easements, rights-of-way or restrictions of record.

FROM UE Urban Estate
TO Planned Unit Development

This request will be considered by the Planning & Zoning Commission on Tuesday, May 3, 2016 at 6:30 p.m.

A public meeting to consider the request will be held before the City Council on Tuesday, May 24, 2016 at 6:30 p.m. for final enactment.

All meetings will be held at City Hall, located at 685 W. Montrose Street.

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

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

Tracy Ackroyd Howe, MMC
City Clerk

Daily Commercial
April 26 and May 10, 2016



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date	
Tuesday, May 24, 2016	
Agenda Item Name	
Ordinance No. 2016-17 <i>Final</i> <i>The Vue</i>	
Requested Action	
Recommend denial of Ordinance 2016-17.	
Staff Report	
This request was originally scheduled for public hearings in April 2016 but was postponed to allow additional time to refine the proposal. The applicant, AC-Fulcrum, is requesting a rezoning on 42 +/- acres from C-2 General Commercial and Urban Estate to PUD zoning for a mixed use project consisting of a multi-family apartment complex, general commercial uses, retention area and open space. The property is located south of Highway 50, west of Miss Florida Avenue and north and south of Hooks Street. The eastern 17 acres of the project, north of Hooks Street, was contained in a previously approved CUP for a PUD known as Hills of Clermont, and was permitted for C-2 General Commercial uses within Urban Estate zoning. The property is currently vacant. The property south of Hooks Street is currently used as retention and open space. The western 13-acre portion, also vacant, is not part of the Hills of Clermont PUD and is currently zoned C-2 General Commercial. The applicant has requested 12 units per acre for the multi-family portion of the project. The allowing of 12 units per acre will be addressed in the related CUP, Resolution 2016-15, since PUD zoning is currently not recognized in Policy 1.9.2 of the City's comprehensive plan as a way to permit residential units greater than 8 units per acre. Staff will be processing a text amendment to the comprehensive plan at a future date to allow PUD zoning under this policy. The applicant has proposed two options, Option A and Option B. Option A proposes six acres of C-2 General Commercial along a portion of Highway 50, with 324 multi-family units on 27 acres. Option B proposes 10.5 acres of C-2 General Commercial along Highway 50 with 270 multi-family units on 22.5 acres. The characteristics of the site, with elevation changes over 100 feet from Highway 50 south to Hooks Street, make it very challenging to develop. A portion of the project was identified in the City's recent "Strategic Economic Development Plan" (DEO grant funded study) citing topography as a challenge. The applicant has identified several waivers to the land development code needed to make the site develop-able to their proposal. The multi-family units will be constructed in buildings that will have multi-level construction that may have heights up to 63 feet (18 feet above code maximum) and retaining walls up to 25 feet in height (19 feet above code maximum). The applicant is requesting a maximum elevation change, through cut and fill, of up to 25 feet over the site due to excessive grade changes. The applicant has identified cut changes over 15 percent of the site exceeding greater than 10 feet for the multi-family portion. The applicant is asking for a reduced landscape buffer along Highway 50 due to the severe topography of the site dropping off toward Hooks Street. The applicant has indicated that a 7-foot-wide buffer with 30 percent more	

plantings will be installed. Staff has not seen evidence that the proposed landscape buffer will accomplish the visual and noise attenuation of a required 20-foot buffer. The applicant is requesting the driveways from Highway 50 to be below the center line of Highway 50 due to the elevation change on the site for the commercial portion. The applicant has indicated they will work with the City engineer to approve proposed grading to ensure adequate outfall and protection is in place to prevent runoff into the finished floor of the buildings.

The applicant is also requesting a variance to utilize 9 x 18 feet parking spaces instead of 10 x 20 feet. The applicant indicated the request was due to maximizing available parking while significantly reducing unnecessary environmental pollutant runoff, increasing green spaces throughout. The applicant is proposing to gate the multi-family portion of the project and is requesting a variance to allow the gating of this area of the project.

On the cover sheet, it was noted that the PUD will allow all permitted C-2 uses (inclusive of one retailer less than 100,000 square feet but greater than 20,000 square feet). Staff has not seen proposed buildings with square footage attached to the uses. Without further details of the building exceeding 20,000 square feet, staff is unable to support this request.

A large portion of the existing commercial area is changing to multi-family use, which warrants a traffic study and school concurrency report. The applicant did provide an initial growth impact report from the Lake County School Board indicating the project would have an estimated impact of 92 students for the 324-unit Option A. A traffic study and school reservation would be required prior to site plan approval.

The conceptual overall site plans prepared by B&S Engineering Consultants, LLC, dated April 22, 2016, shows Option A (Sheet C-2.2) with 10 large multi-family buildings and some smaller buildings along with the parking areas and the commercial portion of the site. Option B (Sheet C-2.3) shows eight large multi-family buildings and some smaller buildings along with the parking areas and the larger commercial portion of the site.

The applicant has proposed two options for the site for consideration. After reviewing both options, staff believes Option B is more consistent with the existing comprehensive plan and development in the area. Staff recommends approval of Option B; however, staff cannot support the proposed retaining wall heights, topography changes, reduced landscape buffer, and reduced parking stall dimensions, as requested by the applicant.

At the May 3, 2016 Planning and Zoning Commission meeting, Commissioner Cuqui Whitehead moved to recommend approval of the rezoning for Option B and to negotiate the waivers; seconded by Commissioner Carlos Solis. The vote was 4-3 to recommend approval.

Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Ordinance	REZ ORD 2016-17 with Conditions.docx	

2.	Location Map and Zoning	The Vue Maps.pdf
3.	Building Height Rendering	Building Height SK-1 Supplemental Exhibit.pdf
4.	Sample Buildings	Rendering - Bldg Mix Mar 14 16.pdf
5.	Overall Site Plan Exhibit A/B	4-28-16 Site Plan.pdf
6.	Lake County School Report	SR 50 and Miss Florida Multi-family Preliminary GIR 03182016.pdf
7.	P&Z Minutes	P&Z Minutes.pdf
8.	Application	REZ application.pdf
9.	Legal ad	REZ legal ad.docx

CITY OF CLERMONT
ORDINANCE No. 2016-17

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

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

SECTION 1:

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

LEGAL DESCRIPTION

PARCEL 1 (FEE SIMPLE ESTATE)

That part of Section 28, Township 22 South, Range 26 East, Lake County, Florida, described as follows: Commence at the East 1/4 corner of said Section 28; thence run North 00°42'51" East along the East line of the Northeast 1/4 of said Section 28 for a distance of 664.12 feet to the Northeast corner of the South 1/4 of the Northeast 1/4 of said Section 28; thence run South 89°24'16" West along the North line of said South 1/4 for a distance of 1335.19 feet to a point on a non-tangent curve concave Westerly having a radius of 270.00 feet and a chord bearing of South 01°23'58" West and the Point of Beginning; thence run Southerly along the arc of said curve through a central angle of 23°36'59" for a distance of 111.29 feet to the point of compound curvature of a curve concave Northwesterly having a radius of 25.00 feet and a chord bearing of South 63°07'26" West; thence run Southwesterly along the arc of said curve through a central angle of 99°49'56" for a distance of 43.56 feet to the point of reverse curvature of a curve concave Southerly having a radius of 1750.00 feet and a chord bearing of North 87°56'35" West and the North right of way line of Hook Street, as described in Official Records Book 2010, Page 316, of the Public Records of Lake County, Florida; thence run Westerly along said North right of way line and the arc of said curve through a central angle of 41°57'58" for a distance of 1281.78 feet to a non-radial line and the East right of way line of an Unnamed right of way, according to the plat of LAKE HIGHLANDS COMPANY, as recorded in Plat Book 2, Page 28, of said Public Records; thence run North 00°10'52" East along said East right of way line for a distance of 718.43 feet to the South right of way line of State Road Number 50; thence run North 89°24'19" East along said South right of way line for a distance of 1127.57 feet; thence run South 89°29'29" East along said South right of way line for a distance of 150.11 (120.11) feet to the West line of the East 60 feet of Tract 19, of said LAKE HIGHLANDS COMPANY; thence run South 00°26'52" West along said West line for a distance of 445.90 feet to the point of curvature of a curve concave Easterly having a radius of 280.00 feet; thence run Southerly along the arc of said curve through a central angle of 15°45'47" for a distance of 77.03 feet to the point of tangency; thence run South 15°18'56" East for a distance of 105.46 feet to the point of curvature of a curve concave Westerly having a

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radius of 270.00 feet and a chord bearing of South 12°51'43" East; thence run Southerly along the arc of said curve through a central angle of 04°54'24" for a distance of 23.12 feet to the Point of Beginning.

LESS AND EXCEPT therefrom that parcel conveyed by Maynard K. Knapp, individually and as Trustee to Akram Ismail, M.D., by Special Warranty Deed recorded April 17, 2015, in Official Records Book 4613, Page 945, described as follows: A portion of the Southwest 1/4 of the Northeast 1/4 of Section 28, Township 22 South, Range 26 East, Lake County, Florida, described as follows: Commence at the Northeast corner of said Section 28; thence S01°07'06"W along the East line of said Northeast 1/4, a distance of 1372.13 feet to a point; thence N89°06'23"W, a distance of 1322.25 to a point on the South right-of-way line of State Road No. 50. (Right-of-Way varies per Right-of-Way Map Section 11070); thence continue N89°06'23"W, a distance of 60.00 feet to the POINT OF BEGINNING; thence S00°51'39"W, along the West right-of-way line of Miss Florida Avenue (ORB 2345, Page 748), also being parallel to and 60.00 feet West of the East line of said Southwest 1/4 of the Northeast 1/4 of Section 28 and the East line of Tract 19 of Lake Highlands Company, according to the Plat thereof as recorded in Plat Book 2, Page 28, of the Public Records of Lake County, Florida, a distance of 369.94 feet to a point; thence N89°08'21"W, a distance of 291.58 feet to a point; thence N00°51'39"E, a distance of 230.29 feet to a point; thence S89°08'21"E, a distance of 64.35 feet to a point; thence N00°51'39"E, a distance of 139.00 feet to a point on the South line of an unnamed unimproved street, also being the North line of said Tract 19; thence N89°50'25"E, along the North line of said Tract 19, a distance of 42.23 feet to a point on said South right-of-way line of State Road No. 50; thence S89°06'23"E, along said South right-of-way line of State Road 50, a distance of 185.01 feet to the POINT OF BEGINNING.

Containing 744,665 Sq. Ft. of 17.100 Acres more or Less.

PARCEL 2 (EASEMENT ESTATE)

Together with that certain Non-Exclusive Ingress-Egress Easement granted by Akram Ismail to Maynard K. Knapp, Trustee, to Reciprocal Easement Agreement recorded April 17, 2015, in Official Records Book 4613, Page 948, Public Records of Lake County, Florida.

PARCEL 3 (SOUTHERN PORTION)

Tract 29 and Tract 30, as shown on the Lake Highlands Company Plat of Section 28, Township 22 South, Range 26 East, recorded in Plat Book 2, Page 28, of the Public Records of Lake County, Florida; Less that portion lying within and North of the Right of Way for Hook Street.

SECOND SURVEY

That portion of the north/south roadway between Tracts 20, 21, 28, and 29 as shown on the Lake Highland's Company plat of Section 28, Township 22 South, Range 26 East, recorded in Plat Book 2, Page 28, Public Records of Lake County, Florida; lying northerly of Hook Street, and southerly of State Road No. 50, being more particularly described as follow: Commence at the NE corner of Section 28, Township 22 South, Range 26 East, Lake County, Florida, thence S 0°17'37" W, a distance of 1372.13 feet; thence N 89°55'52" W, a distance of 1322.25 feet to a point on the south right of way line of State Road No. 50 (a variable width public right of way); thence the following four (4) courses and distances along said south right of way line, continue N 89°55'52" W, a distance of 60.00 feet; thence N 89°27'07" W, a distance of 184.98 feet; thence S 89°30'08" W, a distance of 42.24 feet; thence S 89°24'19" W, a distance of 1020.48 feet to the point of beginning; thence departing said south right of way, run S 00°14'51" W, along the west line of Tracts 20 and 29, a distance of 718.43 feet to a point on the northerly right of way line of Hook Street (A 100 foot wide public right of way) said point also being on a non-tangent curve, concave southeasterly,

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and having a radius of 1750.00 feet; thence southwesterly along the arc of said curve, through a central angle of 01°02'34", a distance of 31.85 feet, said curve being subtended by a chord bearing and distance of S 70°37'05" W, 31.85 feet; thence departing said north right of way line, run N 0°14'51" E, a distance of 728.72 feet to a point on the aforementioned southerly right of way line of State Road No. 50; thence N 89°28'03" E, along said north right of way line, a distance of 30.00 feet to the point of beginning.

Containing 0.50 acre, more or less

THIRD SURVEY

That portion of the north/south roadway between Tracts 28, and 29 as shown on the Lake Highland's Company plat of Section 28, Township 22 South, Range 26 East, recorded in Plat Book 2, Page 28, Public Records of Lake County, Florida; lying northerly of Hook Street, and southerly of State Road No. 50, being more particularly described as follow: commence at the NE corner of Section 28, Township 22 South, Range 26 East, Lake County, Florida; thence S 0°17'37" W, a distance of 1372.13 FEET; thence N 89°55'52" W, a distance of 1322.25 feet to a point on the south right of way line of State Road No. 50 (A variable width public right of way); thence the following four (4) courses and distances along said south right of way line, continue N 89°55'52" W, a distance of 60.00 feet; thence N 89°27'07" W, a distance of 184.98 feet; thence S 89°30'08" W, a distance of 42.24 feet; thence S 89°24'19" W, a distance of 1020.48 feet; thence departing said south right of way, run S 00°14'51" W, along the west line of Tracts 20 and 29, a distance of 824.65 feet to a point on the southerly right of way line of Hooks Street (A 100 foot wide public right of way); thence departing said southerly right of way line, run S 0°14'51" W, along the west line of said Tract 29, a distance of 473.42 feet to the southwest corner of said Tract 29; thence S 89°28'17" W, a distance of 30.00 feet to the southeast corner of aforementioned Tract 28; thence N 0°14'51" E, along the east line of said Tract 28, a distance of 462.39 feet to a point on the southerly right of way line of aforementioned Hook Street, said point also being on a non-tangent curve, concave southeasterly, and having a radius of 1650.00 feet; thence southwesterly along the arc of said curve, through a central angle of 01°06'54", a distance of 32.11 feet, to the point of beginning, said curve being subtended by a chord bearing and distance of N 69°22'29" E, 32.11 feet.

Containing 0.32 acres, more or less

FOURTH SURVEY

Tracts 21 and 28 as shown on the Lake Highland's Company plat of Section 28, Township 22 South, Range 26 East, recorded in Plat Book 2, Page 28, Public Records of Lake County, Florida; less that portion of Tract 28, lying south of Hook Street, (County District NO. 2-1346).

LOCATION

South of Highway 50, west of Miss Florida Avenue
Alternate keys 1028272 & 3334566

FROM: C-2 General Commercial and Urban Estate
TO: Planned Unit Development

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SECTION 2 - General Conditions:

This application for a Planned Unit Development to allow for a multi-family residential Planned Unit Development along with C-2 General Commercial uses; be granted subject to the following conditions:

1. The conditions as set forth in this Planned Unit Development shall be legally binding upon any heirs, assigns and successors in title or interest.
2. The property shall be developed in substantial accordance with the Conceptual Site Plan prepared by B&S Engineering Consultants, LLC, dated 4-22-16, Sheet C-2.2 or C-2.3, Overall Site Plan. Formal construction plans incorporating all conditions stated in this permit shall be submitted for review and approved by the Site Review Committee prior to the issuance of a zoning clearance or other development permits.
3. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.

SECTION 3 - Land Uses and Specific Conditions:

1. A total of up to 324 multi-family dwelling units may be permitted on the site, not to exceed a density of 12 units per acre within the project.
2. The remaining property south of Highway 50 and north of Hooks Street will be permitted for C-2 General Commercial use with one (1) retailer greater than 20,000 square feet and less than 100,000 square feet.
3. Setbacks for Multi-family and Commercial
 - From SR 50 50 feet from the property line
 - From Hooks Street: 50 feet from the property line
 - Side: 12 feet from the property line
 - Rear: 25 feet from the property line
4. The multi-family project will have private gated streets that will be maintained by the developer or designated party.
5. Maximum building height will be 63 feet, measured at the highest point for the multi-family portion.
6. Driveway access and parking for the C-2 General Commercial portion may be below the centerline of State Road 50 and will be subject to the approval of the City Engineer.

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7. The project may have elevation changes of up to 25 feet in height over the project site through the use of cut and fill. These changes will be submitted to the City Engineer at the time of final engineering.
8. Retaining wall heights up to 25 feet in height are allowed to deal with the extreme grades on the site.
9. Parking space dimensions shall be at a minimum 9 feet wide by 18 feet deep.
10. A reduced landscape buffer along Highway 50 is requested due to the presence of a large berm. The landscape buffer shall be a minimum of 7 feet in width and shall have the 30% more landscape required for Multi-family and C-2 uses.
11. The project shall be developed according to the C-2 General Commercial zoning designation in the Land Development Code, unless expressly stated above.

SECTION 4:

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

SECTION 5:

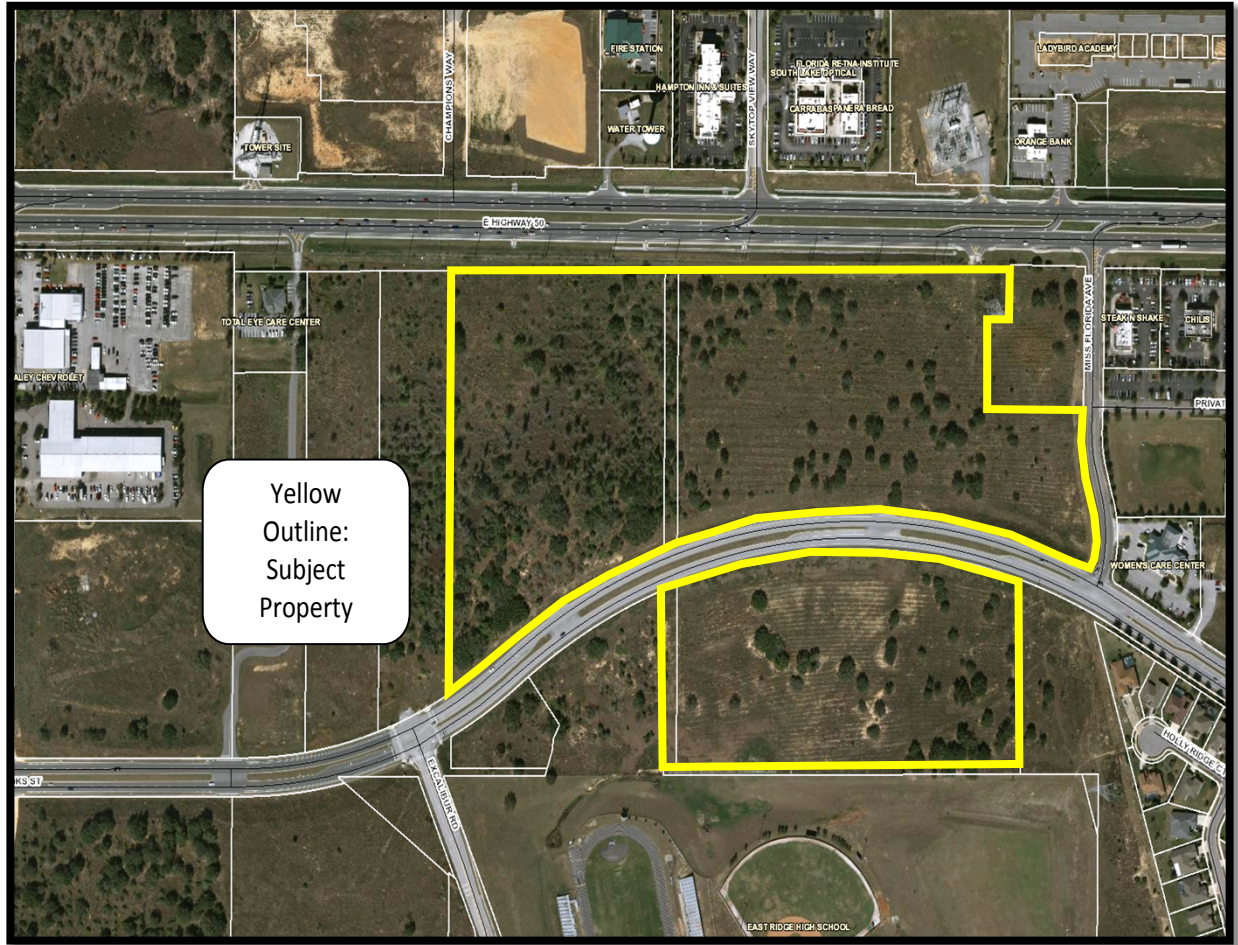
Should any Section or part of this Section be declared invalid by any court of competent jurisdiction, such adjudications shall not apply to or affect any other provision of this Ordinance, except to the extent that the entire Section or part of the Section may be inseparable in meaning and effect from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

SECTION 6:

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

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Location map:



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PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 24th day of May, 2016.

CITY OF CLERMONT

Gail L. Ash, Mayor

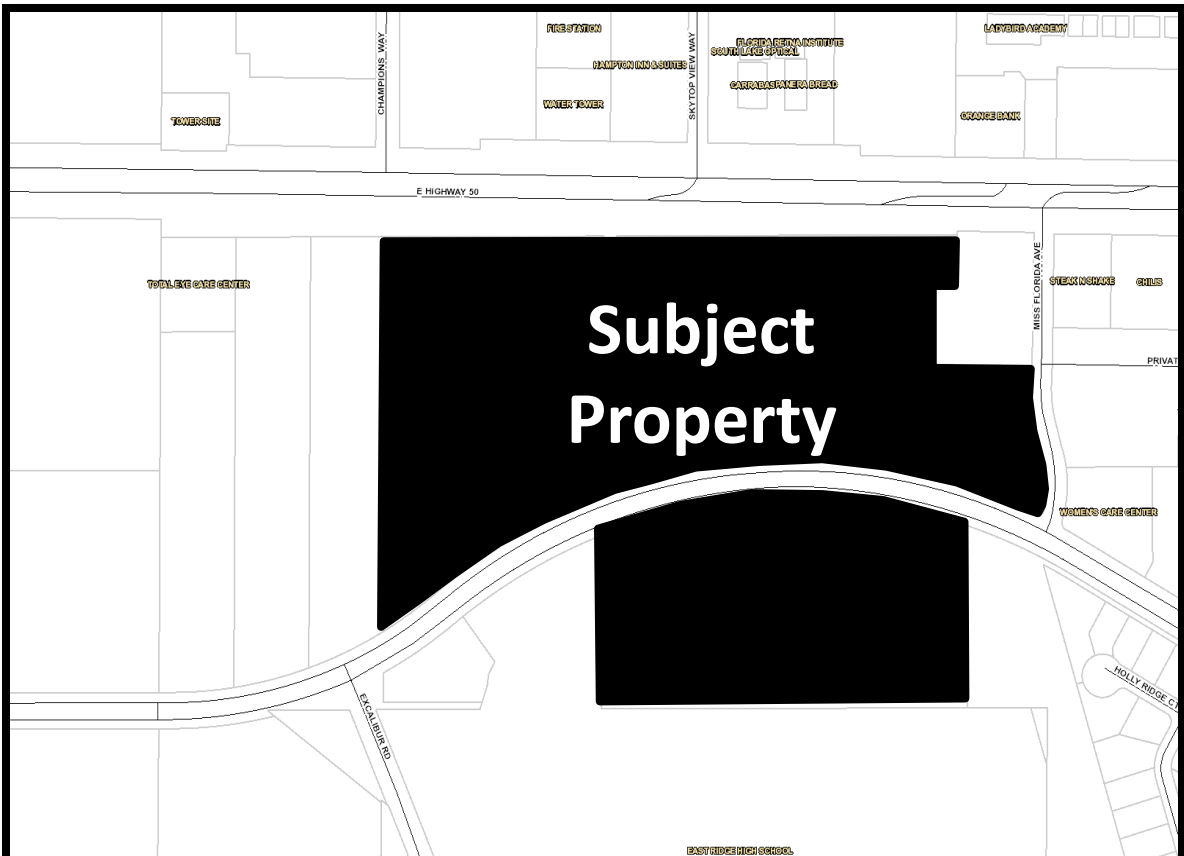
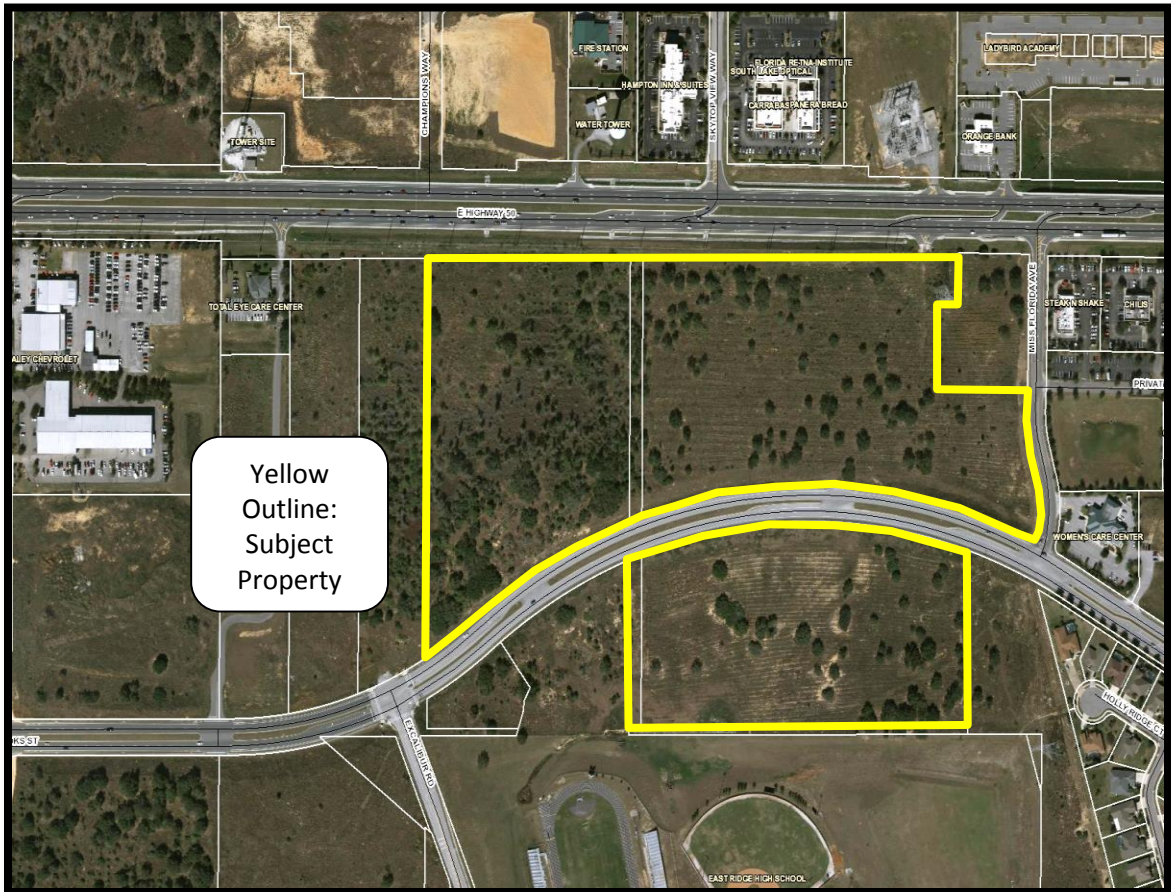
ATTEST:

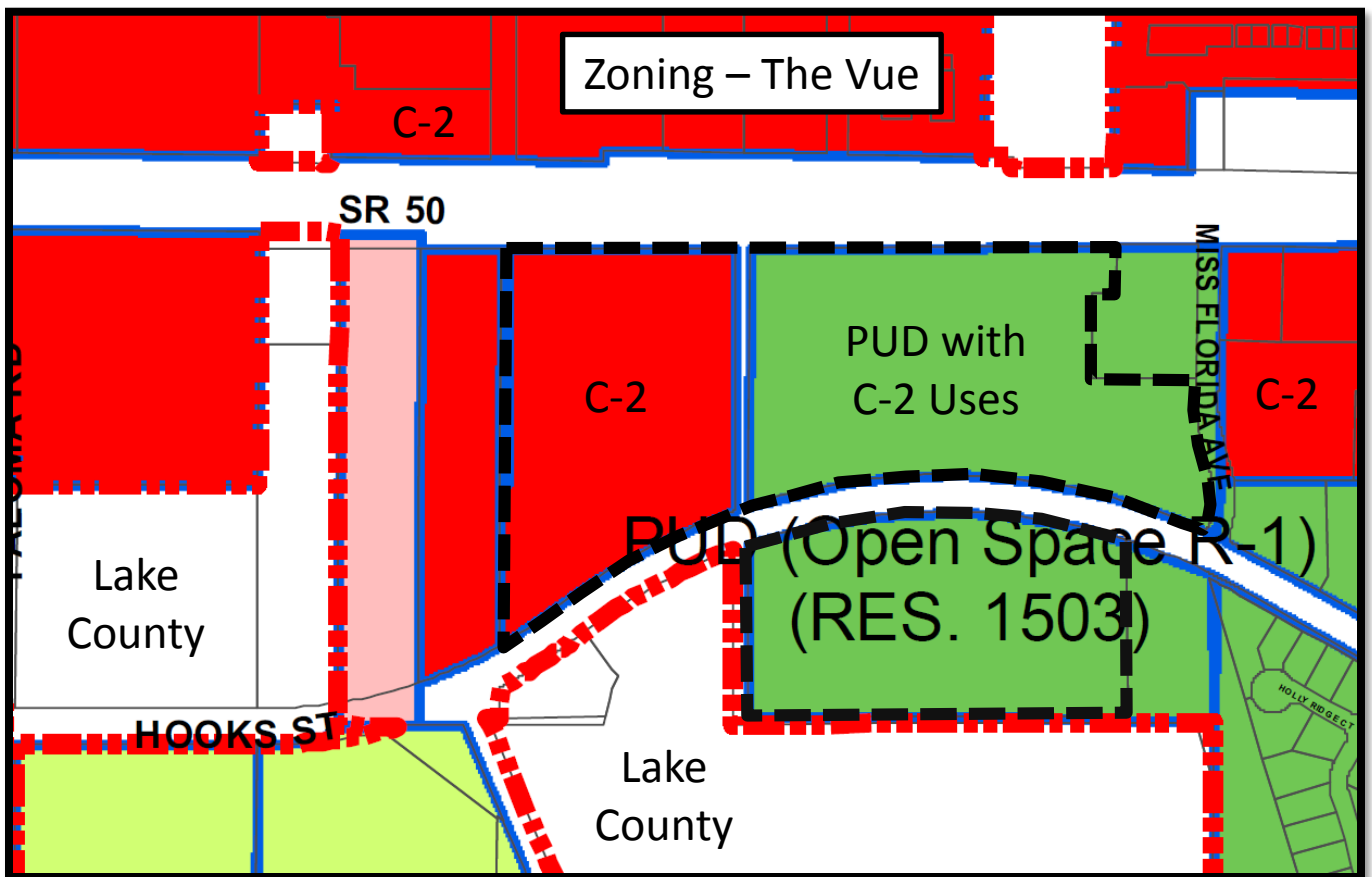
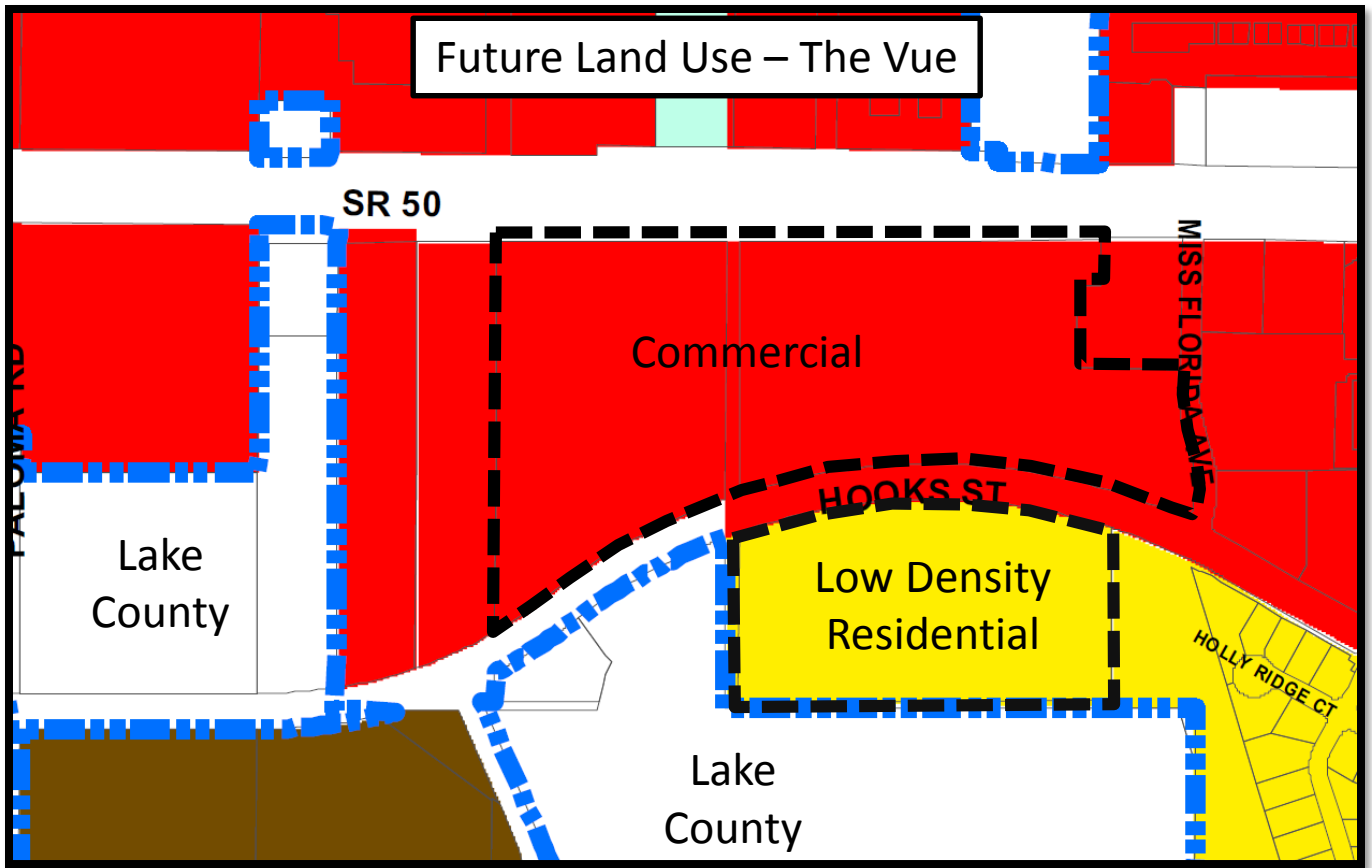
Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Location Map - The Vue





BUILDING HEIGHT

Building height as measured from the lowest grade point to the midpoint of the main roof = 53'-8"

Building height as allowed by Florida building code = 60'-0"

Allowable height per table 503 = 50'-0"

Allowable increase per 504.2 = 10'-0"

Total = 60'-0"

** Allowable increase is based on NFPA 13R sprinkler system
Installed per 903.3.1.2.



The VUE at Clermont
Clermont, Florida



SK-1 BUILDING HEIGHT

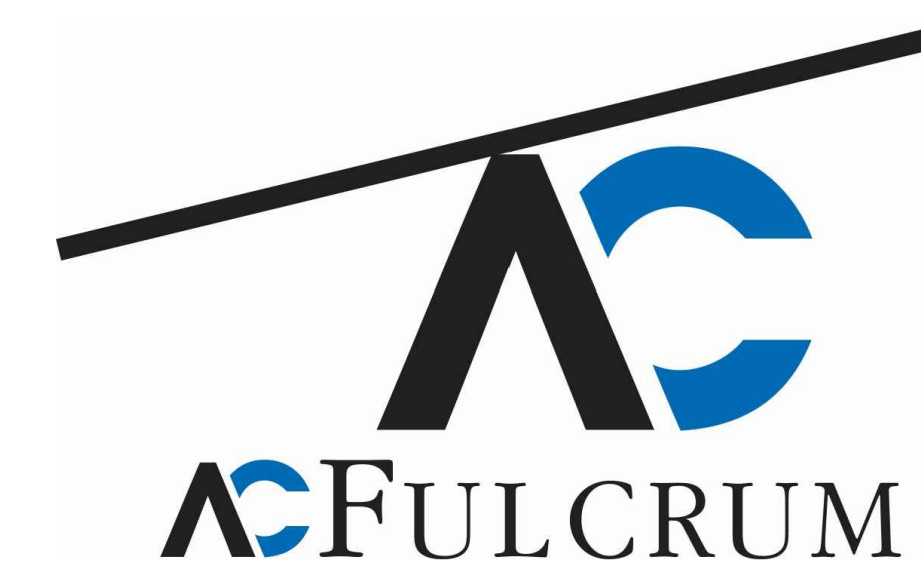


charlan brock & associates

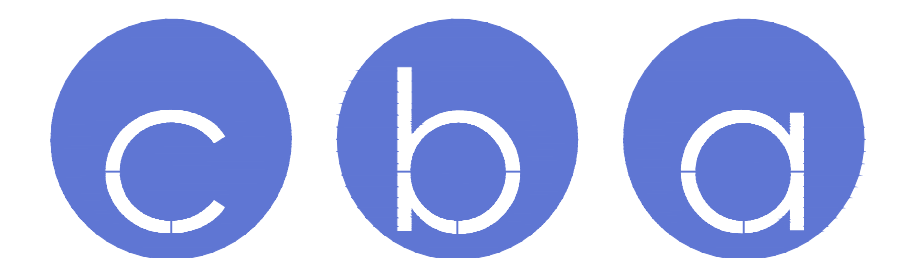


The VUE at Clermont

Clermont, Florida



Conceptual Elevations



charlan brock & associates

Boundary Survey

LEGAL DESCRIPTION:

PARCEL 1 (FEE SIMPLE ESTATE)

THAT PART OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE EAST 1/4 CORNER OF SAID SECTION 28; THENCE RUN NORTH 00°42'51" EAST ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 28 FOR A DISTANCE OF 664.12 FEET TO THE NORTHEAST CORNER OF THE SOUTH 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 28; THENCE RUN SOUTH 89°24'16" WEST ALONG THE NORTH LINE OF SAID SOUTH 1/4 FOR A DISTANCE OF 1335.19 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 270.00 FEET AND A CHORD BEARING OF SOUTH 01°23'58" WEST AND THE POINT OF BEGINNING; THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 23°36'59" FOR A DISTANCE OF 111.29 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 25.00 FEET AND A CHORD BEARING OF SOUTH 63°07'26" WEST; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 99°49'56" FOR A DISTANCE OF 43.56 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 1750.00 FEET AND A CHORD BEARING OF NORTH 87°56'35" WEST AND THE NORTH RIGHT OF WAY LINE OF HOOK STREET, AS DESCRIBED IN OFFICIAL RECORDS BOOK 2010, PAGE 316, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN WESTERLY ALONG SAID NORTH RIGHT OF WAY LINE AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 41°57'58" FOR A DISTANCE OF 1281.78 FEET TO A NON-RADIAL LINE AND THE EAST RIGHT OF WAY LINE OF AN UNNAMED RIGHT OF WAY, ACCORDING TO THE PLAT OF LAKE HIGHLANDS COMPANY, AS RECORDED IN PLAT BOOK 2, PAGE 28, OF SAID PUBLIC RECORDS; THENCE RUN NORTH 00°10'52" EAST ALONG SAID EAST RIGHT OF WAY LINE FOR A DISTANCE OF 718.43 FEET TO THE SOUTH RIGHT OF WAY LINE OF STATE ROAD NUMBER 50; THENCE RUN NORTH 89°24'19" EAST ALONG SAID SOUTH RIGHT OF WAY LINE FOR A DISTANCE OF 1127.57 FEET; THENCE RUN SOUTH 89°29'29" EAST ALONG SAID SOUTH RIGHT OF WAY LINE FOR A DISTANCE OF 150.11 (120.11) FEET TO THE WEST LINE OF THE EAST 60 FEET OF TRACT 19, OF SAID LAKE HIGHLANDS COMPANY; THENCE RUN SOUTH 00°26'52" WEST ALONG SAID WEST LINE FOR A DISTANCE OF 445.90 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY HAVING A RADIUS OF 280.00 FEET; THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 15°45'47" FOR A DISTANCE OF 77.03 FEET TO THE POINT OF TANGENCY; THENCE RUN SOUTH 15°18'56" EAST FOR A DISTANCE OF 105.46 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 270.00 FEET AND A CHORD BEARING OF SOUTH 12°51'43" EAST; THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 04°54'24" FOR A DISTANCE OF 231.2 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THEREFROM THAT PARCEL CONVEYED BY MAYNARD K. KNAPP, INDIVIDUALLY AND AS TRUSTEE TO AKRAM ISMAIL, M.D., BY SPECIAL WARRANTY DEED RECORDED APRIL 17, 2015, IN OFFICIAL RECORDS BOOK 4613, PAGE 945, DESCRIBED AS FOLLOWS:

A PORTION OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 28; THENCE S01°07'06"W ALONG THE EAST LINE OF SAID NORTHEAST 1/4, A DISTANCE OF 1372.13 FEET TO A POINT; THENCE N89°06'23"W, A DISTANCE OF 1322.25 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 50. (RIGHT-OF-WAY VARIES PER RIGHT-OF-WAY MAP SECTION 11070); THENCE CONTINUE N89°06'23"W, A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING; THENCE S00°51'39"W, ALONG THE WEST RIGHT-OF-WAY LINE OF MISS FLORIDA AVENUE (CRB 2345, PAGE 748), ALSO BEING PARALLEL TO AND 60.00 FEET WEST OF THE EAST LINE OF SAID SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 28 AND THE EAST LINE OF TRACT 19 OF LAKE HIGHLANDS COMPANY, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 28, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; A DISTANCE OF 269.94 FEET TO A POINT; THENCE N89°08'21"W, A DISTANCE OF 291.58 FEET TO A POINT; THENCE N00°51'39"E, A DISTANCE OF 230.29 FEET TO A POINT; THENCE S89°09'21"E, A DISTANCE OF 64.35 FEET TO A POINT; THENCE N00°51'39"E, A DISTANCE OF 139.00 FEET TO A POINT ON THE SOUTH LINE OF AN UNNAMED UNIMPROVED STREET, ALSO BEING THE NORTH LINE OF SAID TRACT 19; THENCE N89°50'25"E, ALONG THE NORTH LINE OF SAID TRACT 19, A DISTANCE OF 42.23 FEET TO A POINT ON SAID SOUTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 50; THENCE S89°06'23"E, ALONG SAID SOUTH RIGHT-OF-WAY LINE OF STATE ROAD 50, A DISTANCE OF 185.01 FEET TO THE POINT OF BEGINNING. CONTAINING 744,665 SQ. FT. OF 17.100 ACRES MORE OR LESS.

PARCEL 2 (EASEMENT ESTATE)

TOGETHER WITH THAT CERTAIN NON-EXCLUSIVE INGRESS-EGRESS EASEMENT GRANTED BY AKRAM ISMAIL TO MAYNARD K. KNAPP, TRUSTEE, TO RECIPROCAL EASEMENT AGREEMENT RECORDED APRIL 17, 2015, IN OFFICIAL RECORDS BOOK 4613, PAGE 948, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

PARCEL 3 (SOUTHERN PORTION)

TRACT 29 AND TRACT 30, AS SHOWN ON THE LAKE HIGHLANDS COMPANY PLAT OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, RECORDED IN PLAT BOOK 2, PAGE 28, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; LESS THAT PORTION LYING WITHIN AND NORTH OF THE RIGHT OF WAY FOR HOOK STREET.

Legal Description:

THAT PORTION OF THE NORTH/SOUTH ROADWAY BETWEEN TRACTS 20, 21, 28, AND 29 AS SHOWN ON THE LAKE HIGHLAND'S COMPANY PLAT OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, RECORDED IN PLAT BOOK 2, PAGE 28, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; LYING NORTHERLY OF HOOK STREET, AND SOUTHERLY OF STATE ROAD NO. 50, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NE CORNER OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, THENCE S 01°17'37" W, A DISTANCE OF 1372.13 FEET; THENCE N 89°55'52" W, A DISTANCE OF 1322.25 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF STATE ROAD NO. 50 (A VARIABLE WIDTH PUBLIC RIGHT OF WAY); THENCE THE FOLLOWING FOUR (4) COURSES AND DISTANCES ALONG SAID SOUTH RIGHT OF WAY LINE, CONTINUE N 89°55'52" W, A DISTANCE OF 60.00 FEET; THENCE N 89°27'07" W, A DISTANCE OF 184.98 FEET; THENCE S 89°30'08" W, A DISTANCE OF 42.24 FEET; THENCE S 89°24'19" W, A DISTANCE OF 1020.48 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID SOUTH RIGHT OF WAY, RUN S 00°14'51" W, A DISTANCE OF 824.65 FEET TO A POINT ON THE WEST LINE OF TRACTS 20 AND 29, A DISTANCE OF 718.43 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF HOOK STREET (A 100 FOOT WIDE PUBLIC RIGHT OF WAY); SAID POINT ALSO BEING ON A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, AND HAVING A RADIUS OF 1750.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°02'34", A DISTANCE OF 31.85 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF S 70°37'05" W, 31.85 FEET; THENCE DEPARTING SAID NORTH RIGHT OF WAY LINE, RUN N 01°14'51" E, A DISTANCE OF 728.72 FEET TO A POINT ON THE AFOREMENTIONED SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD NO. 50; THENCE N 89°28'03" E, ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.50 ACRES, MORE OR LESS.

Legal Description:

TRACTS 21 AND 28 AS SHOWN ON THE LAKE HIGHLAND'S COMPANY PLAT OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, RECORDED IN PLAT BOOK 2, PAGE 28, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; LESS THAT PORTION OF TRACT 28, LYING SOUTH OF HOOK STREET, (COUNTY DISTRICT NO. 2-1346).

Legal Description:

THAT PORTION OF THE NORTH/SOUTH ROADWAY BETWEEN TRACTS 28, AND 29 AS SHOWN ON THE LAKE HIGHLAND'S COMPANY PLAT OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, RECORDED IN PLAT BOOK 2, PAGE 28, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; LYING SOUTHERLY OF HOOK STREET, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NE CORNER OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, THENCE S 01°17'37" W, A DISTANCE OF 1372.13 FEET; THENCE N 89°55'52" W, A DISTANCE OF 1322.25 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF STATE ROAD NO. 50 (A VARIABLE WIDTH PUBLIC RIGHT OF WAY); THENCE THE FOLLOWING FOUR (4) COURSES AND DISTANCES ALONG SAID SOUTH RIGHT OF WAY LINE, CONTINUE N 89°55'52" W, A DISTANCE OF 60.00 FEET; THENCE N 89°27'07" W, A DISTANCE OF 184.98 FEET; THENCE S 89°30'08" W, A DISTANCE OF 42.24 FEET; THENCE S 89°24'19" W, A DISTANCE OF 1020.48 FEET; THENCE DEPARTING SAID SOUTH RIGHT OF WAY, RUN S 00°14'51" W, ALONG THE WEST LINE OF TRACTS 20 AND 29, A DISTANCE OF 824.65 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF HOOK STREET (A 100 FOOT WIDE PUBLIC RIGHT OF WAY); THENCE DEPARTING SAID SOUTHERLY RIGHT OF WAY LINE, RUN S 01°14'51" W, ALONG THE WEST LINE OF SAID TRACT 29, A DISTANCE OF 473.42 FEET TO THE SOUTHWEST CORNER OF SAID TRACT 29; THENCE S 89°28'17" W, A DISTANCE OF 30.00 FEET TO THE SOUTHEAST CORNER OF AFOREMENTIONED TRACT 28; THENCE N 01°14'51" E, ALONG THE EAST LINE OF SAID TRACT 28, A DISTANCE OF 462.39 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF AFOREMENTIONED HOOK STREET, SAID POINT ALSO BEING ON A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, AND HAVING A RADIUS OF 1650.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°06'54", A DISTANCE OF 32.11 FEET, TO THE POINT OF BEGINNING, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF N 69°22'29" E, 32.11 FEET

CONTAINING 0.32 ACRES, MORE OR LESS.

Legal Description:

THAT PORTION OF TRACT 28 AS SHOWN ON THE LAKE HIGHLAND'S COMPANY PLAT OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, RECORDED IN PLAT BOOK 2, PAGE 28, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; LYING SOUTHERLY OF HOOK STREET, (COUNTY DISTRICT NO. 2-1346).

PLANNED UNIT DEVELOPMENT

THE VUE AT CLERMONT
PARCEL ID #09-22-26-120501900000 & 09-22-26-120502100000



PREPARED FOR
AC-FULCRUM
710 EAST COLONIAL DRIVE
ORLANDO, FLORIDA 32803

PROJECT TEAM

OWNER/APPLICANT

AC-FULCRUM
710 EAST COLONIAL DRIVE
ORLANDO, FL 32803

ENGINEER

B&S ENGINEERING CONSULTANTS, LLC
MAJOR STACY, P.E.
2221 LEE ROAD SUITE 17
WINTER PARK, FLORIDA 32789
PHONE: 407-960-5868

LAND USE ATTORNEY

AKERMAN LLP
420 S. ORANGE AVENUE SUITE 1200
ORLANDO, FLORIDA 32801
PHONE: 407-423-4000

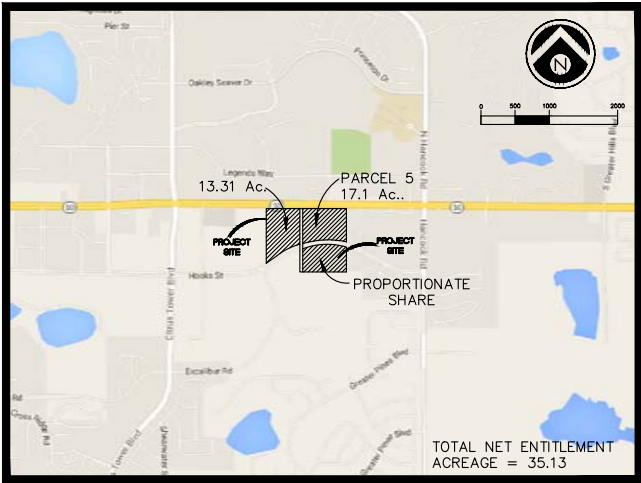
ENVIRONMENTALIST

ECOLOGICAL CONSULTING SOLUTIONS
235 HUNT CLUB BOULEVARD, SUITE 202
LONGWOOD, FLORIDA 32789
PHONE: 407-869-9434

ARCHITECT

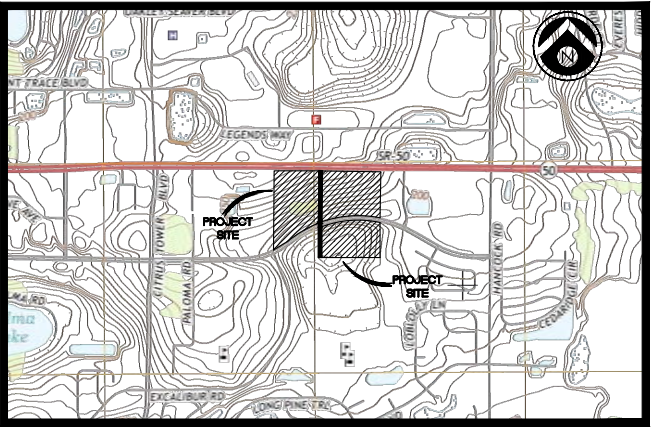
CHARLAN BROCK AND ASSOCIATES
1770 FENNELL ST.
MAITLAND, FL 32751
PHONE: 407-660-8900

LOCATION MAP -
PROJECT AREA BREAKDOWN



SECTION 9 TOWNSHIP 22S RANGE 26E LATITUDE 28° 32' 43"N LONGITUDE 81° 42' 54"W

USGS MAP



Sheet Index	
SHEET NUMBER	SHEET TITLE
C-0.0	COVER SHEET
C-1.1	VARIANCE REQUESTS
C-2.1	OVERALL SITE PLAN
C-2.2	CONCEPTUAL GRADING SCHEMATIC
C-2.3	CONCEPTUAL GRADING SCHEMATIC - RETAIL S.R. 50 FRONTAGE
C-3.1	CONCEPTUAL SITE PLAN 1
C-3.2	CONCEPTUAL SITE PLAN 2
C-4.1	CROSS SECTION 1
C-4.2	CROSS SECTION 2
C-4.3	CROSS SECTION 3 (RETAIL ON NORTH)
C-4.4	CROSS SECTION 4 (RETAIL ON NORTH)
A-1.1	ARCHITECTURAL ELEVATION

SITE DATA

SECTION/TOWNSHIP/RANGE: 9/22S/26E
PROPERTY AREA: ±42.57 AC
PROJECT AREA: (NET ACREAGE): 33 ACRES
EXISTING ZONING: C-2/UE
EXISTING USE: VACANT
PROPOSED PARCEL USE: (ENTIRE PARCEL) PUD: ALL PERMITTED C2 USES (INCLUSIVE OF 1 RETAILER LESS THAN 100,000 S.F. BUT GREATER THAN 20,000 S.F.)

COMMERCIAL:
MULTI FAMILY / SENIOR'S AREA
MULTI FAMILY / SENIOR'S DENSITY:
CITY REQUIRED PARKING: (MULT-FAMILY)
6.00 ACRES
27 ACRES
12 DU/AC MAX = 323 UNITS

UNITS	COUNTS	CITY	TOTAL
1 BED	111	1.5	167
2 BED	176	2.0	352
3 BED	37	2.5	93
TOTAL	324		612
	AVG SPACE/UNIT		1.89

PARKING AS PROPOSED: 612
VARIANCES: APPLY TO ENTIRE PROPERTY AS DETAILED ON FOLLOWING PAGES

UTILITY SERVICE PROVIDERS

WATER

CITY OF CLERMONT
685 W. MONTROSE STREET
CLERMONT, FL 34711
PHONE: 352-241-7335

SEWER

CITY OF CLERMONT
685 W. MONTROSE STREET
CLERMONT, FL 34711
PHONE: 352-241-7335

ELECTRIC

DUKE ENERGY
P.O.BOX 120069
CLERMONT, FL 34712
PHONE: 352-241-7335

PHONE

CENTURY LINK
260 CITRUS TOWER BOULEVARD
CLERMONT, FL 34711
PHONE: 800-672-6242

CABLE

BRIGHT HOUSE NETWORKS, LLC
602 HWY 50
CLERMONT, FL 34711
PHONE: 352-245-2408

NOTES:

1. PROPOSED FFE AND GRADING SHOWN AS CONCEPTUAL.
2. THE FINAL ENGINEERING PLANS WILL BE CONSISTENT WITH NFPA AND CITY OF CLERMONT CODE. THIS INCLUDES CUL-DE-SACS AND HAMMERHEADS FOR ANY DEAD END EXCEEDING 150 FEET.
3. LANDSCAPE ISLAND WILL BE A MINIMUM OF 300 S.F. AT FINAL ENGINEERING.
4. A SECONDARY EMERGENCY ACCESS POINT WILL BE PROVIDED AT FINAL ENGINEERING. THIS ACCESS MAY CONSIST OF STABILIZED REINFORCED GRASS PAVERS AND CRASH GATES.



NOT FOR CONSTRUCTION UNLESS SIGNED AND SEALED	JOB No.: AOC-01 DESIGNED: p.i.b. APPROVED BY: MLS DATE: 4-22-16
MAJOR LEE STACY, P.E. REGISTRATION No. 70249	SHEET: C-0.0
DATE: _____	

Potential Variance Requests:

Sec. 54-78. - Driveway construction standards.

(a) Driveways constructed below street grade must rise to an elevation at least to the top of the curb height on city rights-of-way before reaching the owner's property line. Driveways constructed above the street grade should not exceed a grade of three-fourths of an inch per foot from the top of the curb to provide for vehicular clearance, unless otherwise approved by the city engineer.

Waiver Requests: It may be possible the retail driveway and parking will be below the centerline of SR 50. We are requesting a variance from this code and defer to the city engineer to approve proposed grading to ensure adequate outfall and protection of the FFE.

Sec. 94-195. - Clearing and grading review criteria. (b)(3)

The maximum depth of cut or fill for construction of any roadway shall be 15 feet, as measured at the centerline of the roadway.

Waiver Requests: Final grades will be determined at the time of final engineering. It may be possible to exceed the maximum cut or depth in portions of the site. We would request a variance from this code. We are requesting a maximum elevation change of 25’ due to the excessive grades on site.

Sec. 94-195. - Clearing and grading review criteria. (d)(4, 5, 7)

(4) Elevation changes in topography shall be limited to 15 feet.

(5) Transitions between multi-level construction shall be accomplished using slopes of no greater than 5:1 or with retaining walls not to exceed six feet in height.

(7) Terraces shall include a minimum five-foot landscape buffer along the boundary.

Waiver Requests: It is not until all final architectural, landscape and civil engineering design that the final grades and miscellaneous small retaining walls are located, that the exact solution can be shown to City of Clermont Staff. In addition, retaining walls will exceed 6’ in height. We are requesting a variance allowing 25’ of elevation change and a maximum wall height of 25’.

Sec. 122-185 (4) Building Height not to exceed 45’

Waiver Requests: The proposed buildings will be terraced so the maximum building height will vary depending on the grade and location of the measurement. In addition, architectural features may extend above 45’. The proposed maximum building height is 63’. Please refer to sheet A-1.1.

Sec. 98-6. - Ratio of full size parking spaces to compact and oversized spaces.

(a) The ratio of full size parking spaces to compact spaces shall be 90 to ten. This ratio shall be maintained for the total number of parking spaces provided and shall apply only to buildings and uses where the required number of parking spaces is 25 or greater and 300 or less. Developers may increase this ratio, thus increasing the number of full size spaces, however, in no case shall the ratio of compact spaces be permitted to exceed this ratio. Compact spaces shall not be permitted for buildings and uses requiring less than 25 parking spaces or for residential uses. Projects requiring more than 300 parking spaces shall be considered threshold developments where final decision on the ratio of parking shall be determined by the development review committee in consideration of traffic engineering and planning data that is appropriate to the proposed development and intended use.

(b) The provision of oversized parking spaces to accommodate recreational vehicles and the like shall be applied to retail business facilities where required parking is 100 spaces or more. The ratio of three oversized parking spaces per each 100 required spaces or portion thereof shall be maintained for the total number of parking spaces provided.

Waiver Requests: We are requesting a variance to utilize 9x18 spaces instead in order to maximize available parking while significantly reducing the unnecessary environmental pollutant runoff, increasing green spaces throughout.

Sec. 110-192 Gated development

Waiver Request: The proposed development will be gated and consistent with all requirements of City Clermont code including emergency access.

Sec. 122-226. - Yards.

Minimum yard requirements for the C-2 district are as follows:

(1) Front Yard. Property adjacent to Hartwood Marsh Road, SR 50 and U.S. 27 shall maintain a 50-foot setback. The setback on all other streets shall be 25 feet.

(2) Side Yard. The minimum side yard setback is 12 feet. On corner lots where a side yard setback of 50 feet shall be maintained on Hartwood Marsh Road, State Road 50 and U.S. Highway 27 and a side yard setback of 25 feet shall be maintained from all other streets and 12 feet on the interior side yard. However, a side setback of 25 feet shall be maintained on the side adjacent to property that is either zoned or used as residential.

(3) Rear Yard. The minimum rear yard setback is 25 feet except where a rear yard abuts Hartwood Marsh Road, SR 50 or U.S. 27, a setback of 50 feet shall be maintained. The rear building line of lakefront property shall be measured from the established high-water mark. No construction encroachment may occur in any designated 100-year floodplain except in accordance with policies of the adopted comprehensive plan and after formal approval of a site development plan by the administrative official.

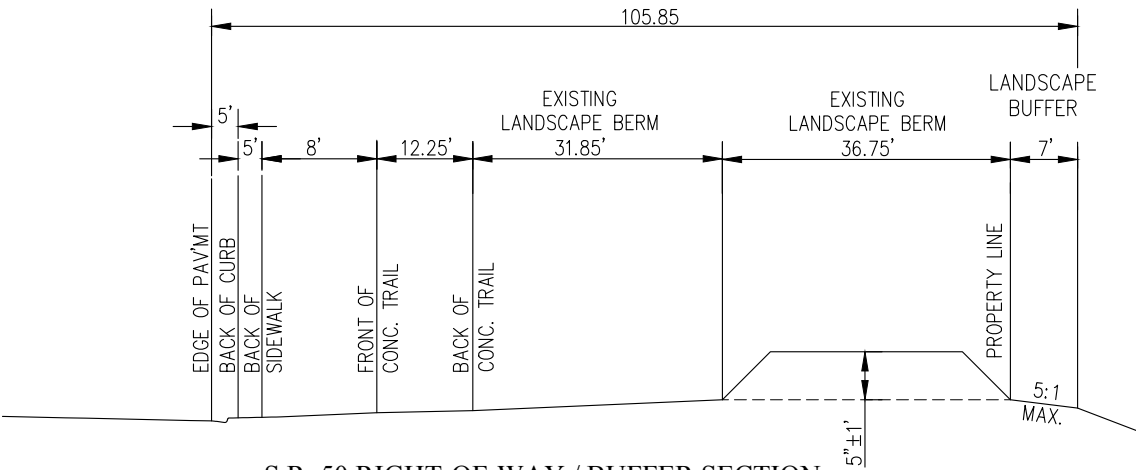
(4) Buffer Strip. When a conditional or commercial use abuts a residential use, the conditional or commercial use shall provide a landscaped buffer strip along the abutting property line.

(5) Other Setbacks. All yard setbacks for principal buildings shall be a minimum of 25 feet from established high-water marks. No construction encroachment may occur in any designated 100-year floodplain except in accordance with policies of the adopted comprehensive plan and after formal approval of a site development plan by the administrative official.

Waiver Request: The landscape buffer of 7’ is proposed adjacent to SR 50 due to the presence of a large berm within which existing utilities are running that are in in the right of way. Note also the 105’ distance from the edge of SR 50 pavement to the proposed edge of parking providing extensive buffering. Grading cannot exceed 5:1 in the landscape buffer.

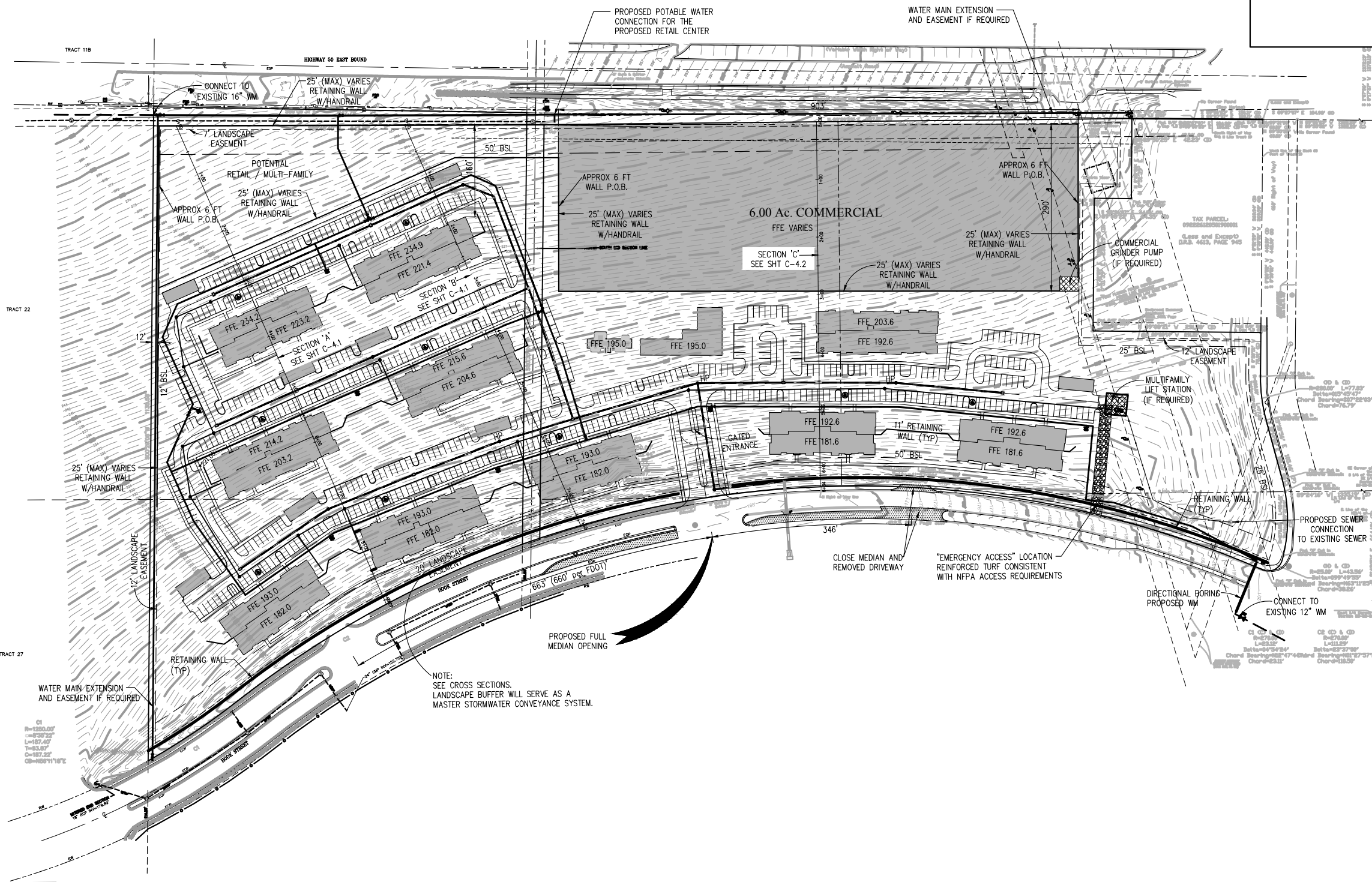
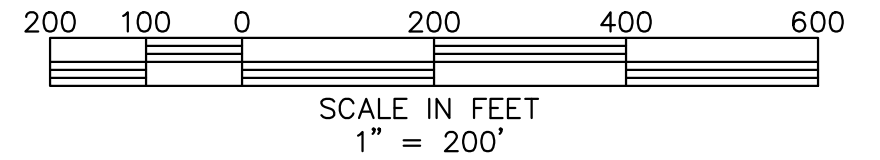
The face of the nearest apartment is another 160’ beyond the new landscape buffer.

Note the exising 5'+ berm above the SR 50 grade provides maximum sound buffering/absorption. In addition to that solid visual and sound buffering, the developer will build landscape in the buffer at 1.3X the code required density.



- NOTE:
1. DISTANCE FROM CURB TO LANDSCAPE BUFFER IS 105.85 FEET (5 TIMES CODE MINIMUM).
 2. THE EXISTING 5 FEET BERM TO PROVIDE SOUND ATTENUATION COUPLED WITH THE INCREASED LANDSCAPE BUFFER GREEN SPACE (1.3 TIMES MINIMUM).

DATE	REVISIONS	B&S ENGINEERING CONSULTANTS, LLC engineers planners 2221 Lee Road, Suite 17, Winter Park, Florida 32789 Telephone (407) 960-5868 Board of Professional Engineer Certificate No. 28973	AC FULCRUM - THE VUE AT CLERMONT		NOT FOR CONSTRUCTION UNLESS SIGNED AND SEALED	JOB No.: AOC-01
			CLERMONT, FLORIDA		DESIGNED: p.i.b.	APPROVED BY: MLS
			VARIANCE REQUESTS		DATE: 4-22-16	SHEET:
					MAJOR LEE STACY, P.E. REGISTRATION No. 70249	C-1.1
					DATE: _____	



DATE	REVISIONS

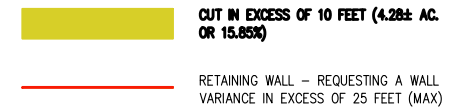
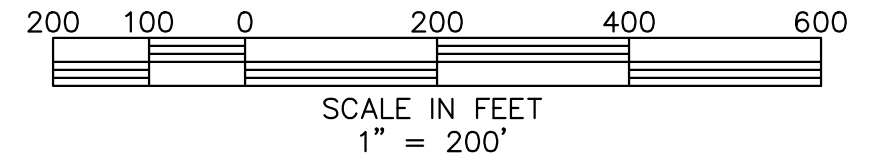
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engineers planners

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Board of Professional Engineer Certificate No. 28973

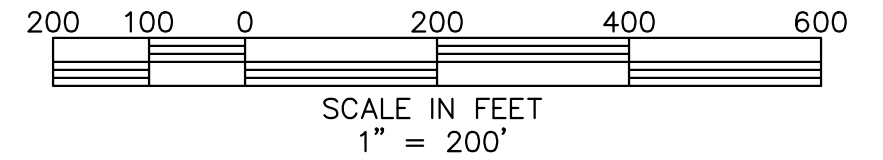
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CLERMONT, FLORIDA

OVERALL SITE PLAN

NOT FOR CONSTRUCTION UNLESS SIGNED AND SEALED	JOB No.: AOC-01 DESIGNED: p.i.b. APPROVED BY: MLS DATE: 4-22-16 SHEET: C-2.1
MAJOR LEE STACY, P.E. REGISTRATION No. 70249 DATE: _____	

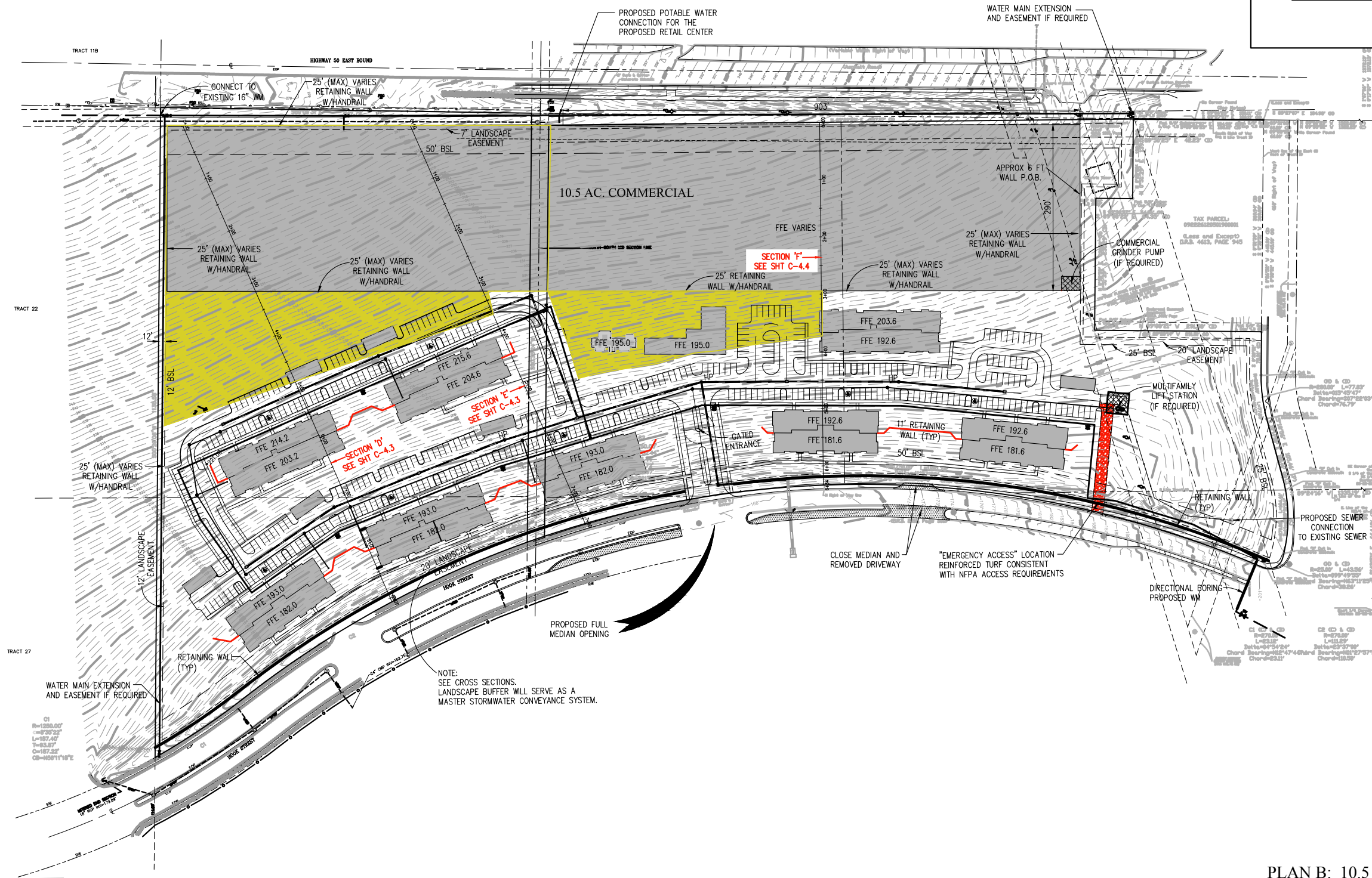
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C-2.2



CUT IN EXCESS OF 10 FEET (4.28± AC. OR 15.85%)

RETAINING WALL - REQUESTING A WALL VARIANCE IN EXCESS OF 25 FEET (MAX)



PLAN B: 10.5 ACRES RETAIL / 22.5 ACRES MULTIFAMILY / SENIORS

DATE	REVISIONS

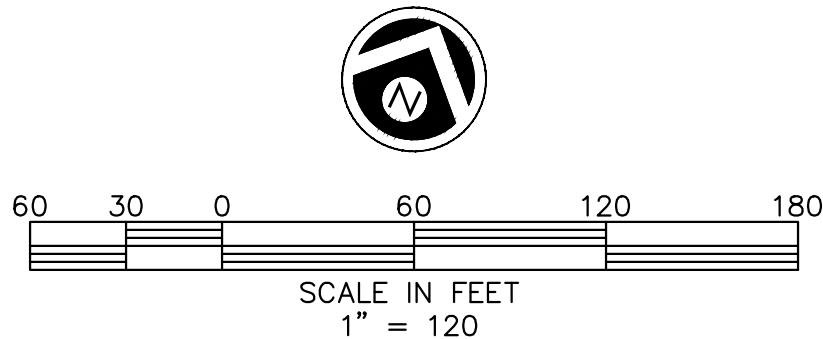
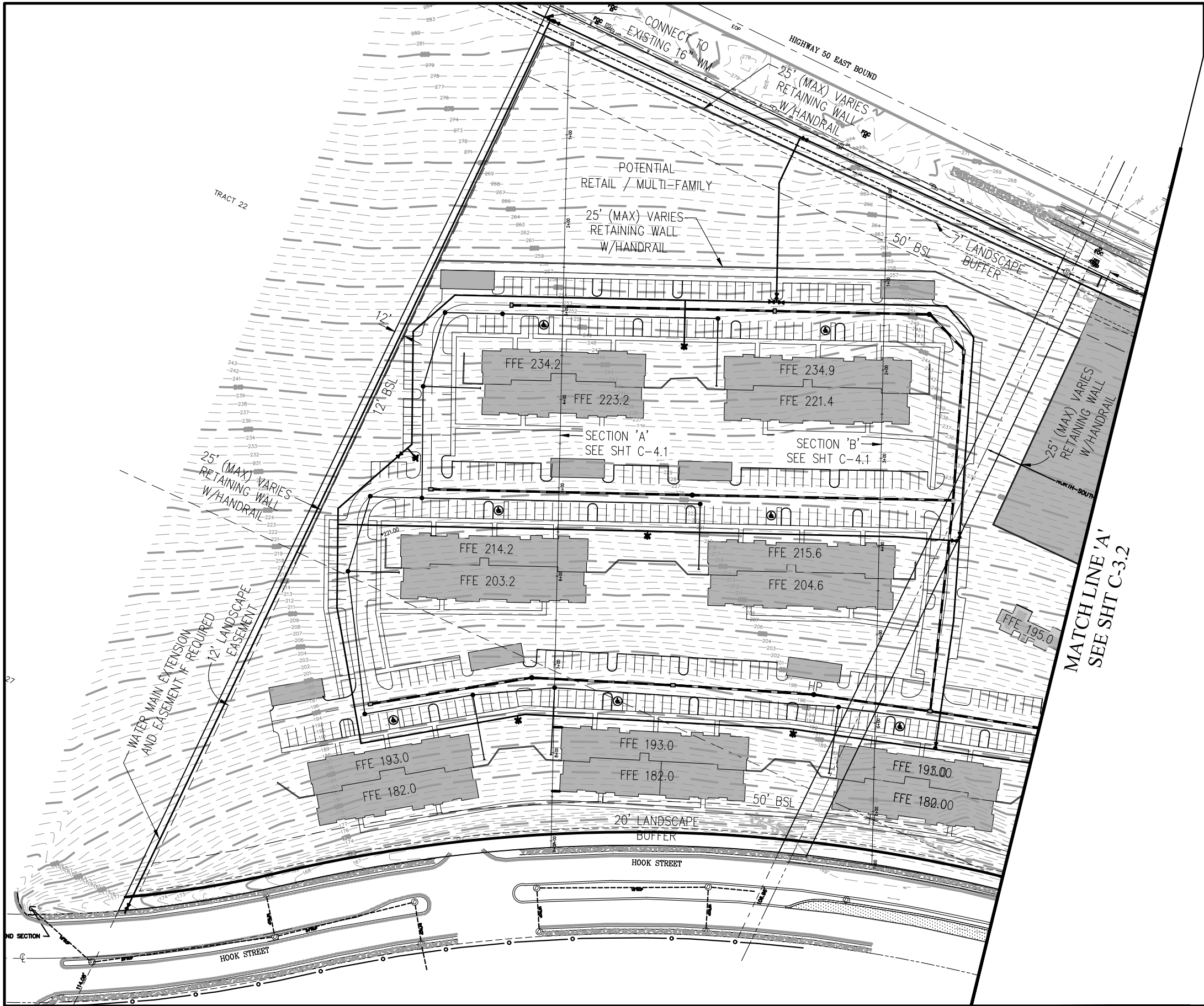
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engineers planners

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Board of Professional Engineer Certificate No. 28973

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CLERMONT, FLORIDA

CONCEPTUAL GRADING SCHEMATIC - RETAIL
S.R. 50 FRONTAGE

NOT FOR CONSTRUCTION UNLESS SIGNED AND SEALED	JOB No.: AOC-01 DESIGNED: p.i.b. APPROVED BY: MLS DATE: 4-22-16 SHEET:
MAJOR LEE STACY, P.E. REGISTRATION No. 70249 DATE:	C-2.3



DATE	REVISIONS

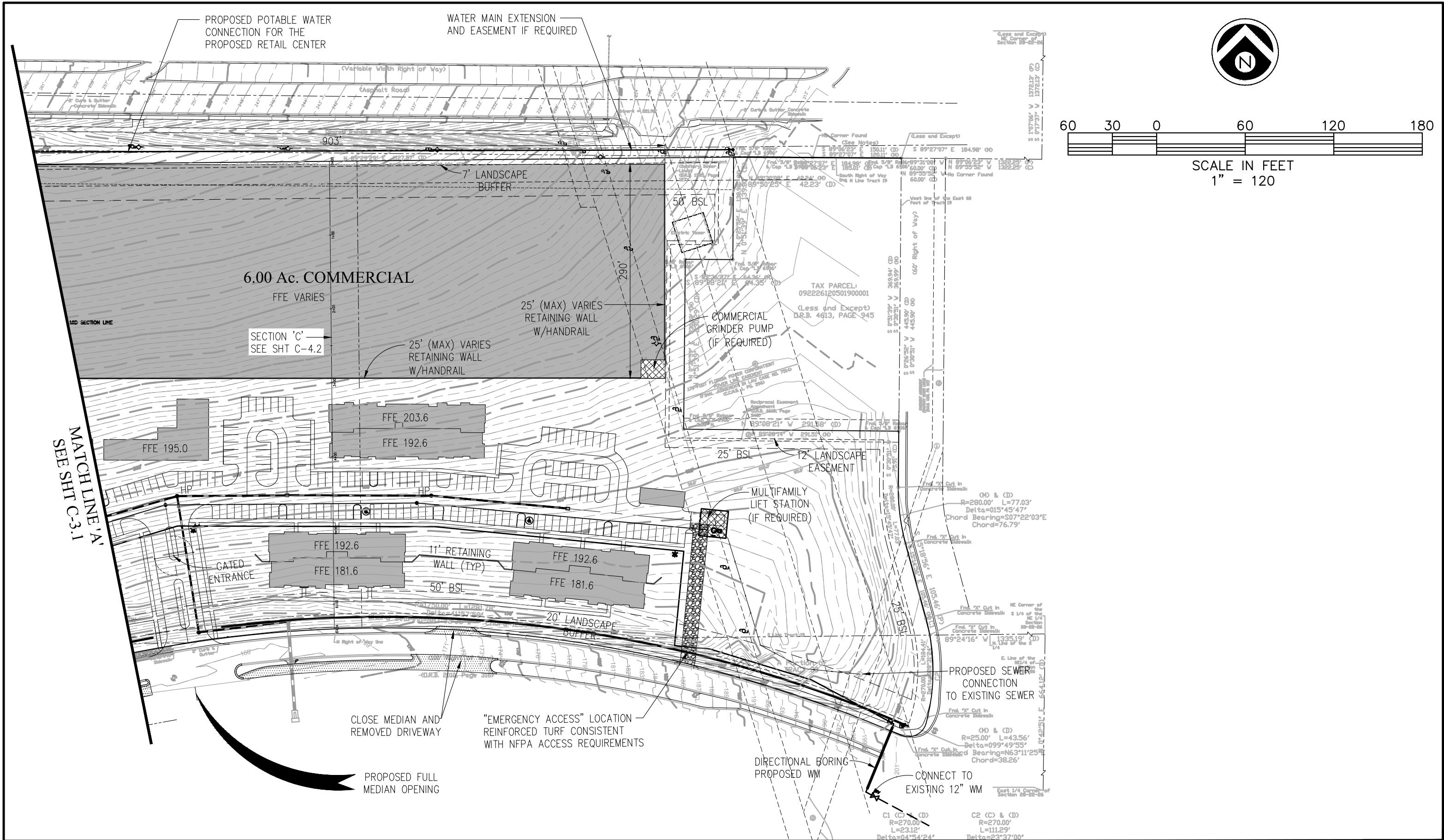
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CONCEPTUAL SITE PLAN 1

NOT FOR CONSTRUCTION UNLESS SIGNED AND SEALED	JOB No.: AOC-01 DESIGNED BY: p.i.b. APPROVED BY: MLS DATE: 4-22-16 SHEET:
MAJOR LEE STACY, P.E. REGISTRATION No. 70249 DATE:	C-3.1



DATE	REVISIONS

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Board of Professional Engineer Certificate No. 28973

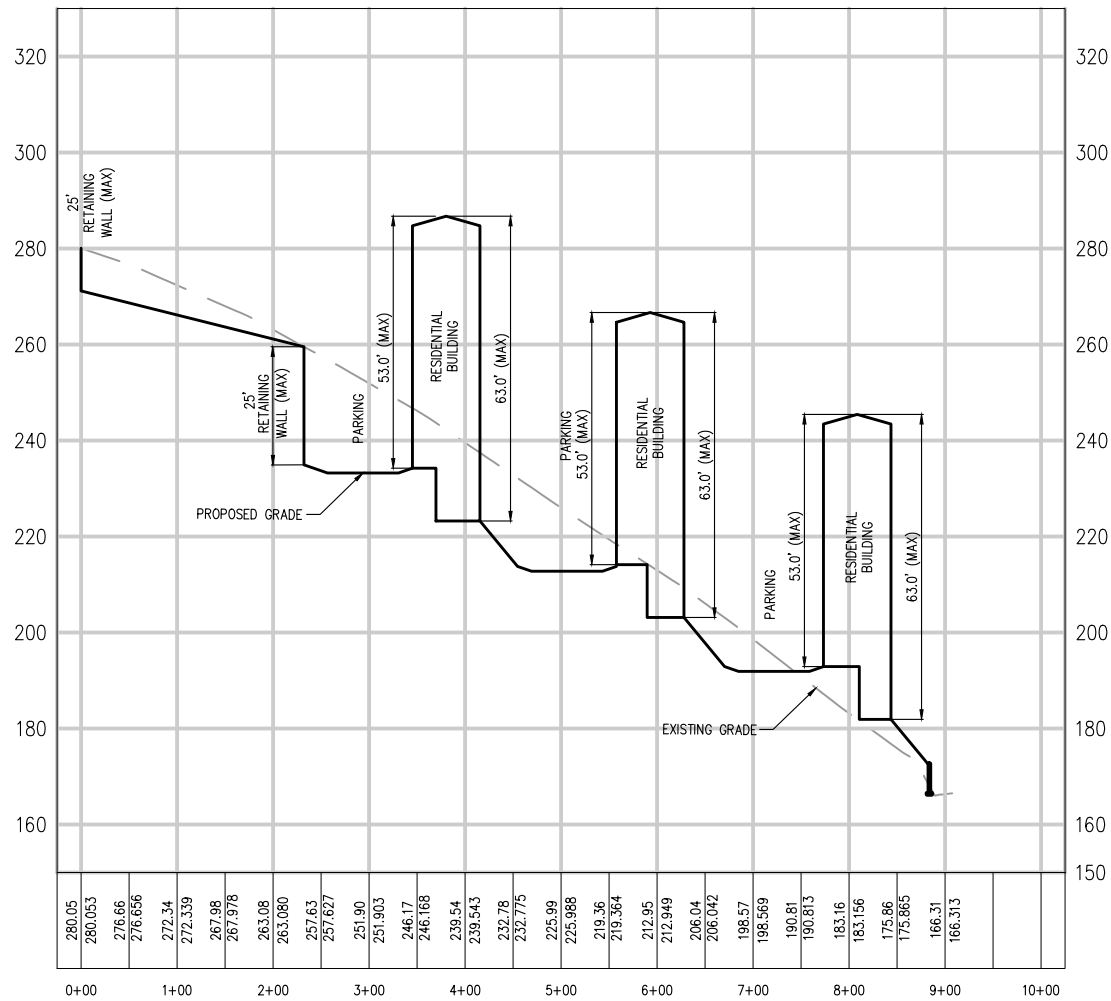
AC FULCRUM - THE VUE AT CLERMONT
CLERMONT, FLORIDA

CONCEPTUAL SITE PLAN 2

NOT FOR CONSTRUCTION
UNLESS SIGNED AND SEALED

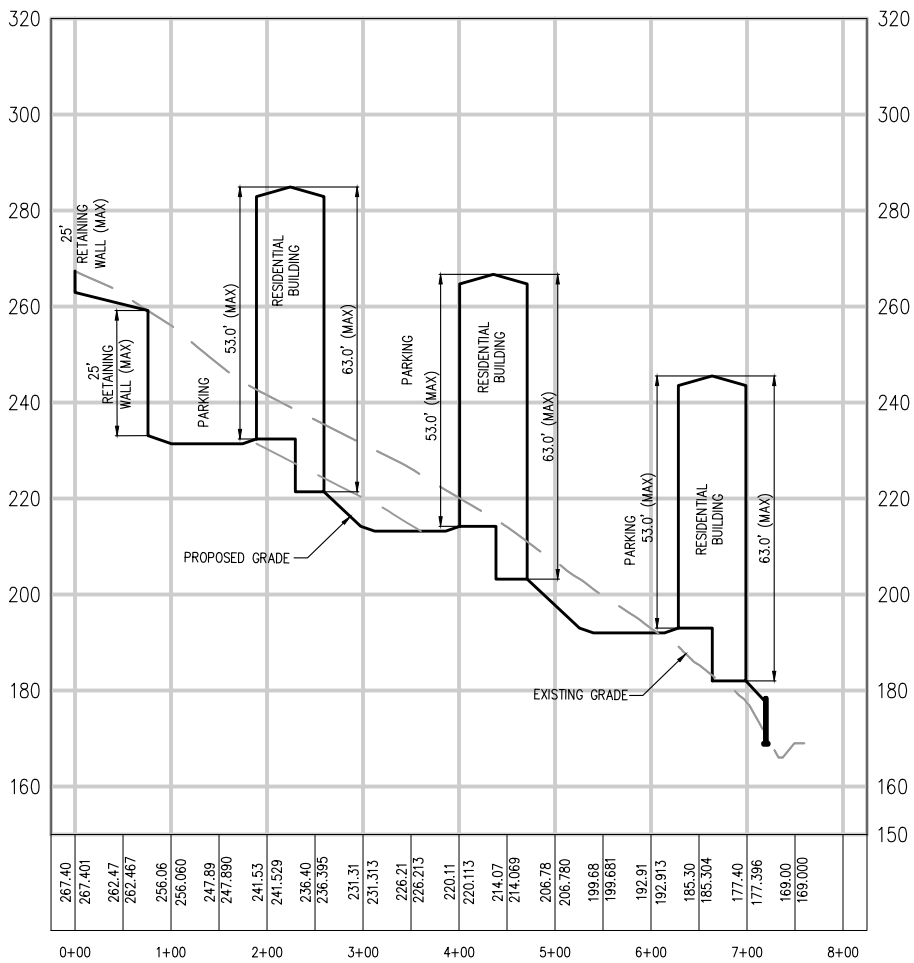
MAJOR LEE STACY, P.E.
REGISTRATION No. 70249
DATE: _____

JOB No.: AOC-01
DESIGNED: p.i.b.
APPROVED BY: MLS
DATE: 4-22-16
SHEET:
C-3.2



SECTION 'A'

SCALE:
HORZ: 1" = 200'
VERT: 1" = 20'



SECTION 'B'

DATE	REVISIONS

B&S

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engineers planners

2221 Lee Road, Suite 17, Winter Park, Florida 32789 Telephone (407) 960-5868
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CLERMONT, FLORIDA

CROSS SECTION 1

NOT FOR CONSTRUCTION
UNLESS SIGNED AND SEALED

MAJOR LEE STACY, P.E.
REGISTRATION No. 70249

DATE: _____

JOB No.: AOC-01

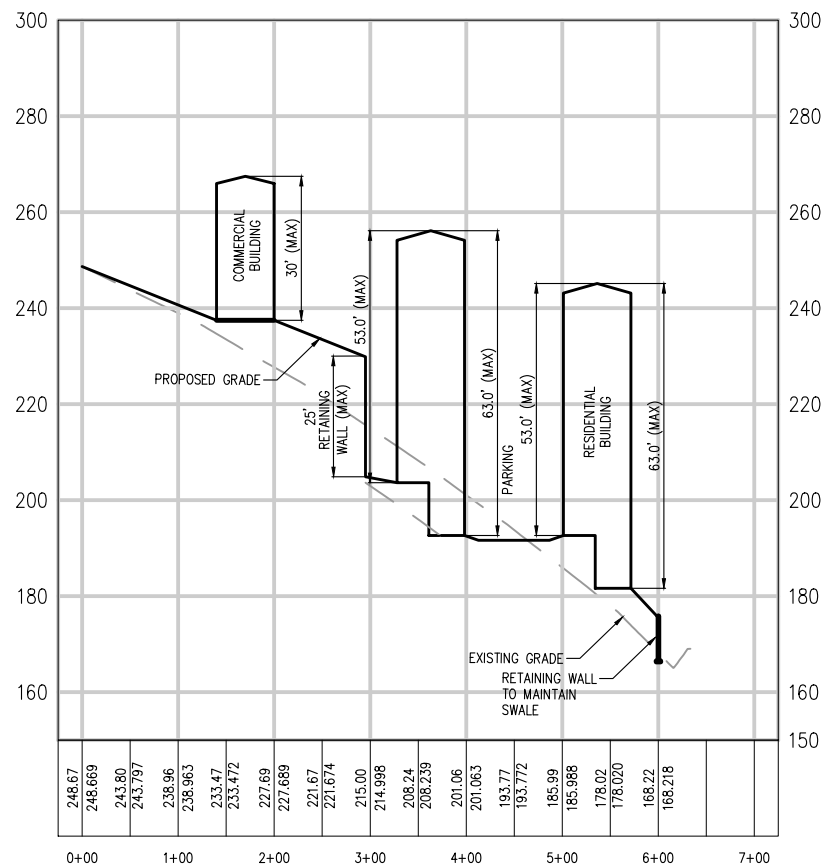
DESIGNED: p.i.b.

APPROVED BY: MLS

DATE: 4-22-16

SHEET:

C-4.1



SECTION 'C'
SCALE:
HORZ: 1" = 200'
VERT: 1" = 20'

DATE	REVISIONS

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engineers planners

2221 Lee Road, Suite 17, Winter Park, Florida 32789 Telephone (407) 960-5868
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CLERMONT, FLORIDA

CROSS SECTION 2

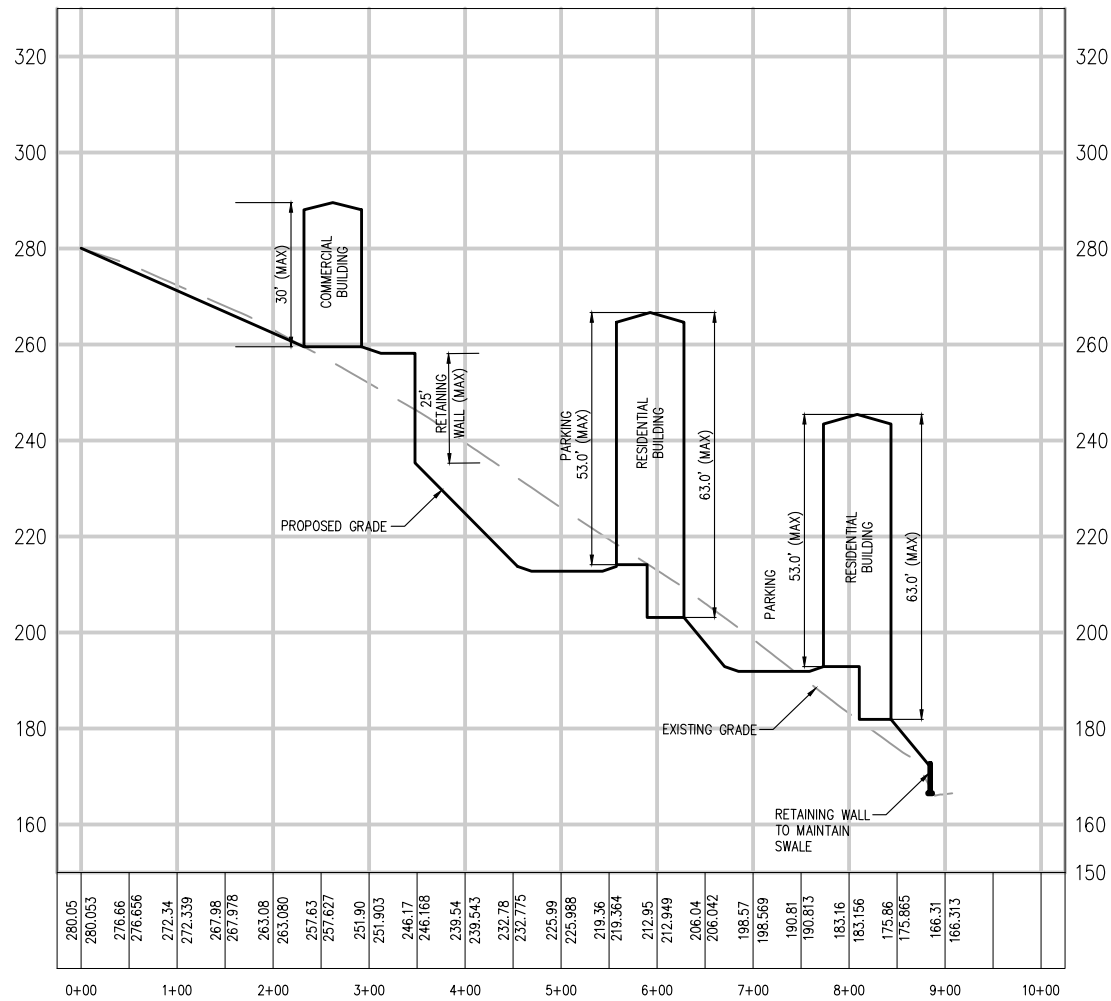
NOT FOR CONSTRUCTION
UNLESS SIGNED AND SEALED

MAJOR LEE STACY, P.E.
REGISTRATION No. 70249

DATE: _____

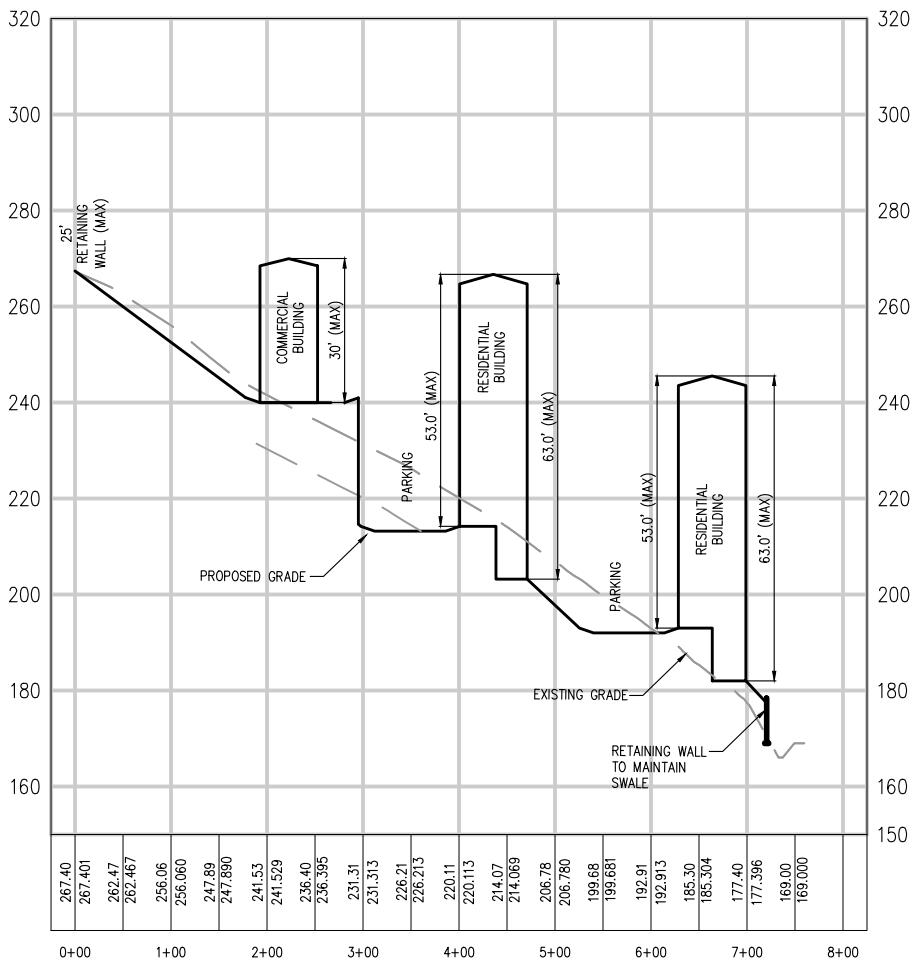
JOB No.: AOC-01
DESIGNED: p.i.b.
APPROVED BY: MLS
DATE: 4-22-16
SHEET:

C-4.2



SECTION 'D'

SCALE:
HORZ: 1" = 200'
VERT: 1" = 20'



SECTION 'E'

DATE	REVISIONS

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ENGINEERING CONSULTANTS, LLC
engineers planners

2221 Lee Road, Suite 17, Winter Park, Florida 32789 Telephone (407) 960-5868
Board of Professional Engineer Certificate No. 28973

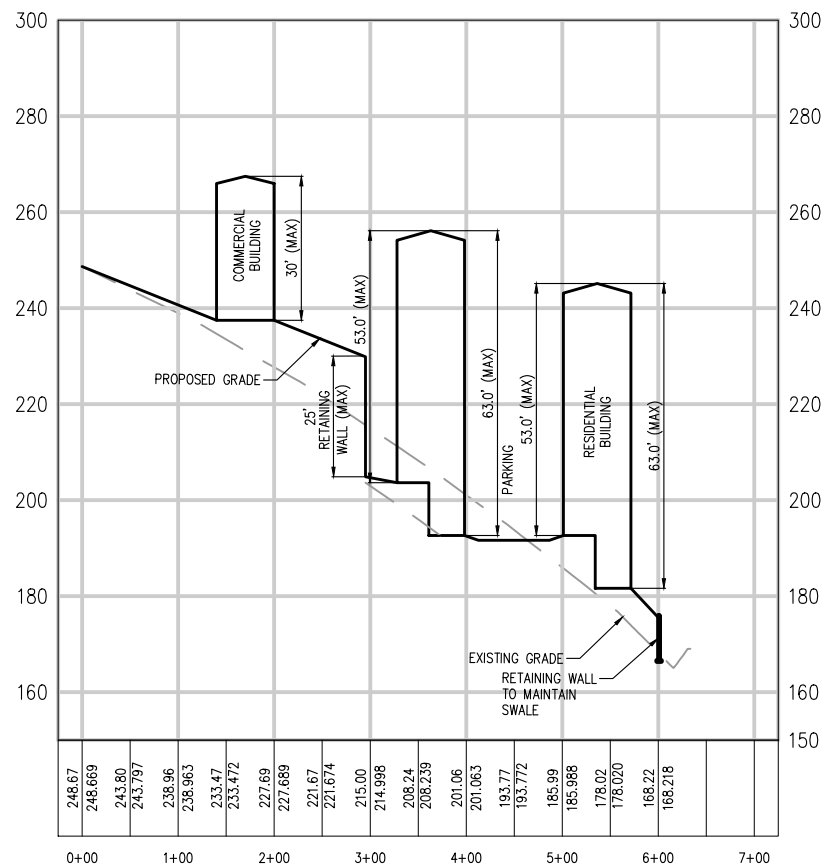
AC FULCRUM - THE VUE AT CLERMONT
CLERMONT, FLORIDA

CROSS SECTION 3 (RETAIL ON NORTH)

NOT FOR CONSTRUCTION
UNLESS SIGNED AND SEALED

MAJOR LEE STACY, P.E.
REGISTRATION No. 70249
DATE: _____

JOB No.: AOC-01
DESIGNED: p.i.b.
APPROVED BY: MLS
DATE: 4-22-16
SHEET: **C-4.1**



SECTION 'F'

SCALE:
HORZ: 1" = 200'
VERT: 1" = 20'

DATE	REVISIONS

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engineers planners

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Board of Professional Engineer Certificate No. 28973

AC FULCRUM - THE VUE AT CLERMONT
CLERMONT, FLORIDA

CROSS SECTION 4 (RETAIL ON NORTH)

NOT FOR CONSTRUCTION
UNLESS SIGNED AND SEALED

MAJOR LEE STACY, P.E.
REGISTRATION No. 70249
DATE: _____

JOB No.: AOC-01
DESIGNED: p.i.b.
APPROVED BY: MLS
DATE: 4-22-16
SHEET:

C-4.2



The VUE at Clermont

Clermont, Florida



SK-1 BUILDING HEIGHT



charlan brock & associates

DATE	REVISIONS

B&S ENGINEERING CONSULTANTS, LLC
engineers planners
 2221 Lee Road, Suite 17, Winter Park, Florida 32789 Telephone (407) 960-5868
 Board of Professional Engineer Certificate No. 28973

AC FULCRUM - THE VUE AT CLERMONT
CLERMONT, FLORIDA
ARCHITECTURAL ELEVATION

JOB No.: AOC-01
DESIGNED: p.i.b.
APPROVED BY: MLS
DATE: 4-22-16
SHEET:
A-1.1

**REVIEWING AUTHORITY
NAME / CASE NUMBER
DEVELOPER/OWNER
ITEM DESCRIPTION**

Lake County Schools
Multi-family Due Diligence - SR 50 and Miss Florida Complex
 Acquisition Consultants
 The applicant proposes an apartment development with 324 multi-family dwelling units.

LOCATION

Located between SR 50 and Hooks Road and west of Miss Florida

**CURRENT LAND USE
PROPOSED LAND USE
CURRENT ZONING
PROPOSED ZONING**

City of Clermont
 City of Clermont
 City of Clermont
 City of Clermont

**NEW DU IMPACT
STUDENT GENERATION**
 Elementary School
 Middle School
 High School

SF-DU	MF-DU	Mobile	MF Impacts	DUs
			324	
0.328	0.283	0.206	92	
0.152	0.143	0.097	46	
0.074	0.063	0.047	20	
0.102	0.077	0.062	25	

SCHOOL NAME

Lost Lake Elementary
 East Ridge Middle
 East Ridge High

Projected Enrollment 2019-2020*	Concurrency Student Capacity*	Projected Five-Year Capacity %	Student Enrollment w/ Impact	% of Conc. Capacity w/ Impact	Planned Capacity On Site
1,002	1,112	90%	1,048	94%	No
1,141	1,590	72%	1,161	73%	No
2,407	2,648	91%	2,432	92%	No

**Lake County School District Five-Year Plan, Fiscal Year 2016-2020*

CSA 12

Elementary School
 Middle School
 High School

Student Enrollment 2019-2020*	Concurrency Student Capacity*	% of Concurrency Capacity
4,300	4,928	87%
1,912	2,501	76%
4,272	4,483	95%

**Lake County School District Five-Year Plan, Fiscal Year 2016-2020*

COMMENTS:

The School Board of Lake County Florida recognizes that the rezoning will have an adverse impact on the District's level of service as defined in Section 5.2 of the school concurrency interlocal agreement.

School Concurrency became effective in Lake County on June 1, 2008. Subsequent development orders, including but not limited to, site plans and subdivisions are subject to the school concurrency process. This Growth Impact Report (adequate public facilities analysis) is not intended to be an approval of, or an exemption from, any school concurrency regulations, including the school concurrency requirements in the Lake County School Concurrency Interlocal Agreement.

Prepared By: Kelly Randall, AICP, Senior Planner, Lake County School District

Date: 3/18/2016

**City of Clermont
MINUTES
PLANNING AND ZONING COMMISSION
MAY 3, 2016**

Page 1

The meeting of the Planning and Zoning Commission was called to order Tuesday May 3, 2016 at 6:30 p.m. by Chairman Nick Jones. Other members present were Carlos Solis, Herb Smith, Judy Proli, Cuqui Whitehead, Tony Hubbard, and Jack Martin. Also in attendance were Barbara Hollerand, Development Services Director, Curt Henschel, Planning Manager, John Kruse, Senior Planner, Dan Mantzaris, City Attorney, and Rae Chidlow, Planning Specialist.

MINUTES of the Planning and Zoning Commission meeting held March 15, 2016 were approved as written.

MINUTES of the Planning and Zoning Commission meeting held April 5, 2016 were approved as written.

REPORTS

Commissioner Whitehead stated that she has been elected as President of the Caribbean American Association of Lake County. She stated that she would like to invite everyone to a festival on June 11, 2016 at Waterfront Park.

Chairman Jones stated that there has been a request to postpone the Magic Moments conditional use permit to the June meeting.

Development Services Director Hollerand stated that the June meeting will be held on Monday, June 13, 2016 due to the renovations to the a/v system in the Council Chambers.

Commissioner Whitehead moved to table the Magic Moments conditional use permit to Monday, June 13, 2016; seconded by Commissioner Proli. The vote was unanimous to recommend tabling the request.

1. REQUEST FOR REZONING

REQUEST: To change the zoning from C-2 General Commercial and Urban Estate to Planned Unit Development

PROJECT: The Vue

Planning Manager Henschel presented the staff report as follows:

The applicant, AC-Fulcrum, is requesting a rezoning on 42 +/- acres from C-2 General Commercial and Urban Estate to a Planned Unit Development zoning for a mixed use, Planned Unit Development project consisting of a multi-family apartment complex, general commercial uses, retention area and open space. The property is located south of Highway 50, west of Miss Florida Avenue and north and south of Hooks Street. The eastern 17 acres of the project, north of Hooks Street, was contained in a previously approved Conditional Use Permit for a Planned Unit Development known as Hills of Clermont, and was permitted for C-2 General Commercial uses within Urban Estate zoning. The property is currently vacant. The property south of Hooks Street

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is currently used as retention and open space. The western 13-acre portion, also vacant, is not part of the Hills of Clermont Planned Unit Development and is currently zoned C-2 General Commercial.

The applicant has requested 12 units per acre for the multi-family portion of the project. The allowing of the 12 units per acre will be addressed in the related Conditional Use Permit, Resolution 2016-15, since Planned Unit Development zoning is currently not recognized in Policy 1.9.2 of the City's Comprehensive Plan as a way to permit residential units greater than 8 units per acre. Staff will be making a text amendment to the policy to allow Planned Unit Development zoning under this policy.

The applicant has proposed two options, Option A and Option B. Option A proposes 6 acres of C-2 General Commercial along a portion of Highway 50, with 324 multi-family units on 27 acres. Option B proposes 10.5 acres of C-2 General Commercial all along Highway 50 with 270 multi-family units on 22.5 acres.

The characteristics of the site, with site elevation changes over 100 feet from Highway 50 south to Hooks Street, make it very challenging to develop. A portion of the project was even identified in the "Strategic Economic Development Plan" (DEO grant funded study) citing topography as a challenge.

The applicant has identified several waivers to the Land Development Code to make the site developable to their proposal. The multi-family units will be constructed in buildings that will have multi-level construction that may have heights up to 63 feet (18 feet above code maximum) and retaining walls up to 25 feet in height (19 feet above code maximum). The applicant is requesting a maximum elevation change, through cut and fill, of up to 25 feet over the site due to excessive grades on the site. The applicant has identified cut changes over 15% of the site exceeding greater than 10 feet for the multi-family portion.

The applicant is asking for a reduced landscape buffer along Highway 50 due to the severe topography of the site dropping off towards Hooks Street. The applicant has indicated a 7-foot-wide buffer with 30% more plantings will be installed. Staff has not seen evidence that the proposed landscape buffer will accomplish the visual and noise attenuation of a required 20-foot buffer. The applicant is requesting the driveways from Highway 50 to be below the centerline of Highway 50 due to the elevation change on the site for the commercial portion. The applicant has indicated they will work with the City Engineer to approve proposed grading to ensure adequate outfall and protection is in place to prevent runoff into the finished floor of the buildings.

The applicant is also requesting a variance to utilize 9 feet by 18 feet parking spaces instead of 10 feet by 20 feet. The applicant indicated the request was due to maximizing available parking while significantly reducing unnecessary environmental pollutant runoff, increasing green spaces throughout. The applicant is proposing to gate the multi-family portion of the project and is requesting a variance to allow the gating of this area of the project.

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On the coversheet, it was noted that the Planned Unit Development will allow all permitted C-2 uses (inclusive of 1 retailer less than 100,000 square feet but greater than 20,000 square feet). Staff has not seen any proposed buildings with square footages attached to the uses. Without further details of the building exceeding 20,000 square feet, staff is unable to support this request.

A large portion of the existing commercial area is changing to multi-family use, which warrants a traffic study and school concurrency report. The applicant did supply an initial growth impact report from the Lake County School Board indicating the project would have an estimated impact of 92 students for the 324-unit Option A. A traffic study and school reservation would be performed prior to site plan approval.

The conceptual overall site plans prepared by B&S Engineering Consultants, LLC, dated April 22, 2016, shows Option A (Sheet C-2.2) with 10 large buildings and some smaller buildings along with the parking areas and the commercial portion of the site. Option B (Sheet C-2.3) shows 8 large buildings and some smaller buildings along with the parking areas and the larger commercial portion of the site.

The applicant has proposed two options for the site for consideration. After reviewing both options, staff believes Option B is more consistent with the existing comprehensive plan and development in the area. Staff recommends approval of Option B, however; staff cannot support the excessive retaining wall heights, topography changes, reduced landscape buffer, and reduced parking stall dimensions, as requested by the applicant.

2. REQUEST FOR CONDITIONAL USE PERMIT

REQUEST: To allow a conditional use permit to allow for multi-family residential

PROJECT: The Vue

Planning Manager Henschel presented the staff report as follows:

The applicant, AC-Fulcrum, is requesting a rezoning on 42 +/- acres for a mixed use, Planned Unit Development project consisting of a multi-family apartment complex, general commercial uses, retention area and open space. The applicant has requested 12 units per acre for the multi-family portion of the project. With the recent addition of the Planned Unit Development zoning to the City's Land Development Code, this request may have been handled through that process. However, it was brought to staff's attention that an incompatibility exists in the City's Comprehensive Plan that needs to be addressed. Policy 1.9.2 states "Residential development shall be limited to 12 units per acre; however, densities higher than eight units per acre shall require a conditional use permit." This policy does not state Planned Unit Development zoning.

Staff has concluded that the policy can be easily amended to make the Planned Unit Development zoning compatible with this policy. The addition of "or Planned Unit Development." at the end of the policy would correct the incompatibility. Unfortunately, the time

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necessary to make this change is a several months long process since it is a text amendment to the Comprehensive Plan. Staff will be moving forward on making this change.

In order to assist with the applicant's request in a timely manner, it was noted that the applicant could still seek a Conditional Use Permit for the 12 units per acre. Therefore, the applicant is requesting a conditional use permit to allow 12 units per acre for the project while all the other details of the project will be contained in the Planned Unit Development zoning ordinance. This would allow the applicant to move forward on the project and be consistent with the Comprehensive Plan.

Staff has reviewed the Planned Unit Development proposal and the total number of units for the multi-family portion is 324 units. Staff has placed this cap on the multi-family portion in the Conditional Use Permit and will also be in the Planned Unit Development ordinance. Staff recommends approval of Resolution 2016-15 to allow 12 units per acre for the project, not to exceed an overall unit count of 324 units.

Cecilia Bonifay, 420 S. Orange Avenue, Orlando, attorney with Akerman representing The Vue, stated that the City received a grant to create a strategic plan to help property owners develop difficult topography sites. She stated that although the City codes are good requirements, they do not fit a site such as this one. She stated that waivers are necessary to develop this property. She stated that on Option A and Option B drawing, the yellow coloring shows the portion of the site that will need additional cut and fill. She stated that the applicant wants to make The Vue senior housing which will decrease the trip generation on traffic and eliminate the demand on the schools. She stated that there are no potential tenants for the commercial uses at this time.

Commissioner Whitehead asked if the applicant is preferring Option A or Option B.

Ms. Bonifay stated that the applicant is open to the decision and staff is recommending Option B. She stated that the difference is Option A has six acres of commercial, two units of multi-family near Highway 50 with the remaining eight units below. She stated that Option B has a 10 acres of commercial area, removing the two multi-family units near Highway 50 and all the multi-family located below the commercial area.

Commissioner Solis asked if the rest of the area meets the City's cut and fill code.

Mr. Henschel stated that the cut and fill area that is not meeting City's code is highlighted in yellow on both Option A and Option B site plans.

Major Stacy, B&S Engineering Consultants, 2221 Lee Road, Winter Park, stated that the site is a challenge. He stated that they are experienced with topographic challenges. He stated that the 25-foot retaining walls and grade difference is between the commercial and multi-family. He stated that the wall preserves the character of the landscape. He stated that with senior living they have to meet ADA requirements and reduce significant elevation changes. He stated that they have to be able to get a fire truck in and out of the site which is a governing factor for what they are

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doing with this site. He stated that the reason for the reduced parking stalls is to allow more open space to transition between the grade levels.

Commissioner Proli asked why develop this type of project for this property rather than going with single family homes. She stated that she is concerned about over-crowding the schools, traffic, police, and fire due to the growth in the city. She stated that the citizens would rather have more commercial than residential.

Commissioner Solis stated that the city needs more residential in order to get more commercial.

Commissioner Smith asked if the applicant is willing to proceed with Option B.

Ms. Bonifay stated that the applicant is willing to proceed with Option B. She stated that they have received a capacity letter from the school board and there is capacity. She stated that there is a requirement for a traffic study to be completed.

Jonathon Moore, 2419 Albert Lee Pkwy, Winter Park, stated that the site is difficult. He stated that the cost would be enormous to do single-family units on this property. He stated that the multi-family buildings are laid out to match the topography.

Commissioner Solis asked if this property could be developed at all following the City's standards.

Mr. Henschel stated that it would be very difficult.

Commissioner Solis stated that it's a question of do we want a vacant piece of property for a long time or do we want to work with someone who is willing to work with the property.

Commissioner Smith suggested to allow smaller parking stalls at the top portion of the site and make them larger as they build down the site.

Janet Justice McKenzie, 2546 Holly Berry Circle, Southridge Subdivision, stated that she had the same issue a year ago with another development wanting to build apartments across from their subdivision. She spoke in opposition to the development.

Pastor Sandy Edwards, 2554 Holly Berry Circle, stated that she is opposed to the development and is requesting the Commission to deny the application.

Sam Durance, 2466 Holly Berry Circle, stated that the project that was denied a year ago was much smaller than this project. He stated that they are not opposed to commercial, however he doesn't agree with multi-family. He submitted letters of opposition from his neighbors.

Ms. Bonifay stated that the property south of Hooks Street next to their subdivision will not be developed so there will be a buffer between this project and their subdivision.

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Commissioner Solis asked if there is an entrance from Highway 50.

Ms. Bonifay stated that there will be a right-in, right-out from Highway 50. She stated that the gated entrance for the multi-family will be from Hooks Street.

Commissioner Hubbard asked if the density count included the parcel to the south of Hooks Street.

Mr. Henschel stated that a portion of that property was prorated to be included.

Ms. McKenzie stated that she wanted to state again that the neighbors were assured that this property would remain commercial.

Commissioner Smith stated that was for a different parcel.

Mr. Henschel stated that was for a parcel in Hills of Clermont PUD for workforce housing.

Commissioner Proli stated that she has concerns about the height.

Commissioner Martin stated that there are two things he has been thinking about lately. He stated that one is the character and nature of Clermont and the other is about specific parcels such as this one. He stated that the character and nature of Clermont has been changing over the years. He stated that the City has developed a good downtown master plan. He stated that Clermont's character and nature seems to be flowing toward a Winter Park, Windermere, Pebble Beach, California character. He stated that now there are numerous auto sales along Highway 50. He stated that he sees more and more high density residential, however high density isn't the character and nature that Clermont was growing into. He stated that they have to help shape the character of Clermont. He stated that if they don't have an image, then they are allowing the character and nature to change into something they don't want. He stated that he is not in favor of this project because he wants something more like Winter Park, Windermere, or Pebble Beach.

Chairman Jones asked the applicant if they would compromise on the waivers that are being requested.

Mr. Moore stated this Commission has given him feedback as to what they want so he can now go back to see where they can compromise on requests. He stated that with this property it will be impossible to develop without any waivers.

Commissioner Whitehead moved to recommend approval of the rezoning for Option B and to negotiate the waivers; seconded by Commissioner Solis. The vote was 4-3 to recommend approval, with Commissioners Proli, Hubbard, and Martin opposing.

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Commissioner Whitehead moved to recommend approval of the conditional use permit; seconded by Commissioner Solis. The vote was 4-3 to recommend approval, with Commissioners Proli, Hubbard, and Martin opposing.

3. REQUEST FOR COMPREHENSIVE PLAN AMENDMENT

REQUEST: To change the future land use from Lake County Regional Commercial to Low Density Residential

PROJECT: WaterBrooke

Senior Planner Kruse presented the staff report as follows:

The applicant, Mattamy Homes, is requesting adoption of a future land use change for 28.6 acres that would be added to its residential subdivision, WaterBrooke. The proposed map amendment will change the future land use from Lake County's Regional Commercial to the City's Low Density Residential. The City's Low Density Residential allows up to 3 dwelling units per acre. The City's Low Density Residential does not permit commercial or industrial uses, as allowed by the County's future land use. The conversion from commercial and industrial uses to residential uses would be more logical in this area of the City since residential development has already occurred to the west of Hancock Road and is currently planned to the east of this parcel with the existing WaterBrooke development. Existing commercial uses are located a little more than 1-mile north along SR 50.

With the additional acreage added to the WaterBrooke subdivision, the applicant is requesting 1100 units on total 568.6 acres, which equates to 1.93 units per acre. This number is below the 3 dwelling units per acre allowable under the City's Low Density Residential future land use.

Upon approval by the City Council, the proposed amendment would be transmitted to the Florida Department of Economic Opportunity (DEO) and the reviewing agencies for review. DEO would then issue an Objections, Recommendations and Comments letter to the City, and the amendment would then be scheduled for a final public hearing in July.

Staff recommends approval of the transmittal of the large scale comprehensive plan amendment to change the future land use from Lake County Regional Commercial to the City's Low Density Residential.

4. REQUEST FOR REZONING

REQUEST: To change the zoning from UE Urban Estate to Planning Unit Development

PROJECT: WaterBrooke

Senior Planner Kruse presented the staff report as follows:



CITY OF CLERMONT
REZONING
APPLICATION

DATE: 3/24/16

FEE: \$350.00

PROJECT NAME (if applicable): The VUE at Clermont

APPLICANT: AC-Fulcrum

CONTACT PERSON: Jonathan Moore

Address: 710 E. Colonial Dr.

City: Orlando State: FL Zip: 32803

Phone: 407-373-0930 Fax: _____

E-Mail: jmoore@accommercial.com

OWNER: 14 Acres SR 50, LLC

Address: 125-A East Marks Street

City: Orlando State: FL Zip: 32803

Phone: _____ Fax: _____

Address of Subject Property: Clermont, FL 34711

Legal Description (include copy of survey): Survey attached

Acreage: 14 Land Use: Vacant Commercial
(City verification required)

Present Zoning: C-2 Proposed Zoning: C-2: With conditional use
(City verification required) permit for Multi-family and
Senior's Housing. 12u per
acre



**CITY OF CLERMONT
REZONING
APPLICATION
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Answers to the following questions are required to complete this application.

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

AC/Fulcrum is assembling the parcels shown in exhibit "A" attached. We will be developing a mix use project subject to City approval for the conditional use of multi-family/senior's housing with no greater density than 12 units per acre. There are many unique locational attributes which make apartments appropriate on this acreage such as the close proximity of the high school and middle school to the south, community college immediately to the north along with the hospital, an abundance of retailers, and zero abutting owned residential housing. The aforementioned factors make this one of the most suitable areas in Clermont for an apartment development. Additionally, there are physical topographical attributes that drive apartment viability on this particular site – the site work is least costly for multi-family/senior's housing than retail and the elevation change allows for fantastic views that serve as a unique feature for future residents.

Jonathan Mays
Applicant Name (print) AC Properties

X [Signature]
Applicant Name (signature)

14 Acres SR50 LLC
Owner Name (print)

X [Signature] Manager
Owner Name (signature)

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



**CITY OF CLERMONT
REZONING
APPLICATION**

DATE: 3/24/16

FEE: \$350.⁰⁰

PROJECT NAME (if applicable): The Vue at Clermont

APPLICANT: AC-Fulcrum

CONTACT PERSON: Jonathan Moore

Address: 710 East Colonial Drive

City: Orlando State: FL Zip: 32803

Phone: 407-373-0930 Fax: _____

E-Mail: jmoore@accommercial.com

OWNER: Maynard K. Knapp, Trustee c/o John F. Lowndes, Esq.

Address: 215 North Eola Drive

City: Orlando State: FL Zip: 32801

Phone: 407-843-4600 Fax: 407-843-4444

Address of Subject Property: Clermont, FL 34711

Legal Description (include copy of survey): Survey attached

Acres: 28.9 Land Use: Timber
(City verification required)

Present Zoning: C-2 Proposed Zoning: C-2: With conditional use
(City verification required) permit for Multi-family and
Senior's Housing. 12u per
acre



CITY OF CLERMONT
REZONING
APPLICATION
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Answers to the following questions are required to complete this application.

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

AC/Fulcrum is assembling the parcels shown in exhibit "A" attached. We will be developing a mix use project subject to City approval for the conditional use of multi-family/senior's housing with no greater density than 12 units per acre. There are many unique locational attributes which make apartments appropriate on this acreage such as the close proximity of the high school and middle school to the south, community college immediately to the north along with the hospital, an abundance of retailers, and zero abutting owned residential housing. The aforementioned factors make this one of the most suitable areas in Clermont for an apartment development. Additionally, there are physical topographical attributes that drive apartment viability on this particular site – the site work is least costly for multi-family/senior's housing than retail and the elevation change allows for fantastic views that serve as a unique feature for future residents.

Jonathan Moore
Applicant Name (print) AC Properties
JOHN F. BOWNDES AS
ATTORNEY IN FACT FOR
MAJNARD K KNAPP, TRUSTEE
Owner Name (print)

X [Signature]
Applicant Name (signature)
MAJNARD K KNAPP, TRUSTEE
BY
X [Signature]
Owner Name (signature)

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

Exhibit "A"



LEGAL NOTICE

Notice is hereby given that the City Council of the City of Clermont will consider the enactment of following proposed ordinance. All interested parties will be given an opportunity to express their views on this matter.

ORDINANCE NO. 2016-17

An ordinance under the Code of Ordinances of the City of Clermont, Lake County, Florida amending the official zoning map of the City of Clermont, referred to in Chapter 122 of Ordinance No. 289-C, Code of Ordinances; Rezoning the real properties described herein as shown below, providing for severability, an effective date and publication.

LOCATION

South of Highway 50, west of Miss Florida Avenue
Alternate keys 1028272 & 3334566

LEGAL DESCRIPTION

All of that tract or parcel of land lying and being in Section 26, Township 22 South, Range 26 East, Lake County, Florida, and being more particularly described as follows:

PARCEL 1 (FEE SIMPLE ESTATE)

That part of Section 28, Township 22 South, Range 26 East, Lake County, Florida, described as follows:

Commence at the East 1/4 corner of said Section 28; thence run North 00°42'51" East along the East line of the Northeast 1/4 of said Section 28 for a distance of 664.12 feet to the Northeast corner of the South 1/4 of the Northeast 1/4 of said Section 28; thence run South 89°24'16" West along the North line of said South 1/4 for a distance of 1335.19 feet to a point on a non-tangent curve concave Westerly having a radius of 270.00 feet and a chord bearing of South 01°23'58" West and the Point of Beginning; thence run Southerly along the arc of said curve through a central angle of 23°36'59" for a distance of 111.29 feet to the point of compound curvature of a curve concave Northwesterly having a radius of 25.00 feet and a chord bearing of South 63°07'26" West; thence run Southwesterly along the arc of said curve through a central angle of 99°49'56" for a distance of 43.56 feet to the point of reverse curvature of a curve concave Southerly having a radius of 1750.00 feet and a chord bearing of North 87°56'35" West and the North right of way line of Hook Street, as described in Official Records Book 2010, Page 316, of the Public Records of Lake County, Florida; thence run Westerly along said North right of way line and the arc of said curve through a central angle of 41°57'58" for a distance of 1281.78 feet to a non-radial line and the East right of way line of an Unnamed right of way, according to the plat of LAKE HIGHLANDS COMPANY, as recorded in Plat Book 2, Page 28, of said Public Records; thence run North 00°10'52" East along said East right of way line for a distance of 718.43 feet to the South right of way line of State Road Number 50; thence run North 89°24'19" East along said South right of way line for a distance of 1127.57 feet; thence run South 89°29'29" East along said South right of way line for a distance of 150.11 (120.11) feet to the West line of the East 60 feet of Tract 19, of said LAKE HIGHLANDS COMPANY; thence run South 00°26'52" West along said West line for a distance

of 445.90 feet to the point of curvature of a curve concave Easterly having a radius of 280.00 feet; thence run Southerly along the arc of said curve through a central angle of 15°45'47" for a distance of 77.03 feet to the point of tangency; thence run South 15°18'56" East for a distance of 105.46 feet to the point of curvature of a curve concave Westerly having a radius of 270.00 feet and a chord bearing of South 12°51'43" East; thence run Southerly along the arc of said curve through a central angle of 04°54'24" for a distance of 23.12 feet to the Point of Beginning.

LESS AND EXCEPT therefrom that parcel conveyed by Maynard K. Knapp, individually and as Trustee to Akram Ismail, M.D., by Special Warranty Deed recorded April 17, 2015, in Official Records Book 4613, Page 945, described as follows: A portion of the Southwest 1/4 of the Northeast 1/4 of Section 28, Township 22 South, Range 26 East, Lake County, Florida, described as follows: Commence at the Northeast corner of said Section 28; thence S01°07'06"W along the East line of said Northeast 1/4, a distance of 1372.13 feet to a point; thence N89°06'23"W, a distance of 1322.25 to a point on the South right-of-way line of State Road No. 50. (Right-of-Way varies per Right-of-Way Map Section 11070); thence continue N89°06'23"W, a distance of 60.00 feet to the POINT OF BEGINNING; thence S00°51'39"W, along the West right-of-way line of Miss Florida Avenue (ORB 2345, Page 748), also being parallel to and 60.00 feet West of the East line of said Southwest 1/4 of the Northeast 1/4 of Section 28 and the East line of Tract 19 of Lake Highlands Company, according to the Plat thereof as recorded in Plat Book 2, Page 28, of the Public Records of Lake County, Florida, a distance of 369.94 feet to a point; thence N89°08'21"W, a distance of 291.58 feet to a point; thence N00°51'39"E, a distance of 230.29 feet to a point; thence S89°08'21"E, a distance of 64.35 feet to a point; thence N00°51'39"E, a distance of 139.00 feet to a point on the South line of an unnamed unimproved street, also being the North line of said Tract 19; thence N89°50'25"E, along the North line of said Tract 19, a distance of 42.23 feet to a point on said South right-of-way line of State Road No. 50; thence S89°06'23"E, along said South right-of-way line of State Road 50, a distance of 185.01 feet to the POINT OF BEGINNING.

Containing 744,665 Sq. Ft. of 17.100 Acres more or Less.

PARCEL 2 (EASEMENT ESTATE)

Together with that certain Non-Exclusive Ingress-Egress Easement granted by Akram Ismail to Maynard K. Knapp, Trustee, to Reciprocal Easement Agreement recorded April 17, 2015, in Official Records Book 4613, Page 948, Public Records of Lake County, Florida.

PARCEL 3 (SOUTHERN PORTION)

Tract 29 and Tract 30, as shown on the Lake Highlands Company Plat of Section 28, Township 22 South, Range 26 East, recorded in Plat Book 2, Page 28, of the Public Records of Lake County, Florida; Less that portion lying within and North of the Right of Way for Hook Street.

SECOND SURVEY

That portion of the north/south roadway between Tracts 20, 21, 28, and 29 as shown on the Lake Highland's Company plat of Section 28, Township 22 South, Range 26 East, recorded in Plat Book 2, Page 28, Public Records of Lake County, Florida; lying northerly of Hook Street, and southerly of State Road No. 50, being

more particularly described as follow: Commence at the NE corner of Section 28, Township 22 South, Range 26 East, Lake County, Florida, thence S 0°17'37" W, a distance of 1372.13 feet; thence N 89°55'52" W, a distance of 1322.25 feet to a point on the south right of way line of State Road No. 50 (a variable width public right of way); thence the following four (4) courses and distances along said south right of way line, continue N 89°55'52" W, a distance of 60.00 feet; thence N 89°27'07" W, a distance of 184.98 feet; thence S 89°30'08" W, a distance of 42.24 feet; thence S 89°24'19" W, a distance of 1020.48 feet to the point of beginning; thence departing said south right of way, run S 00°14'51" W, along the west line of Tracts 20 and 29, a distance of 718.43 feet to a point on the northerly right of way line of Hook Street (A 100 foot wide public right of way) said point also being on a non-tangent curve, concave southeasterly, and having a radius of 1750.00 feet; thence southwesterly along the arc of said curve, through a central angle of 01°02'34", a distance of 31.85 feet, said curve being subtended by a chord bearing and distance of S 70°37'05" W, 31.85 feet; thence departing said north right of way line, run N 0°14'51" E, a distance of 728.72 feet to a point on the aforementioned southerly right of way line of State Road No. 50; thence N 89°28'03" E, along said north right of way line, a distance of 30.00 feet to the point of beginning.

Containing 0.50 acre, more or less

THIRD SURVEY

That portion of the north/south roadway between Tracts 28, and 29 as shown on the Lake Highland's Company plat of Section 28, Township 22 South, Range 26 East, recorded in Plat Book 2, Page 28, Public Records of Lake County, Florida; lying northerly of Hook Street, and southerly of State Road No. 50, being more particularly described as follow: commence at the NE corner of Section 28, Township 22 South, Range 26 East, Lake County, Florida; thence S 0°17'37" W, a distance of 1372.13 FEET; thence N 89°55'52" W, a distance of 1322.25 feet to a point on the south right of way line of State Road No. 50 (A variable width public right of way); thence the following four (4) courses and distances along said south right of way line, continue N 89°55'52" W, a distance of 60.00 feet; thence N 89°27'07" W, a distance of 184.98 feet; thence S 89°30'08" W, a distance of 42.24 feet; thence S 89°24'19" W, a distance of 1020.48 feet; thence departing said south right of way, run S 00°14'51" W, along the west line of Tracts 20 and 29, a distance of 824.65 feet to a point on the southerly right of way line of Hooks Street (A 100 foot wide public right of way); thence departing said southerly right of way line, run S 0°14'51" W, along the west line of said Tract 29, a distance of 473.42 feet to the southwest corner of said Tract 29; thence S 89°28'17" W, a distance of 30.00 feet to the southeast corner of aforementioned Tract 28; thence N 0°14'51" E, along the east line of said Tract 28, a distance of 462.39 feet to a point on the southerly right of way line of aforementioned Hook Street, said point also being on a non-tangent curve, concave southeasterly, and having a radius of 1650.00 feet; thence southwesterly along the arc of said curve, through a central angle of 01°06'54", a distance of 32.11 feet, to the point of beginning, said curve being subtended by a chord bearing and distance of N 69°22'29" E, 32.11 feet.

Containing 0.32 acres, more or less

FOURTH SURVEY

Tracts 21 and 28 as shown on the Lake Highland's Company plat of Section 28, Township 22 South, Range 26 East, recorded in Plat Book 2, Page 28, Public Records of Lake County, Florida; less that portion of Tract 28, lying south of Hook Street, (County District NO. 2-1346).

FROM C-2 General Commercial
TO Planned Unit Development

This request will be considered by the Planning & Zoning Commission on Tuesday, April 5, 2016 at 6:30 p.m.

A public meeting to consider the request will be held before the City Council on Tuesday, April 26, 2016 at 6:30 p.m. for final enactment.

The April 5, 2016 meeting will be held at the Clermont City Center located at 620 West Montrose Street, Room B. The April 26, 2016 meeting will be held at City Hall, located at 685 W. Montrose Street.

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

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

Tracy Ackroyd Howe, MMC
City Clerk

Daily Commercial
March 29 and April 12, 2016



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, May 24, 2016		
Agenda Item Name		
Ordinance No. 2016-21 <i>Final The Vue</i>		
Requested Action		
Recommend approval of Ordinance 2016-21.		
Staff Report		
The applicant, AC-Fulcrum, is preparing plans to develop several parcels south of Highway 50, west of Miss Florida Avenue and north of Hooks Street. During their due diligence process, they discovered an undeveloped right-of-way running north/south near the middle of the proposed development. It is a 30-foot right-of-way lying between Tracts 20, 21, 28, and 29 of the Lake Highlands Company Plat. The right-of-way was platted as part of the original Lake Highlands Company, plat book 2, page 28, recorded on March 2, 1914. The right-of-way has existed for over 100 years and is still not developed. The parcels have severe topography changes, and the original lots do have other access points. The applicant is requesting to eliminate the right-of-way to prepare the site for future development. Staff recommends approval of Ordinance 2016-21.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1.	Ordinance	ROW ORD 2016-21.doc
2.	Map	Map ROW.pdf
3.	ROW sketch	IS-23822 SKLG-NS-ROADWAY Revised (3-1-16).pdf
4.	ROW sketch	IS-23822 SKLG-S-ROADWAY Revised(3-19-16).pdf
5.	Legal ad	ROW legal ad.docx

CITY OF CLERMONT
ORDINANCE No. 2016-21

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, CLOSING AND PERMANENTLY ABANDONING THE RIGHT-OF-WAY EASEMENTS ON THE NORTH/SOUTH ROADWAY BETWEEN TRACTS 20, 21, 28, AND 29 AS SHOWN ON THE PLAT OF CLERMONT, LAKE HIGHLANDS 28-22-26 PB 2 PG 28 PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; LESS RIGHT-OF-WAY FOR HOOKS STREET; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH, PROVIDING FOR SEVERABILITY, PUBLICATION, RECORDING, AND FOR AN EFFECTIVE DATE.

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

Section 1.

That any and all portions, closing and permanently abandoning the right-of-way easements on the north/south roadway between Tracts 20, 21, 28, and 29 as shown on the plat of Clermont, Lake Highlands, 28-22-26, PB 2, PG 28, Public Records of Lake County, Florida.

Section 2.

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

Section 3.

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

Section 4.

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

Section 5.

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.

Legal Description:

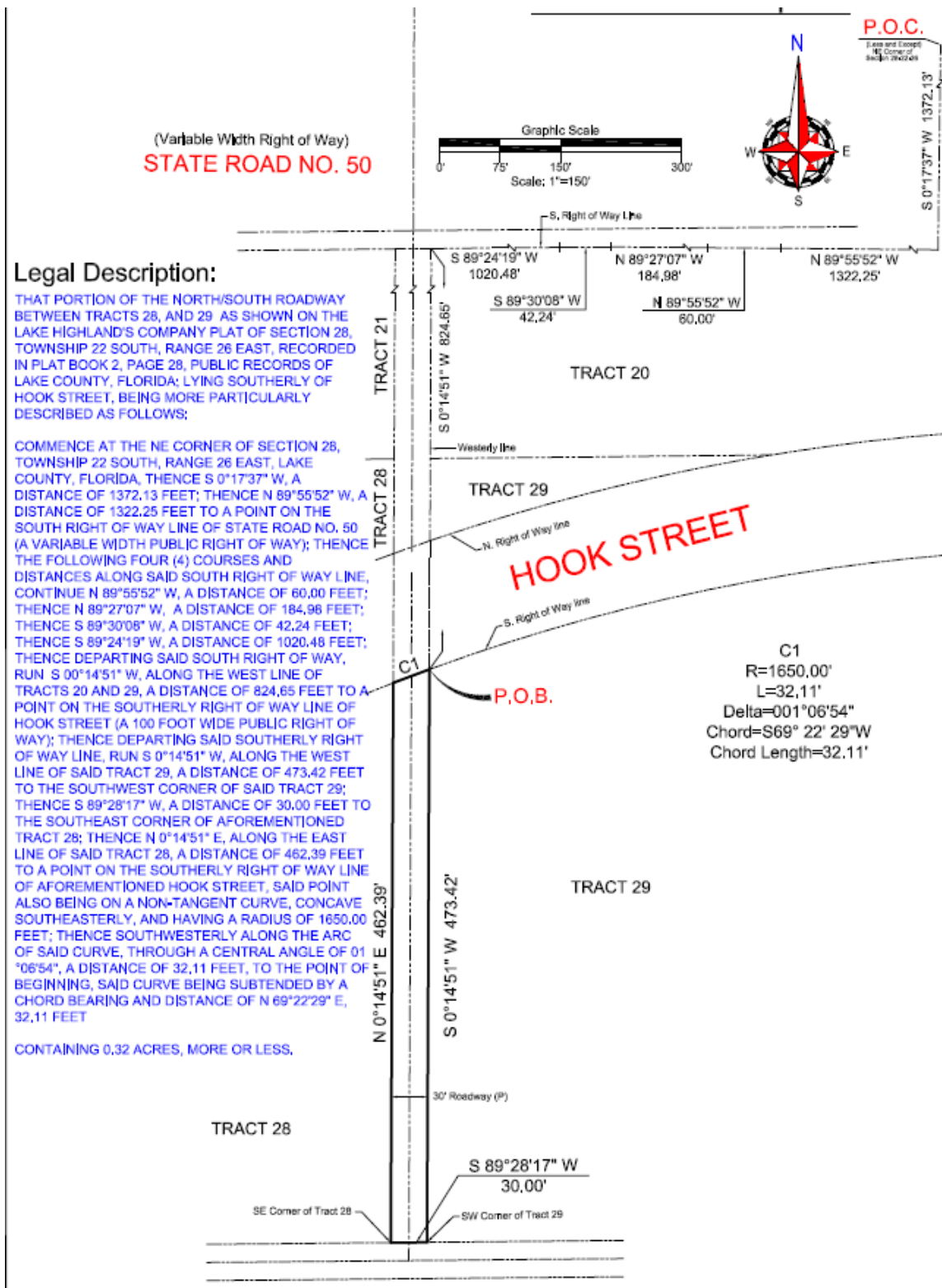
THAT PORTION OF THE NORTH/SOUTH ROADWAY BETWEEN TRACTS 20, 21, 28, AND 29 AS SHOWN ON THE LAKE HIGHLAND'S COMPANY PLAT OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, RECORDED IN PLAT BOOK 2, PAGE 28, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; LYING NORTHERLY OF HOOK STREET, AND SOUTHERLY OF STATE ROAD NO. 50, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NE CORNER OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, THENCE S 0°17'37" W, A DISTANCE OF 1372.13 FEET; THENCE N 89°55'52" W, A DISTANCE OF 1322.25 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF STATE ROAD NO. 50 (A VARIABLE WIDTH PUBLIC RIGHT OF WAY); THENCE THE FOLLOWING FOUR (4) COURSES AND DISTANCES ALONG SAID SOUTH RIGHT OF WAY LINE, CONTINUE N 89°55'52" W, A DISTANCE OF 60.00 FEET; THENCE N 89°27'07" W, A DISTANCE OF 184.98 FEET; THENCE S 89°30'08" W, A DISTANCE OF 42.24 FEET; THENCE S 89°24'19" W, A DISTANCE OF 1020.48 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID SOUTH RIGHT OF WAY, RUN S 00°14'51" W, ALONG THE WEST LINE OF TRACTS 20 AND 29, A DISTANCE OF 718.43 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF HOOK STREET (A 100 FOOT WIDE PUBLIC RIGHT OF WAY) SAID POINT ALSO BEING ON A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, AND HAVING A RADIUS OF 1750.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°02'34", A DISTANCE OF 31.85 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF S 70°37'05" W, 31.85 FEET; THENCE DEPARTING SAID NORTH RIGHT OF WAY LINE, RUN N 0°14'51" E, A DISTANCE OF 728.72 FEET TO A POINT ON THE AFOREMENTIONED SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD NO. 50; THENCE N 89°28'03" E, ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.50 ACRES, MORE OR LESS.

Curve Data for C1:
 R=1750.00'
 L=31.85'
 Delta=001°02'34"
 Chord=S70° 37' 05"W
 Chord Length=31.85'

CITY OF CLERMONT
ORDINANCE No. 2016-21



CITY OF CLERMONT
ORDINANCE No. 2016-21

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida, this 24th day of May, 2016.

Gail L. Ash, Mayor

ATTEST:

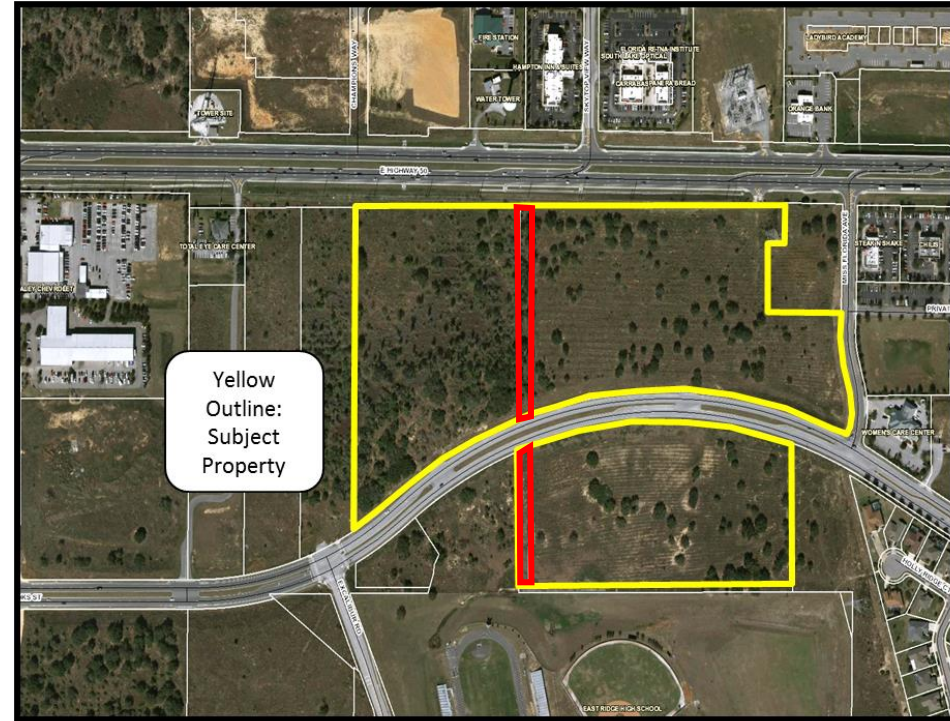
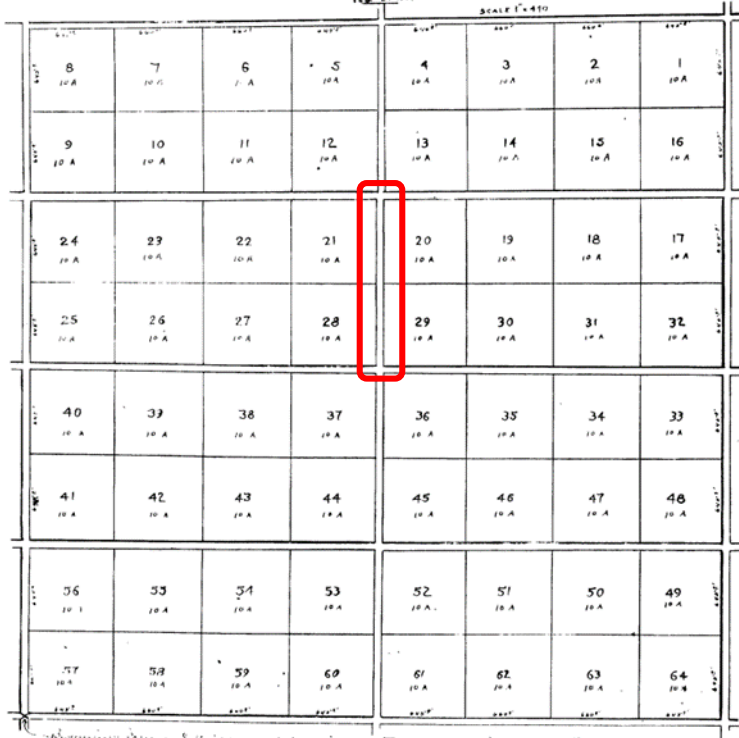
Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

The Vue ROW Vacation Request

MAP OF
SECTION 28
TOWNSHIP 22 S. RANGE 26 E
LAKE COUNTY FLORIDA
— PROPERTY OF —
LAKE HIGHLANDS COMPANY
— CLEMINT, FLA —
— HUNTINGTON, W. VA —
FEB. 23 1914

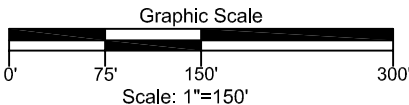


The 30-foot ROW was part of the plat from Lake Highlands Company in 1914. The areas outlined in red is what the applicant requests to be vacated based upon legal descriptions and control.

Sketch of Description

P.O.C.

(Less and Except)
NE Corner of
Section 28-22-26



(Variable Width Right of Way)
STATE ROAD NO. 50

N 89°28'03" E
30.00'

S. Right of Way Line

S 0°17'37" W 1372.13'

Legal Description:

THAT PORTION OF THE NORTH/SOUTH ROADWAY BETWEEN TRACTS 20, 21, 28, AND 29 AS SHOWN ON THE LAKE HIGHLAND'S COMPANY PLAT OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, RECORDED IN PLAT BOOK 2, PAGE 28, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; LYING NORTHERLY OF HOOK STREET, AND SOUTHERLY OF STATE ROAD NO. 50, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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CONTAINING 0.50 ACRES, MORE OR LESS.

TRACT 21

N 0°14'51" E 728.72'

S 0°14'51" W 718.43'

TRACT 20

30' Roadway (P)

Bearings are based on a Boundary Survey, prepared by this firm

A Portion of
TRACT 29

A Portion of
TRACT 28

N. Right of Way line

C1

HOOK STREET

C1

R=1750.00'
L=31.85'

Delta=001°02'34"
Chord=S70° 37' 05"W
Chord Length=31.85'

Revised Legal: 3-19-16

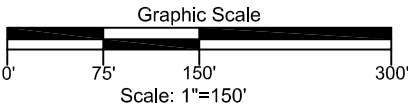
This is not a Boundary Survey

Field Date: N/A		Date Completed: 3/15/16		-Notes- >Sketch is Based upon the Legal Description Supplied by Client. >Abutting Properties Deeds have NOT been Researched for Gaps, Overlaps and/or Hiatus. >Subject to any Easements and/or Restrictions of Record. >Bearing Basis shown hereon, is Assumed and Based upon the Line Denoted with a "BB". >Building Ties are NOT to be used to reconstruct Property Lines. >Fence Ownership is NOT determined. >Roof Overhangs, Underground Utilities and/or Footers have NOT been located UNLESS otherwise noted. >Septic Tanks and/or Drainfield locations are approximate and MUST be verified by appropriate Utility Location Companies. >Use of This Survey for Purposes other than Intended, Without Written Verification, Will be at the User's Sole Risk and Without Liability to the Surveyor. Nothing Hereon shall be Construed to give ANY Rights or Benefits to Anyone Other than those Certified. >Flood Zone Determination Shown Hereon is Given as a Courtesy, and is Subject to Final Approval by F.E.M.A. This Determination may be affected by Flood Factors and/or other information NEITHER known by NOR given to this Surveying Company at the time of this Endeavor. Ireland & Associates Surveying Inc. and the signing surveyor assume NO Liability for the Accuracy of this Determination.																																																																																	
Drawn By: GLG		File Number: IS-23822																																																																																			
-Legend-				I hereby Certify that the Sketch of the above Described Property Is True and Correct to the Best of my Knowledge and Belief as of the Date Shown, Based on Information furnished to Me as Noted and Conforms to the Standards of Practice for Land Surveying in the State of Florida in accordance with Chapter 5J-17.052 Florida Administrative Codes, Pursuant to Section 472.027 Florida Statutes.  Patrick K. Ireland, P.S.M. 6637, LB 7623 This Survey is intended ONLY for the use of Said Certified Parties. This Survey NOT VALID UNLESS signed and Embossed with Surveyor's Seal. Ireland & Associates Surveying, Inc. 1301 S. International Parkway Suite 2001 Lake Mary, Florida 32746 www.irelandsurveying.com Office-407.678.3366 Fax-407.320.8165																																																																																	
<table><tr><td>C</td><td>- Calculated</td><td>PC</td><td>- Point of Curvature</td></tr><tr><td>CL</td><td>- Centerline</td><td>Pg.</td><td>- Page</td></tr><tr><td>CB</td><td>- Concrete Block</td><td>PI</td><td>- Point of Intersection</td></tr><tr><td>CM</td><td>- Concrete Monument</td><td>P.O.B.</td><td>- Point of Beginning</td></tr><tr><td>Conc.</td><td>- Concrete</td><td>P.O.L.</td><td>- Point on Line</td></tr><tr><td>D</td><td>- Description</td><td>PP</td><td>- Power Pole</td></tr><tr><td>DE</td><td>- Drainage Easement</td><td>PRM</td><td>- Permanent Reference Monument</td></tr><tr><td>Esmt.</td><td>- Easement</td><td>PT</td><td>- Point of Tangency</td></tr><tr><td>F.E.M.A.</td><td>- Federal Emergency Management Agency</td><td>R</td><td>- Radius</td></tr><tr><td>FFE</td><td>- Finished Floor Elevation</td><td>Rad.</td><td>- Radial</td></tr><tr><td>Fnd.</td><td>- Found</td><td>R&C</td><td>- Rebar & Cap</td></tr><tr><td>IP</td><td>- Iron Pipe</td><td>Rec.</td><td>- Recovered</td></tr><tr><td>L</td><td>- Length (Arc)</td><td>Rfd.</td><td>- Roofed</td></tr><tr><td>M</td><td>- Measured</td><td>Set</td><td>- Set 1/2" Rebar & Cap "LB 7623"</td></tr><tr><td>N&D</td><td>- Nail & Disk</td><td>Typ.</td><td>- Typical</td></tr><tr><td>N.R.</td><td>- Non-Radial</td><td>UE</td><td>- Utility Easement</td></tr><tr><td>ORB</td><td>- Official Records Book</td><td>WM</td><td>- Water Meter</td></tr><tr><td>P</td><td>- Plat</td><td>Δ</td><td>- Delta (Central Angle)</td></tr><tr><td>P.B.</td><td>- Plat Book</td><td>—O—</td><td>- Chain Link Fence</td></tr><tr><td>□</td><td>- Wood Fence</td><td></td><td></td></tr></table>						C	- Calculated	PC	- Point of Curvature	CL	- Centerline	Pg.	- Page	CB	- Concrete Block	PI	- Point of Intersection	CM	- Concrete Monument	P.O.B.	- Point of Beginning	Conc.	- Concrete	P.O.L.	- Point on Line	D	- Description	PP	- Power Pole	DE	- Drainage Easement	PRM	- Permanent Reference Monument	Esmt.	- Easement	PT	- Point of Tangency	F.E.M.A.	- Federal Emergency Management Agency	R	- Radius	FFE	- Finished Floor Elevation	Rad.	- Radial	Fnd.	- Found	R&C	- Rebar & Cap	IP	- Iron Pipe	Rec.	- Recovered	L	- Length (Arc)	Rfd.	- Roofed	M	- Measured	Set	- Set 1/2" Rebar & Cap "LB 7623"	N&D	- Nail & Disk	Typ.	- Typical	N.R.	- Non-Radial	UE	- Utility Easement	ORB	- Official Records Book	WM	- Water Meter	P	- Plat	Δ	- Delta (Central Angle)	P.B.	- Plat Book	—O—	- Chain Link Fence	□	- Wood Fence		
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P.O.C.

(Less and Except)
NE Corner of
Section 28-22-26



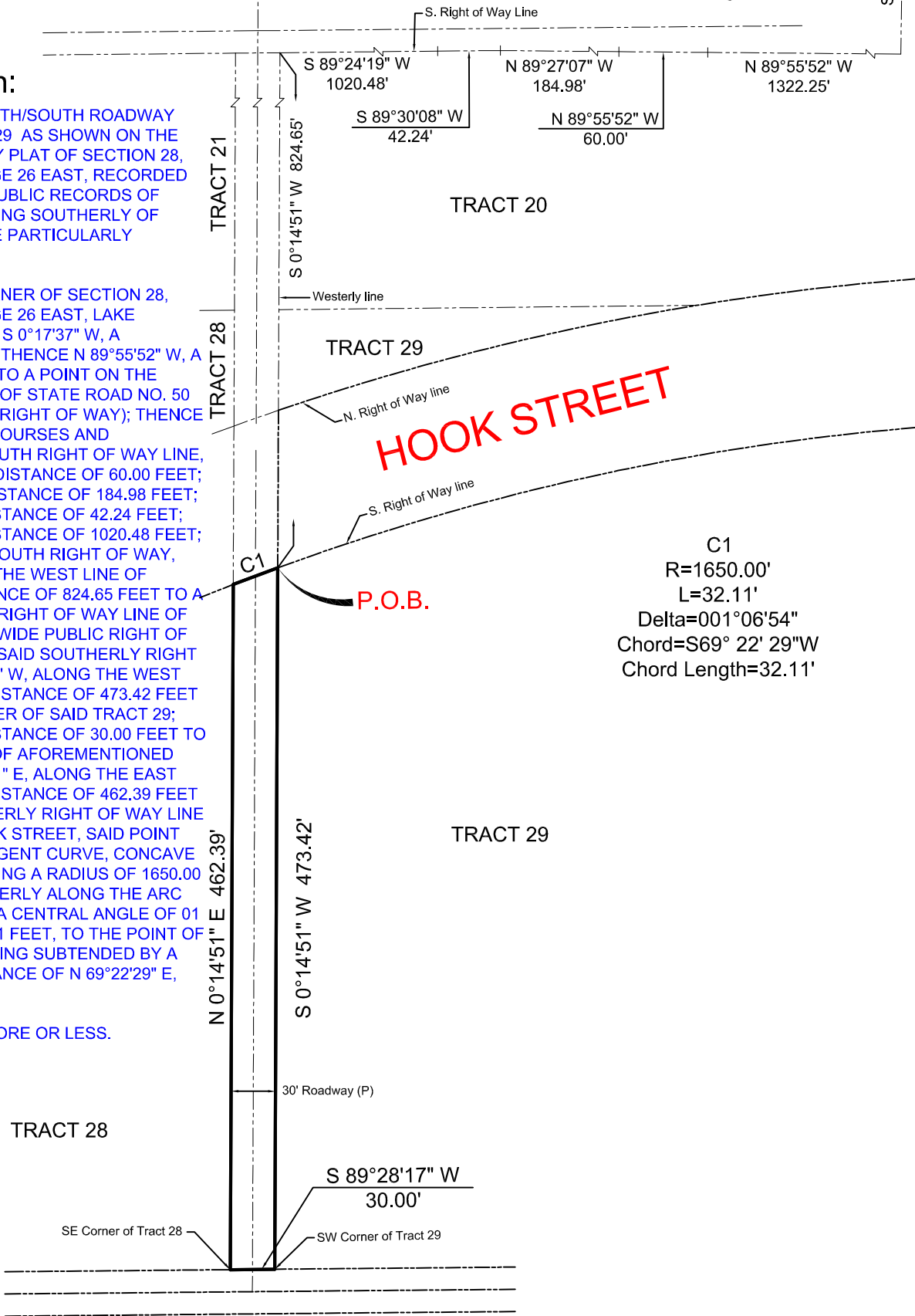
(Variable Width Right of Way)
STATE ROAD NO. 50

Legal Description:

THAT PORTION OF THE NORTH/SOUTH ROADWAY BETWEEN TRACTS 28, AND 29 AS SHOWN ON THE LAKE HIGHLAND'S COMPANY PLAT OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, RECORDED IN PLAT BOOK 2, PAGE 28, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; LYING SOUTHERLY OF HOOK STREET, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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CONTAINING 0.32 ACRES, MORE OR LESS.



C1
R=1650.00'
L=32.11'
Delta=001°06'54"
Chord=S69° 22' 29"W
Chord Length=32.11'

Revised Legal : 3-19-16

This is not a Boundary Survey *Bearings are based on a Boundary Survey, prepared by this firm*

Field Date: N/A	Date Completed: 3/15/16	-Notes- >Sketch is Based upon the Legal Description Supplied by Client. >Abutting Properties Deeds have NOT been Research for Gaps, Overlaps and/or Hiatus. >Subject to any Easements and/or Restrictions of Record. >Bearing Basis shown hereon, is Assumed and Based upon the Line Denoted with a "BB". >Building Ties are NOT to be used to reconstruct Property Lines. >Fence Ownership is NOT determined. >Roof Overhangs, Underground Utilities and/or Footers have NOT been located UNLESS otherwise noted. >Septic Tanks and/or Drainfield locations are approximate and MUST be verified by appropriate Utility Location Companies. >Use of This Survey for Purposes other than Intended, Without Written Verification, Will be at the User's Sole Risk and Without Liability to the Surveyor. Nothing Hereon shall be Construed to give ANY Rights or Benefits to Anyone Other than those Certified. >Flood Zone Determination Shown Hereon is Given as a Courtesy, and is Subject to Final Approval by F.E.M.A. This Determination may be affected by Flood Factors and/or other information NEITHER known by NOR given to this Surveying Company at the time of this Endeavor. Ireland & Associates Surveying Inc. and the signing surveyor assume NO Liability for the Accuracy of this Determination.																																								
Drawn By: GLG	File Number: IS-23822																																									
-Legend- <table><tr><td>C - Calculated</td><td>PC - Point of Curvature</td></tr><tr><td>CL - Centerline</td><td>Pg. - Page</td></tr><tr><td>CB - Concrete Block</td><td>PI - Point of Intersection</td></tr><tr><td>CM - Concrete Monument</td><td>P.O.B. - Point of Beginning</td></tr><tr><td>Conc. - Concrete</td><td>P.O.L. - Point on Line</td></tr><tr><td>D - Description</td><td>PP - Power Pole</td></tr><tr><td>DE - Drainage Easement</td><td>PRM - Permanent Reference Monument</td></tr><tr><td>Esmt. - Easement</td><td>PT - Point of Tangency</td></tr><tr><td>F.E.M.A. - Federal Emergency Management Agency</td><td>R - Radius</td></tr><tr><td>FFE - Finished Floor Elevation</td><td>Rad. - Radial</td></tr><tr><td>Fnd. - Found</td><td>R&C - Rebar & Cap</td></tr><tr><td>IP - Iron Pipe</td><td>Rec. - Recovered</td></tr><tr><td>L - Length (Arc)</td><td>Rfd. - Roofed</td></tr><tr><td>M - Measured</td><td>Set - Set 1/2" Rebar & Cap "LB 7623"</td></tr><tr><td>N&D - Nail & Disk</td><td>Typ. - Typical</td></tr><tr><td>N.R. - Non-Radial</td><td>UE - Utility Easement</td></tr><tr><td>ORB - Official Records Book</td><td>WM - Water Meter</td></tr><tr><td>P - Plat</td><td>Δ - Delta (Central Angle)</td></tr><tr><td>P.B. - Plat Book</td><td>-O- - Chain Link Fence</td></tr><tr><td>□ - Wood Fence</td><td></td></tr></table>		C - Calculated	PC - Point of Curvature	CL - Centerline	Pg. - Page	CB - Concrete Block	PI - Point of Intersection	CM - Concrete Monument	P.O.B. - Point of Beginning	Conc. - Concrete	P.O.L. - Point on Line	D - Description	PP - Power Pole	DE - Drainage Easement	PRM - Permanent Reference Monument	Esmt. - Easement	PT - Point of Tangency	F.E.M.A. - Federal Emergency Management Agency	R - Radius	FFE - Finished Floor Elevation	Rad. - Radial	Fnd. - Found	R&C - Rebar & Cap	IP - Iron Pipe	Rec. - Recovered	L - Length (Arc)	Rfd. - Roofed	M - Measured	Set - Set 1/2" Rebar & Cap "LB 7623"	N&D - Nail & Disk	Typ. - Typical	N.R. - Non-Radial	UE - Utility Easement	ORB - Official Records Book	WM - Water Meter	P - Plat	Δ - Delta (Central Angle)	P.B. - Plat Book	-O- - Chain Link Fence	□ - Wood Fence		
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		I hereby Certify that the Sketch of the above Described Property Is True and Correct to the Best of my Knowledge and Belief as of the Date Shown, Based on Information furnished to Me as Noted and Conforms to the Standards of Practice for Land Surveying in the State of Florida in accordance with Chapter 5J-17.052 Florida Administrative Codes, Pursuant to Section 472.027 Florida Statutes. <i>Patrick K. Ireland</i> PS#6637 LB 7623 This Survey is intended ONLY for the use of Said Certified Parties. This Survey NOT VALID UNLESS Signed and Embossed with Surveyor's Seal. Ireland & Associates Surveying, Inc. 1301 S. International Parkway Suite 2001 Lake Mary, Florida 32746 www.irelandsurveying.com Office-407.678.3366 Fax-407.320.8165																																								

LEGAL NOTICE

The City Council of the City of Clermont will consider the enactment of the following proposed Ordinance at the regularly scheduled meeting to be held Tuesday, May 24, 2016 at 6:30 P.M. at City Hall located at 685 West Montrose Street. All interested parties will be given an opportunity to express their views on this matter.

ORDINANCE NO. 2016-21

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, CLOSING AND PERMANENTLY ABANDONING THE RIGHT-OF-WAY EASEMENTS NORTH/SOUTH ROADWAY BETWEEN TRACTS 20, 21, 28, AND 29 AS SHOWN ON THE PLAT OF CLERMONT, LAKE HIGHLANDS 28-22-26 PB 2 PG 28 PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; LESS RIGHT OF WAY FOR HOOKS ST.; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH, PROVIDING FOR SEVERABILITY, PUBLICATION, RECORDING, AND FOR AN EFFECTIVE DATE.

This ordinance is available for public inspection in the Development Services Department, 685 W. Montrose Street, Clermont, Florida, Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m.

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

Tracy Ackroyd Howe, MMC

City Clerk
Daily Commercial
May 10, 2016



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date	
Tuesday, May 24, 2016	
Agenda Item Name	
Resolution No. 2016-15 <i>The Vue</i>	
Requested Action	
Recommend approval of Resolution 2016-15.	
Staff Report	
The applicant, AC-Fulcrum, is requesting a rezoning on 42 +/- acres for a mixed use, planned unit development (PUD) project consisting of a multi-family apartment complex, general commercial uses, retention area and open space. The proposed project is south of Highway 50, west of Miss Florida Avenue and north and south of Hooks Street. The applicant has requested 12 units per acre for the multi-family portion of the project. With the recent addition of the PUD zoning to the City's land development code, this request now may be handled through that process. However, an incompatibility exists in the City's comprehensive plan that necessitates a related request for a conditional use permit (CUP) to allow up to 12 units per acre. Policy 1.9.2 states "Residential development shall be limited to 12 units per acre; however, densities higher than eight units per acre shall require a conditional use permit." This policy does not state PUD zoning. An administrative text amendment to the comprehensive plan will be processed at a later date to reference PUD zoning. In order for the City to process the request in a timely manner, the applicant is seeking a CUP for the 12 units per acre. Therefore, the applicant is requesting a CUP to allow the density, and all the other details of the project will be contained in the PUD zoning ordinance. This would allow the applicant to move forward with the project and be consistent with the comprehensive plan. A third request, for the closing of the undeveloped right-of-way on the property, will also be considered at the May 24, 2016 public hearings. Staff has reviewed the PUD proposal and the total number of units for the multi-family portion is 324 units. Staff has placed this cap on the multi-family portion in the CUP, and the 324-unit cap will also be in the PUD ordinance. Staff recommends approval of Resolution 2016-15 to allow 12 units per acre for the project, not to exceed an overall unit count of 324 units. <i>At the May 3, 2016 Planning and Zoning Commission meeting, Commissioner Cuqui Whitehead moved to recommend approval of the conditional use permit; seconded by Commissioner Carlos Solis. The vote was 4-3 to recommend approval.</i>	
Additional Analysis	
Fiscal Impact Summary	

Fiscal Impact		Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)			
1.	Resolution	CUP RES 2016-15.docx	
2.	Site plan	4-28-16 Site Plan.pdf	
3.	Maps	The Vue Maps.pdf	
4.	P&Z Minutes	P&Z Minutes.pdf	
5.	Application	CUP Application.pdf	
6.	Legal ad	CUP The Vue legal ad.docx	

**CITY OF CLERMONT
RESOLUTION NO. 2016-15**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A
CONDITIONAL USE PERMIT TO ALLOW FOR MULTI-FAMILY
RESIDENTIAL.**

WHEREAS, the applicant has applied for a rezoning to a Planned Unit Development for a mixed-use project consisting of multi-family use, general commercial uses, retention areas, and open space;

WHEREAS, an inconsistency exists between the newly adopted Planned Unit Development zoning designation and Policy 1.9.2 of the City's comprehensive plan with regard to residential densities permitted in the Commercial Future Land Use District;

WHEREAS, Policy 1.9.2 of the City's comprehensive plan does permit densities higher than eight units per acre under a Conditional Use Permit;

WHEREAS, the applicant has applied for a Conditional Use Permit for up to 324 multi-family units, or a density of 12 units per acre;

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held May 3, 2016 recommended approval of this Conditional Use Permit to allow for 324 multi-family residential units; not to exceed 12 units per acre, at the following location:

LOCATION:

South of Highway 50, west of Miss Florida Avenue, north of Hooks Street
Alternate keys 1028272 & 3334566

The City Council deems it advisable in the interest of the general welfare of the City of Clermont, Lake County, Florida to grant this Conditional Use Permit.

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

This application for a Conditional Use Permit to allow for up to 324 multi-family residential units; be granted subject to the following conditions:

Section 1 - General Conditions

1. The conditions as set forth in this Conditional Use Permit shall be legally binding upon any heirs, assigns and successors in title or interest.
2. The property shall be developed in substantial accordance with the Conceptual Site Plan prepared by B&S Engineering Consultants, LLC, dated 4-22-16, Sheet C-2.2 or C-2.3,

CITY OF CLERMONT
RESOLUTION NO. 2016-15

Overall Site Plan. Formal construction plans incorporating all conditions stated in this Permit shall be submitted for review and approved by the Site Review Committee prior to the issuance of a Zoning Clearance or other development permits.

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. The Conditional Use Permit must be executed and processed through the Office of the City Clerk within 90 days of its date of approval by the City Council or the permit shall become null and void.
5. The applicant shall record in the Public Records of Lake County within 90 days of its date of approval by the City Council, a short-form version of this Conditional Use Permit as provided by the City or a form acceptable to the City, to provide notice to all interested parties, the assigns, successors and heirs of the developer/applicant and all future owners of the above-referenced property that the real property described above is subject to the terms and conditions of the Conditional Use Permit.
6. The structure shall be inspected by the Fire Marshal for life safety requirements. All requirements must be met prior to any Certificate of Occupancy being issued.
7. The structure shall be inspected by the City Building Inspector and all Building Code violations must be corrected prior to a Certificate of Occupancy being issued.
8. Construction and operation of the proposed use shall at all times comply with the regulations of this and other governmental agencies.
9. Prior to the issuance of any permits, the applicant shall be required to submit Formal Site Plans for review and approval by the City of Clermont Site Review Committee. The site plans shall show location of all proposed buildings, structures, picnic areas, and outdoor recreation areas as indicated in the Conditional Use Application. The site plans shall meet all submittal requirements and comply with the conditions of this Resolution, applicable City Codes, Regulations, Ordinances, and provide compliance with the adopted City Comprehensive Plan, as amended.
10. If any of the stated conditions are violated, the applicant understands and agrees that the City Council may revoke this Conditional Use Permit by resolution.

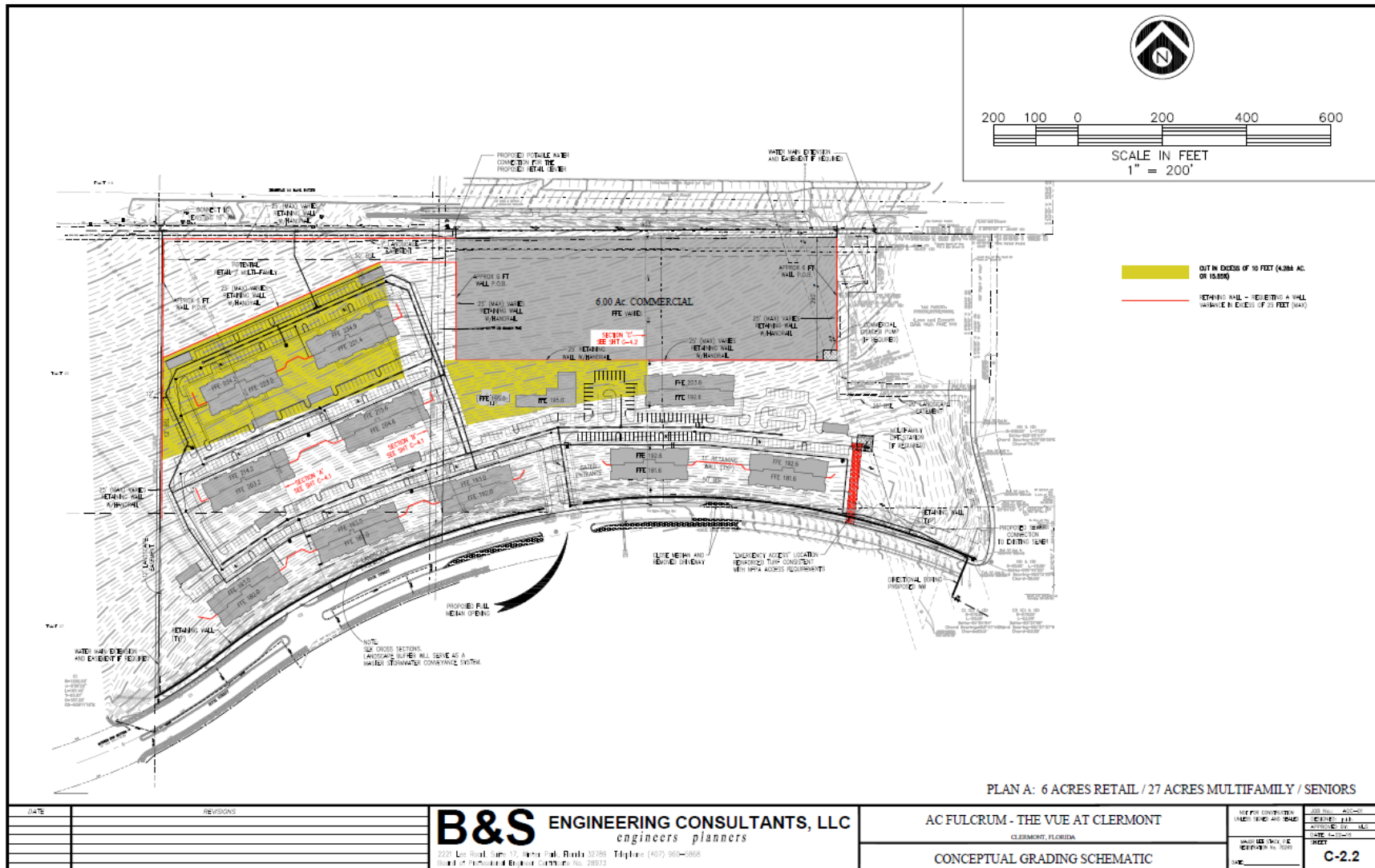
CITY OF CLERMONT
RESOLUTION NO. 2016-15

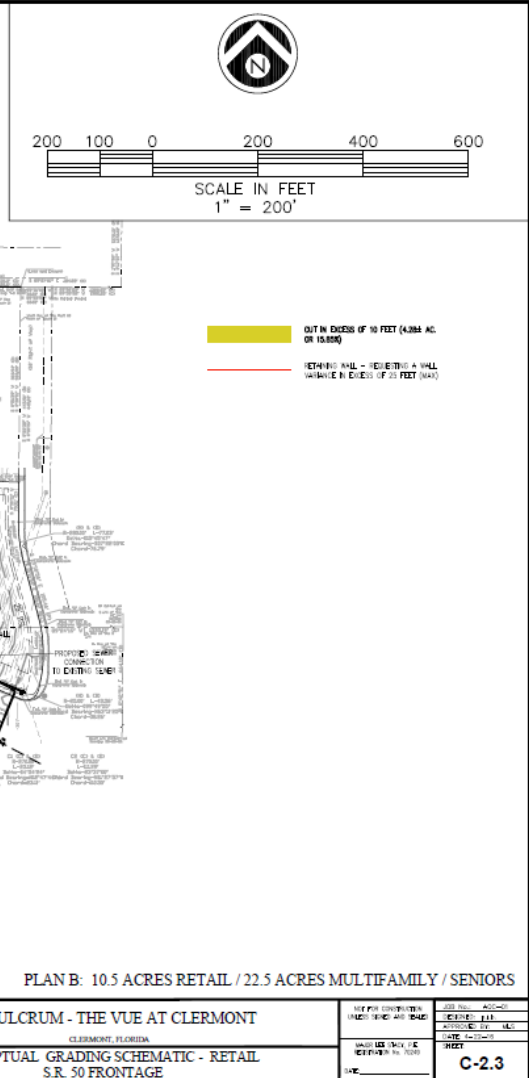
11. This permit shall become null and void if substantial construction work has not begun within two (2) years of the date of issuance of this Conditional Use Permit. "Substantial construction work" means the commencement and continuous prosecution of construction of required improvements ultimately finalized at completion.

Section 2 - Land Uses and Specific Conditions:

1. A total of up to 324 multi-family dwelling units may be permitted on the site, not to exceed a density of 12 units per acre within the project.
2. The project shall be governed by Ordinance 2016–17 for a mixed use Planned Unit Development, including any waivers or special conditions.

**CITY OF CLERMONT
RESOLUTION NO. 2016-15**



RESOLUTION NO. 2016-15

CITY OF CLERMONT
RESOLUTION NO. 2016-15

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 24th day of May, 2016.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Boundary Survey

LEGAL DESCRIPTION:

PARCEL 1 (FEE SIMPLE ESTATE)

THAT PART OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE EAST 1/4 CORNER OF SAID SECTION 28; THENCE RUN NORTH 00°42'51" EAST ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 28 FOR A DISTANCE OF 664.12 FEET TO THE NORTHEAST CORNER OF THE SOUTH 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 28; THENCE RUN SOUTH 89°24'16" WEST ALONG THE NORTH LINE OF SAID SOUTH 1/4 FOR A DISTANCE OF 1335.19 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 270.00 FEET AND A CHORD BEARING OF SOUTH 01°23'58" WEST AND THE POINT OF BEGINNING; THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 23°36'59" FOR A DISTANCE OF 111.29 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 25.00 FEET AND A CHORD BEARING OF SOUTH 63°07'26" WEST; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 99°49'56" FOR A DISTANCE OF 43.56 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 1750.00 FEET AND A CHORD BEARING OF NORTH 87°56'35" WEST AND THE NORTH RIGHT OF WAY LINE OF HOOK STREET, AS DESCRIBED IN OFFICIAL RECORDS BOOK 2010, PAGE 316, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN WESTERLY ALONG SAID NORTH RIGHT OF WAY LINE AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 41°57'58" FOR A DISTANCE OF 1281.78 FEET TO A NON-RADIAL LINE AND THE EAST RIGHT OF WAY LINE OF AN UNNAMED RIGHT OF WAY, ACCORDING TO THE PLAT OF LAKE HIGHLANDS COMPANY, AS RECORDED IN PLAT BOOK 2, PAGE 28, OF SAID PUBLIC RECORDS; THENCE RUN NORTH 00°10'52" EAST ALONG SAID EAST RIGHT OF WAY LINE FOR A DISTANCE OF 718.43 FEET TO THE SOUTH RIGHT OF WAY LINE OF STATE ROAD NUMBER 50; THENCE RUN NORTH 89°24'19" EAST ALONG SAID SOUTH RIGHT OF WAY LINE FOR A DISTANCE OF 1127.57 FEET; THENCE RUN SOUTH 89°29'29" EAST ALONG SAID SOUTH RIGHT OF WAY LINE FOR A DISTANCE OF 150.11 (120.11) FEET TO THE WEST LINE OF THE EAST 60 FEET OF TRACT 19, OF SAID LAKE HIGHLANDS COMPANY; THENCE RUN SOUTH 00°26'52" WEST ALONG SAID WEST LINE FOR A DISTANCE OF 445.90 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY HAVING A RADIUS OF 280.00 FEET; THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 15°45'47" FOR A DISTANCE OF 77.03 FEET TO THE POINT OF TANGENCY; THENCE RUN SOUTH 15°18'56" EAST FOR A DISTANCE OF 105.46 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 270.00 FEET AND A CHORD BEARING OF SOUTH 12°51'43" EAST; THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 04°54'24" FOR A DISTANCE OF 231.2 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THEREFROM THAT PARCEL CONVEYED BY MAYNARD K. KNAPP, INDIVIDUALLY AND AS TRUSTEE TO AKRAM ISMAIL, M.D., BY SPECIAL WARRANTY DEED RECORDED APRIL 17, 2015, IN OFFICIAL RECORDS BOOK 4613, PAGE 945, DESCRIBED AS FOLLOWS:

A PORTION OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 28; THENCE S01°07'06"W ALONG THE EAST LINE OF SAID NORTHEAST 1/4, A DISTANCE OF 1372.13 FEET TO A POINT; THENCE N89°06'23"W, A DISTANCE OF 1322.25 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 50. (RIGHT-OF-WAY VARIES PER RIGHT-OF-WAY MAP SECTION 11070); THENCE CONTINUE N89°06'23"W, A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING; THENCE S00°51'39"W, ALONG THE WEST RIGHT-OF-WAY LINE OF MISS FLORIDA AVENUE (CRB 2345, PAGE 748), ALSO BEING PARALLEL TO AND 60.00 FEET WEST OF THE EAST LINE OF SAID SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 28 AND THE EAST LINE OF TRACT 19 OF LAKE HIGHLANDS COMPANY, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 28, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; A DISTANCE OF 269.94 FEET TO A POINT; THENCE N89°08'21"W, A DISTANCE OF 291.58 FEET TO A POINT; THENCE N00°51'39"E, A DISTANCE OF 230.29 FEET TO A POINT; THENCE S89°09'21"E, A DISTANCE OF 64.35 FEET TO A POINT; THENCE N00°51'39"E, A DISTANCE OF 139.00 FEET TO A POINT ON THE SOUTH LINE OF AN UNNAMED UNIMPROVED STREET, ALSO BEING THE NORTH LINE OF SAID TRACT 19; THENCE N89°50'25"E, ALONG THE NORTH LINE OF SAID TRACT 19, A DISTANCE OF 42.23 FEET TO A POINT ON SAID SOUTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 50; THENCE S89°06'23"E, ALONG SAID SOUTH RIGHT-OF-WAY LINE OF STATE ROAD 50, A DISTANCE OF 185.01 FEET TO THE POINT OF BEGINNING. CONTAINING 744,665 SQ. FT. OF 17.100 ACRES MORE OR LESS.

PARCEL 2 (EASEMENT ESTATE)

TOGETHER WITH THAT CERTAIN NON-EXCLUSIVE INGRESS-EGRESS EASEMENT GRANTED BY AKRAM ISMAIL TO MAYNARD K. KNAPP, TRUSTEE, TO RECIPROCAL EASEMENT AGREEMENT RECORDED APRIL 17, 2015, IN OFFICIAL RECORDS BOOK 4613, PAGE 948, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

PARCEL 3 (SOUTHERN PORTION)

TRACT 29 AND TRACT 30, AS SHOWN ON THE LAKE HIGHLANDS COMPANY PLAT OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, RECORDED IN PLAT BOOK 2, PAGE 28, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; LESS THAT PORTION LYING WITHIN AND NORTH OF THE RIGHT OF WAY FOR HOOK STREET.

Legal Description:

THAT PORTION OF THE NORTH/SOUTH ROADWAY BETWEEN TRACTS 20, 21, 28, AND 29 AS SHOWN ON THE LAKE HIGHLAND'S COMPANY PLAT OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, RECORDED IN PLAT BOOK 2, PAGE 28, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; LYING NORTHERLY OF HOOK STREET, AND SOUTHERLY OF STATE ROAD NO. 50, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NE CORNER OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, THENCE S 01°17'37" W, A DISTANCE OF 1372.13 FEET; THENCE N 89°55'52" W, A DISTANCE OF 1322.25 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF STATE ROAD NO. 50 (A VARIABLE WIDTH PUBLIC RIGHT OF WAY); THENCE THE FOLLOWING FOUR (4) COURSES AND DISTANCES ALONG SAID SOUTH RIGHT OF WAY LINE, CONTINUE N 89°55'52" W, A DISTANCE OF 60.00 FEET; THENCE N 89°27'07" W, A DISTANCE OF 184.98 FEET; THENCE S 89°30'08" W, A DISTANCE OF 42.24 FEET; THENCE S 89°24'19" W, A DISTANCE OF 1020.48 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID SOUTH RIGHT OF WAY, RUN S 00°14'51" W, A DISTANCE OF 824.65 FEET TO A POINT ON THE WEST LINE OF TRACTS 20 AND 29, A DISTANCE OF 718.43 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF HOOK STREET (A 100 FOOT WIDE PUBLIC RIGHT OF WAY); SAID POINT ALSO BEING ON A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, AND HAVING A RADIUS OF 1750.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°02'34", A DISTANCE OF 31.85 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF S 70°37'05" W, 31.85 FEET; THENCE DEPARTING SAID NORTH RIGHT OF WAY LINE, RUN N 01°14'51" E, A DISTANCE OF 728.72 FEET TO A POINT ON THE AFOREMENTIONED SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD NO. 50; THENCE N 89°28'03" E, ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.50 ACRES, MORE OR LESS.

Legal Description:

TRACTS 21 AND 28 AS SHOWN ON THE LAKE HIGHLAND'S COMPANY PLAT OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, RECORDED IN PLAT BOOK 2, PAGE 28, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; LESS THAT PORTION OF TRACT 28, LYING SOUTH OF HOOK STREET, (COUNTY DISTRICT NO. 2-1346).

Legal Description:

THAT PORTION OF THE NORTH/SOUTH ROADWAY BETWEEN TRACTS 28, AND 29 AS SHOWN ON THE LAKE HIGHLAND'S COMPANY PLAT OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, RECORDED IN PLAT BOOK 2, PAGE 28, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; LYING SOUTHERLY OF HOOK STREET, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NE CORNER OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, THENCE S 01°17'37" W, A DISTANCE OF 1372.13 FEET; THENCE N 89°55'52" W, A DISTANCE OF 1322.25 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF STATE ROAD NO. 50 (A VARIABLE WIDTH PUBLIC RIGHT OF WAY); THENCE THE FOLLOWING FOUR (4) COURSES AND DISTANCES ALONG SAID SOUTH RIGHT OF WAY LINE, CONTINUE N 89°55'52" W, A DISTANCE OF 60.00 FEET; THENCE N 89°27'07" W, A DISTANCE OF 184.98 FEET; THENCE S 89°30'08" W, A DISTANCE OF 42.24 FEET; THENCE S 89°24'19" W, A DISTANCE OF 1020.48 FEET; THENCE DEPARTING SAID SOUTH RIGHT OF WAY, RUN S 00°14'51" W, ALONG THE WEST LINE OF TRACTS 20 AND 29, A DISTANCE OF 824.65 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF HOOK STREET (A 100 FOOT WIDE PUBLIC RIGHT OF WAY); THENCE DEPARTING SAID SOUTHERLY RIGHT OF WAY LINE, RUN S 01°14'51" W, ALONG THE WEST LINE OF SAID TRACT 29, A DISTANCE OF 473.42 FEET TO THE SOUTHWEST CORNER OF SAID TRACT 29; THENCE S 89°28'17" W, A DISTANCE OF 30.00 FEET TO THE SOUTHEAST CORNER OF AFOREMENTIONED TRACT 28; THENCE N 01°14'51" E, ALONG THE EAST LINE OF SAID TRACT 28, A DISTANCE OF 462.39 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF AFOREMENTIONED HOOK STREET, SAID POINT ALSO BEING ON A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, AND HAVING A RADIUS OF 1650.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°06'54", A DISTANCE OF 32.11 FEET, TO THE POINT OF BEGINNING, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF N 69°22'29" E, 32.11 FEET

CONTAINING 0.32 ACRES, MORE OR LESS.

Legal Description:

THAT PORTION OF TRACT 28 AS SHOWN ON THE LAKE HIGHLAND'S COMPANY PLAT OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, RECORDED IN PLAT BOOK 2, PAGE 28, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; LYING SOUTHERLY OF HOOK STREET, (COUNTY DISTRICT NO. 2-1346).

PLANNED UNIT DEVELOPMENT

THE VUE AT CLERMONT
PARCEL ID #09-22-26-120501900000 & 09-22-26-120502100000



PREPARED FOR
AC-FULCRUM
710 EAST COLONIAL DRIVE
ORLANDO, FLORIDA 32803

PROJECT TEAM

OWNER/APPLICANT

AC-FULCRUM
710 EAST COLONIAL DRIVE
ORLANDO, FL 32803

ENGINEER

B&S ENGINEERING CONSULTANTS, LLC
MAJOR STACY, P.E.
2221 LEE ROAD SUITE 17
WINTER PARK, FLORIDA 32789
PHONE: 407-960-5868

LAND USE ATTORNEY

AKERMAN LLP
420 S. ORANGE AVENUE SUITE 1200
ORLANDO, FLORIDA 32801
PHONE: 407-423-4000

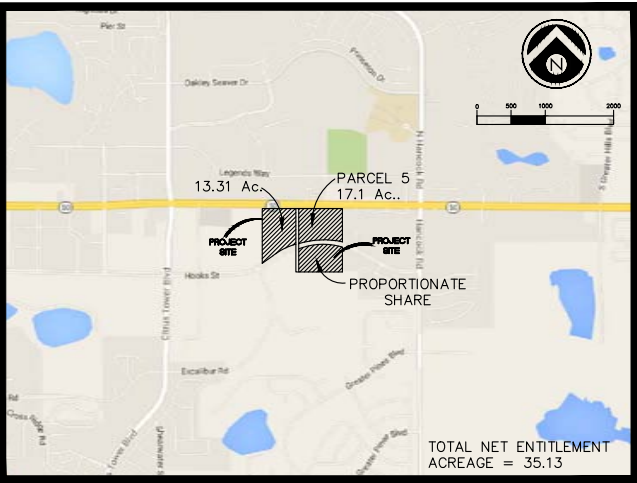
ENVIRONMENTALIST

ECOLOGICAL CONSULTING SOLUTIONS
235 HUNT CLUB BOULEVARD, SUITE 202
LONGWOOD, FLORIDA 32789
PHONE: 407-869-9434

ARCHITECT

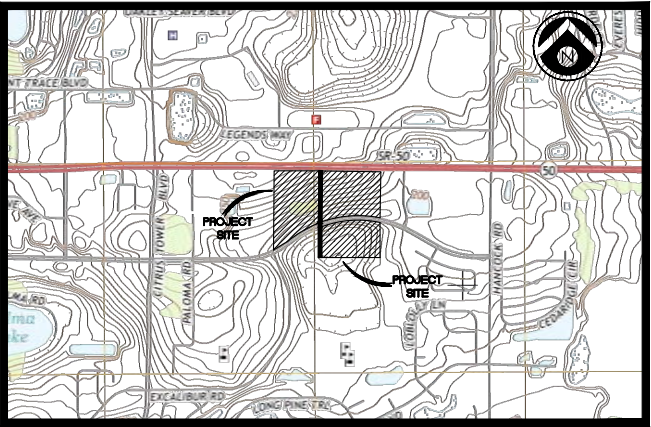
CHARLAN BROCK AND ASSOCIATES
1770 FENNELL ST.
MAITLAND, FL 32751
PHONE: 407-660-8900

LOCATION MAP -
PROJECT AREA BREAKDOWN



SECTION 9 TOWNSHIP 22S RANGE 26E LATITUDE 28° 32' 43"N LONGITUDE 81° 42' 54"W

USGS MAP



Sheet Index	
SHEET NUMBER	SHEET TITLE
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C-1.1	VARIANCE REQUESTS
C-2.1	OVERALL SITE PLAN
C-2.2	CONCEPTUAL GRADING SCHEMATIC
C-2.3	CONCEPTUAL GRADING SCHEMATIC - RETAIL S.R. 50 FRONTAGE
C-3.1	CONCEPTUAL SITE PLAN 1
C-3.2	CONCEPTUAL SITE PLAN 2
C-4.1	CROSS SECTION 1
C-4.2	CROSS SECTION 2
C-4.3	CROSS SECTION 3 (RETAIL ON NORTH)
C-4.4	CROSS SECTION 4 (RETAIL ON NORTH)
A-1.1	ARCHITECTURAL ELEVATION

SITE DATA

SECTION/TOWNSHIP/RANGE: 9/22S/26E
PROPERTY AREA: ±42.57 AC
PROJECT AREA: (NET ACREAGE): 33 ACRES
EXISTING ZONING: C-2/UE
EXISTING USE: VACANT
PROPOSED PARCEL USE: (ENTIRE PARCEL) PUD: ALL PERMITTED C2 USES (INCLUSIVE OF 1 RETAILER LESS THAN 100,000 S.F. BUT GREATER THAN 20,000 S.F.)
6.00 ACRES
27 ACRES
12 DU/AC MAX = 323 UNITS

COMMERCIAL:			6.00 ACRES
MULTI FAMILY / SENIOR'S AREA			27 ACRES
MULTI FAMILY / SENIOR'S DENSITY:			12 DU/AC MAX = 323 UNITS
CITY REQUIRED PARKING: (MULT-FAMILY)			
	<u>UNITS</u>	<u>COUNTS</u>	<u>CITY</u> <u>TOTAL</u>
	1 BED	111	1.5 167
	2 BED	176	2.0 352
	3 BED	37	2.5 93
	TOTAL	324	612
		AVG SPACE/UNIT	1.89
PARKING AS PROPOSED:		612	
VARIANCES:		APPLY TO ENTIRE PROPERTY AS DETAILED ON FOLLOWING PAGES	

UTILITY SERVICE PROVIDERS

WATER

CITY OF CLERMONT
685 W. MONTROSE STREET
CLERMONT, FL 34711
PHONE: 352-241-7335

SEWER

CITY OF CLERMONT
685 W. MONTROSE STREET
CLERMONT, FL 34711
PHONE: 352-241-7335

ELECTRIC

DUKE ENERGY
P.O.BOX 120069
CLERMONT, FL 34712
PHONE: 352-241-7335

PHONE

CENTURY LINK
260 CITRUS TOWER BOULEVARD
CLERMONT, FL 34711
PHONE: 800-672-6242

CABLE

BRIGHT HOUSE NETWORKS, LLC
602 HWY 50
CLERMONT, FL 34711
PHONE: 352-245-2408

NOTES:

1. PROPOSED FFE AND GRADING SHOWN AS CONCEPTUAL.
2. THE FINAL ENGINEERING PLANS WILL BE CONSISTENT WITH NFPA AND CITY OF CLERMONT CODE. THIS INCLUDES CUL-DE-SACS AND HAMMERHEADS FOR ANY DEAD END EXCEEDING 150 FEET.
3. LANDSCAPE ISLAND WILL BE A MINIMUM OF 300 S.F. AT FINAL ENGINEERING.
4. A SECONDARY EMERGENCY ACCESS POINT WILL BE PROVIDED AT FINAL ENGINEERING. THIS ACCESS MAY CONSIST OF STABILIZED REINFORCED GRASS PAVERS AND CRASH GATES.



NOT FOR CONSTRUCTION UNLESS SIGNED AND SEALED	JOB No.: AOC-01 DESIGNED: p.i.b. APPROVED BY: MLS DATE: 4-22-16
MAJOR LEE STACY, P.E. REGISTRATION No. 70249	SHEET: C-0.0
DATE: _____	

Potential Variance Requests:

Sec. 54-78. - Driveway construction standards.

(a) Driveways constructed below street grade must rise to an elevation at least to the top of the curb height on city rights-of-way before reaching the owner's property line. Driveways constructed above the street grade should not exceed a grade of three-fourths of an inch per foot from the top of the curb to provide for vehicular clearance, unless otherwise approved by the city engineer.

Waiver Requests: It may be possible the retail driveway and parking will be below the centerline of SR 50. We are requesting a variance from this code and defer to the city engineer to approve proposed grading to ensure adequate outfall and protection of the FFE.

Sec. 94-195. - Clearing and grading review criteria. (b)(3)

The maximum depth of cut or fill for construction of any roadway shall be 15 feet, as measured at the centerline of the roadway.

Waiver Requests: Final grades will be determined at the time of final engineering. It may be possible to exceed the maximum cut or depth in portions of the site. We would request a variance from this code. We are requesting a maximum elevation change of 25’ due to the excessive grades on site.

Sec. 94-195. - Clearing and grading review criteria. (d)(4, 5, 7)

(4) Elevation changes in topography shall be limited to 15 feet.

(5) Transitions between multi-level construction shall be accomplished using slopes of no greater than 5:1 or with retaining walls not to exceed six feet in height.

(7) Terraces shall include a minimum five-foot landscape buffer along the boundary.

Waiver Requests: It is not until all final architectural, landscape and civil engineering design that the final grades and miscellaneous small retaining walls are located, that the exact solution can be shown to City of Clermont Staff. In addition, retaining walls will exceed 6’ in height. We are requesting a variance allowing 25’ of elevation change and a maximum wall height of 25’.

Sec. 122-185 (4) Building Height not to exceed 45’

Waiver Requests: The proposed buildings will be terraced so the maximum building height will vary depending on the grade and location of the measurement. In addition, architectural features may extend above 45’. The proposed maximum building height is 63’. Please refer to sheet A-1.1.

Sec. 98-6. - Ratio of full size parking spaces to compact and oversized spaces.

(a) The ratio of full size parking spaces to compact spaces shall be 90 to ten. This ratio shall be maintained for the total number of parking spaces provided and shall apply only to buildings and uses where the required number of parking spaces is 25 or greater and 300 or less. Developers may increase this ratio, thus increasing the number of full size spaces, however, in no case shall the ratio of compact spaces be permitted to exceed this ratio. Compact spaces shall not be permitted for buildings and uses requiring less than 25 parking spaces or for residential uses. Projects requiring more than 300 parking spaces shall be considered threshold developments where final decision on the ratio of parking shall be determined by the development review committee in consideration of traffic engineering and planning data that is appropriate to the proposed development and intended use.

(b) The provision of oversized parking spaces to accommodate recreational vehicles and the like shall be applied to retail business facilities where required parking is 100 spaces or more. The ratio of three oversized parking spaces per each 100 required spaces or portion thereof shall be maintained for the total number of parking spaces provided.

Waiver Requests: We are requesting a variance to utilize 9x18 spaces instead in order to maximize available parking while significantly reducing the unnecessary environmental pollutant runoff, increasing green spaces throughout.

Sec. 110-192 Gated development

Waiver Request: The proposed development will be gated and consistent with all requirements of City Clermont code including emergency access.

Sec. 122-226. - Yards.

Minimum yard requirements for the C-2 district are as follows:

(1) Front Yard. Property adjacent to Hartwood Marsh Road, SR 50 and U.S. 27 shall maintain a 50-foot setback. The setback on all other streets shall be 25 feet.

(2) Side Yard. The minimum side yard setback is 12 feet. On corner lots where a side yard setback of 50 feet shall be maintained on Hartwood Marsh Road, State Road 50 and U.S. Highway 27 and a side yard setback of 25 feet shall be maintained from all other streets and 12 feet on the interior side yard. However, a side setback of 25 feet shall be maintained on the side adjacent to property that is either zoned or used as residential.

(3) Rear Yard. The minimum rear yard setback is 25 feet except where a rear yard abuts Hartwood Marsh Road, SR 50 or U.S. 27, a setback of 50 feet shall be maintained. The rear building line of lakefront property shall be measured from the established high-water mark. No construction encroachment may occur in any designated 100-year floodplain except in accordance with policies of the adopted comprehensive plan and after formal approval of a site development plan by the administrative official.

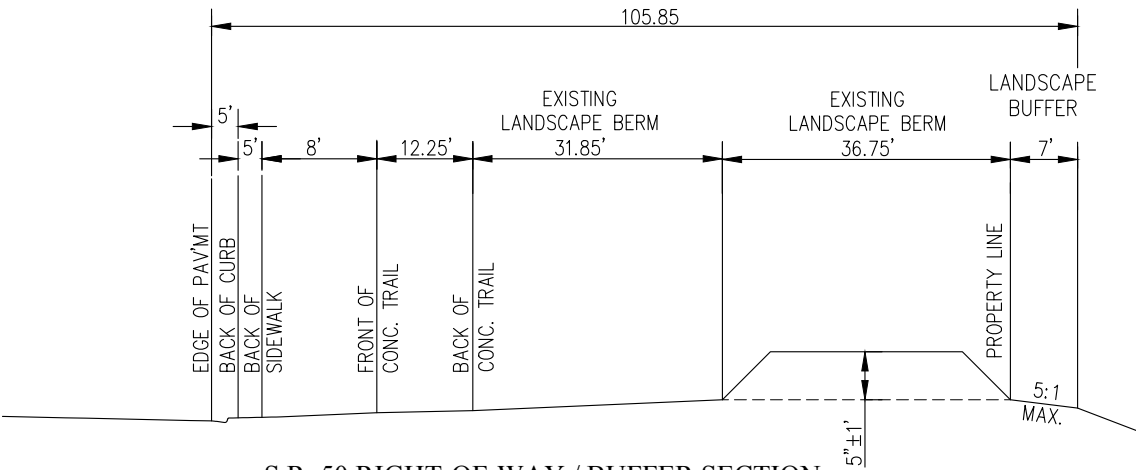
(4) Buffer Strip. When a conditional or commercial use abuts a residential use, the conditional or commercial use shall provide a landscaped buffer strip along the abutting property line.

(5) Other Setbacks. All yard setbacks for principal buildings shall be a minimum of 25 feet from established high-water marks. No construction encroachment may occur in any designated 100-year floodplain except in accordance with policies of the adopted comprehensive plan and after formal approval of a site development plan by the administrative official.

Waiver Request: The landscape buffer of 7’ is proposed adjacent to SR 50 due to the presence of a large berm within which existing utilities are running that are in in the right of way. Note also the 105’ distance from the edge of SR 50 pavement to the proposed edge of parking providing extensive buffering. Grading cannot exceed 5:1 in the landscape buffer.

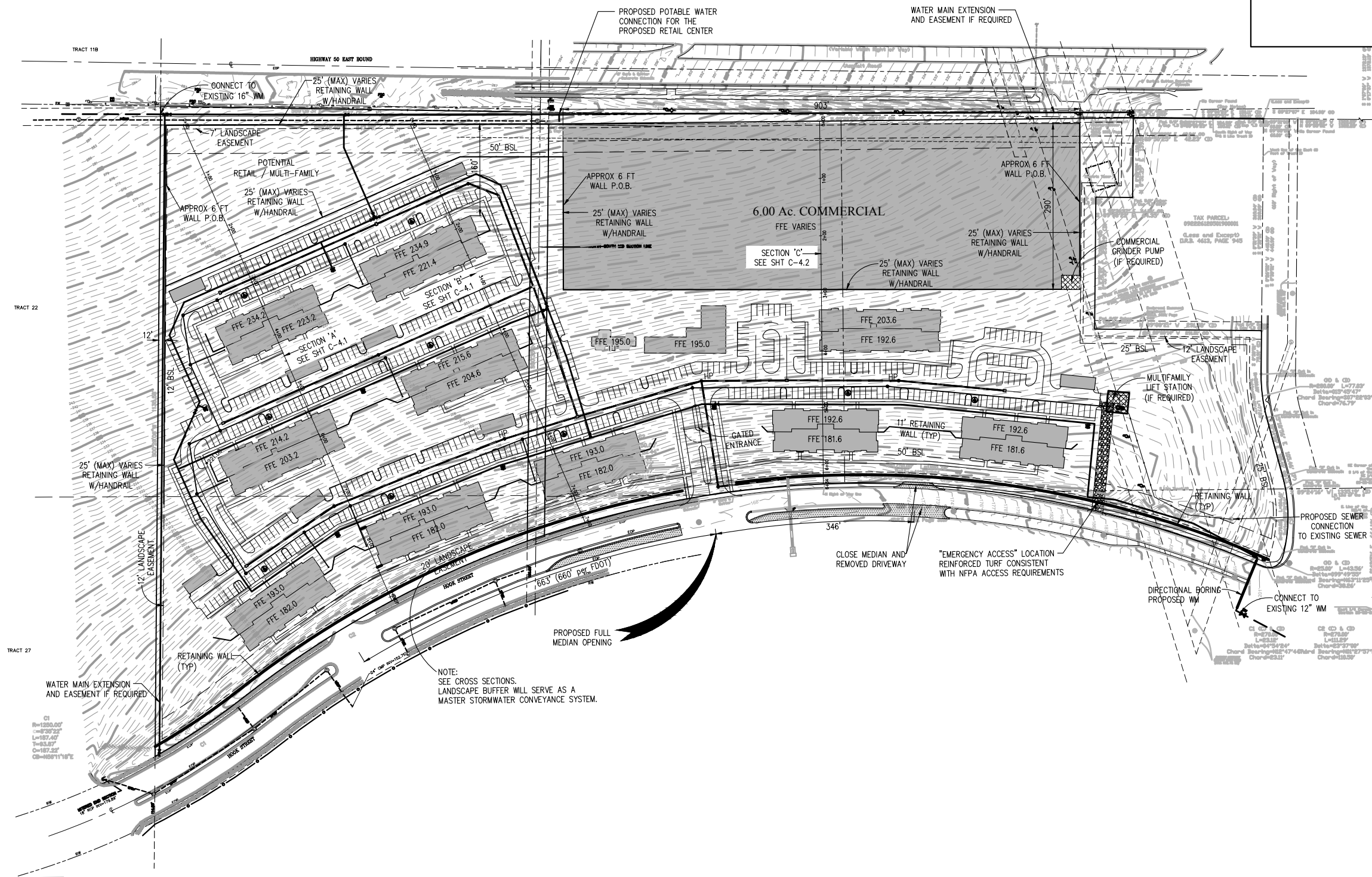
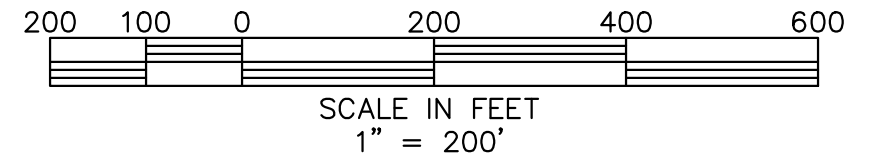
The face of the nearest apartment is another 160’ beyond the new landscape buffer.

Note the exising 5'+ berm above the SR 50 grade provides maximum sound buffering/absorption. In addition to that solid visual and sound buffering, the developer will build landscape in the buffer at 1.3X the code required density.



- NOTE:
- DISTANCE FROM CURB TO LANDSCAPE BUFFER IS 105.85 FEET (5 TIMES CODE MINIMUM).
 - THE EXISTING 5 FEET BERM TO PROVIDE SOUND ATTENUATION COUPLED WITH THE INCREASED LANDSCAPE BUFFER GREEN SPACE (1.3 TIMES MINIMUM).

DATE	REVISIONS	B&S ENGINEERING CONSULTANTS, LLC engineers planners 2221 Lee Road, Suite 17, Winter Park, Florida 32789 Telephone (407) 960-5868 Board of Professional Engineer Certificate No. 28973	AC FULCRUM - THE VUE AT CLERMONT		NOT FOR CONSTRUCTION UNLESS SIGNED AND SEALED	JOB No.: AOC-01
			CLERMONT, FLORIDA		DESIGNED: p.i.b.	
			VARIANCE REQUESTS		APPROVED BY: MLS	
					DATE: 4-22-16	
					SHEET:	
					MAJOR LEE STACY, P.E. REGISTRATION No. 70249	C-1.1
					DATE: _____	



DATE

REVISIONS

B&S ENGINEERING CONSULTANTS, LLC
engineers planners

2221 Lee Road, Suite 17, Winter Park, Florida 32789 Telephone (407) 960-5868
Board of Professional Engineer Certificate No. 28973

AC FULCRUM - THE VUE AT CLERMONT

CLERMONT, FLORIDA

OVERALL SITE PLAN

NOT FOR CONSTRUCTION
UNLESS SIGNED AND SEALED

MAJOR LEE STACY, P.E.
REGISTRATION No. 70249

DATE:

JOB No.: AOC-01

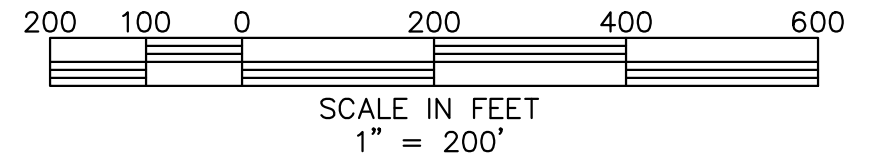
DESIGNED: p.i.b.

APPROVED BY: MLS

DATE: 4-22-16

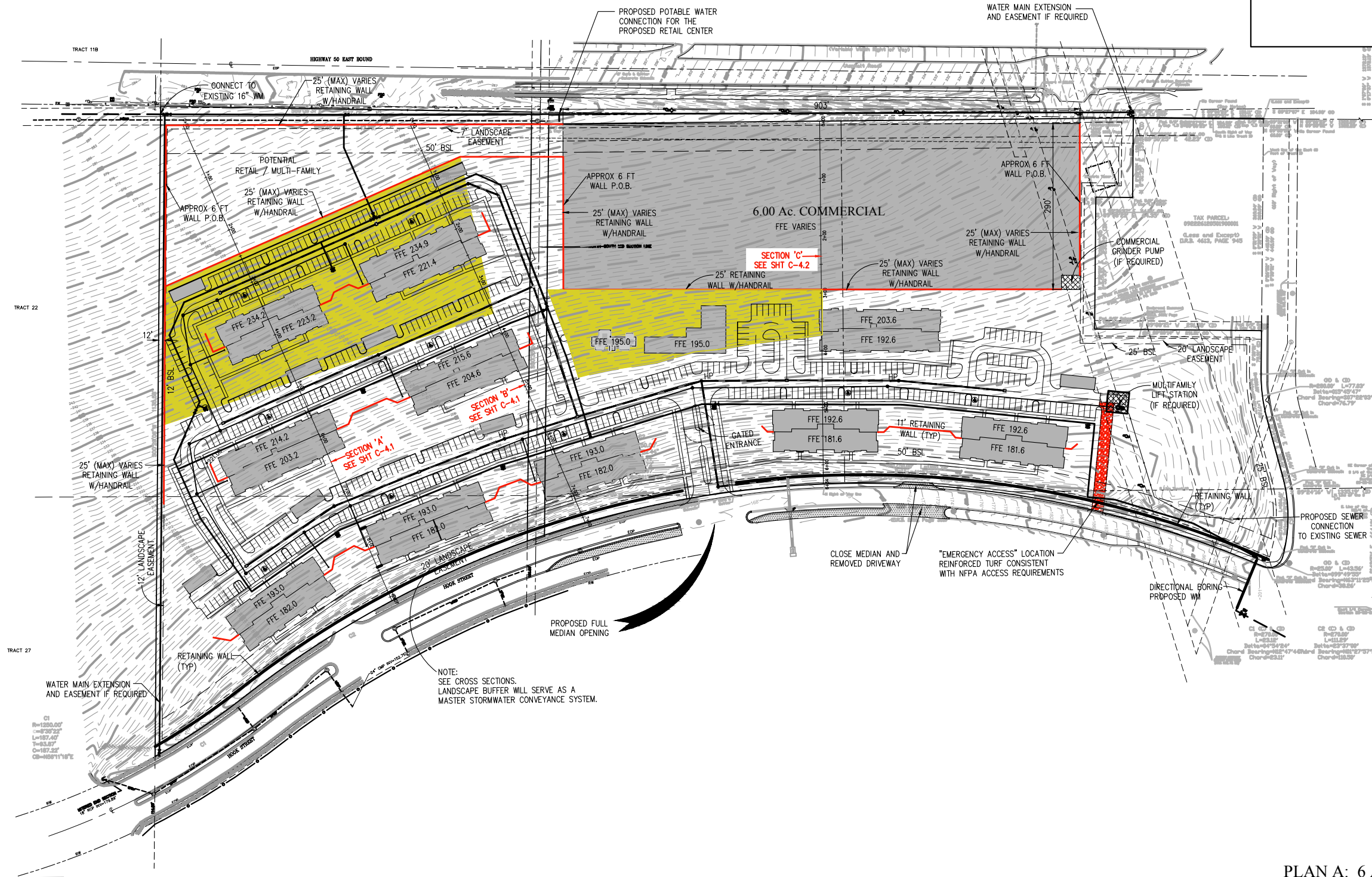
SHEET:

C-2.1



CUT IN EXCESS OF 10 FEET (4.28% AC. OR 15.65%)

RETAINING WALL - REQUESTING A WALL VARIANCE IN EXCESS OF 25 FEET (MAX)



PLAN A: 6 ACRES RETAIL / 27 ACRES MULTIFAMILY / SENIORS

DATE	REVISIONS

B&S ENGINEERING CONSULTANTS, LLC
engineers planners

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Board of Professional Engineer Certificate No. 28973

AC FULCRUM - THE VUE AT CLERMONT

CLERMONT, FLORIDA

CONCEPTUAL GRADING SCHEMATIC

NOT FOR CONSTRUCTION
UNLESS SIGNED AND SEALED

MAJOR LEE STACY, P.E.
REGISTRATION No. 70249

DATE:

JOB No.: AOC-01

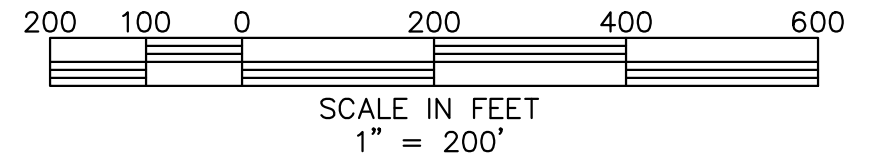
DESIGNED: p.i.b.

APPROVED BY: MLS

DATE: 4-22-16

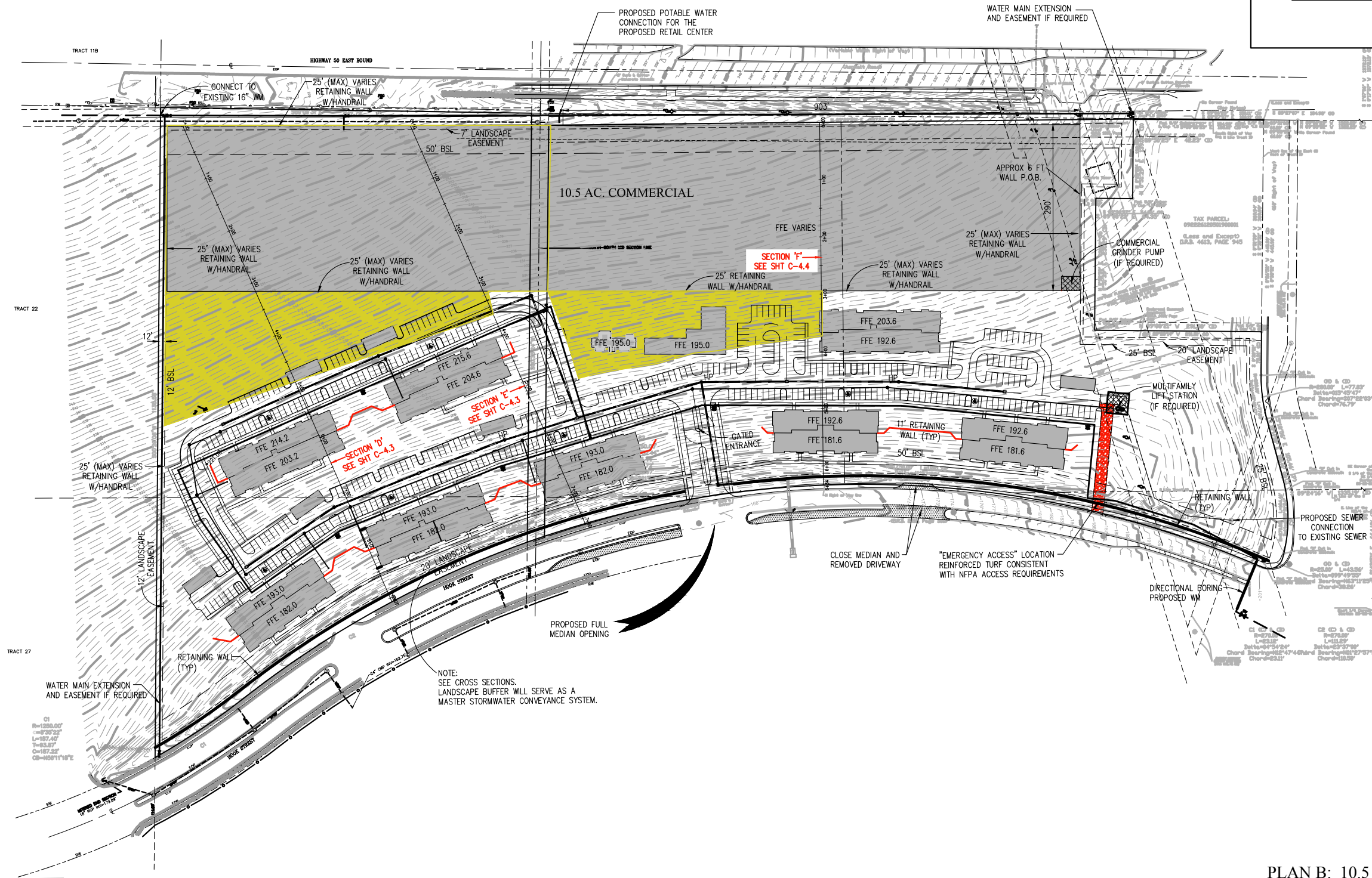
SHEET:

C-2.2



CUT IN EXCESS OF 10 FEET (4.28± AC. OR 15.85%)

RETAINING WALL - REQUESTING A WALL VARIANCE IN EXCESS OF 25 FEET (MAX)



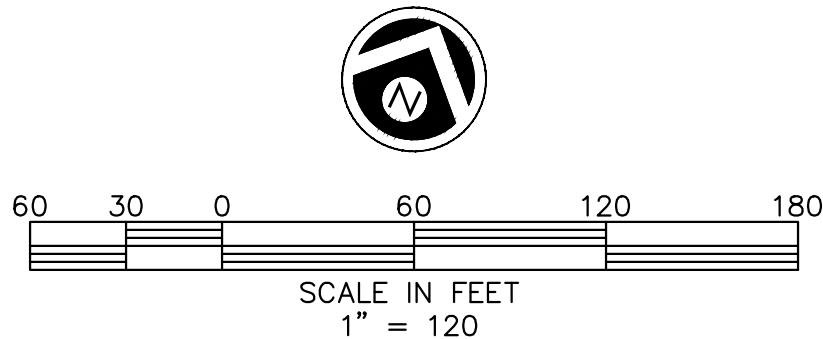
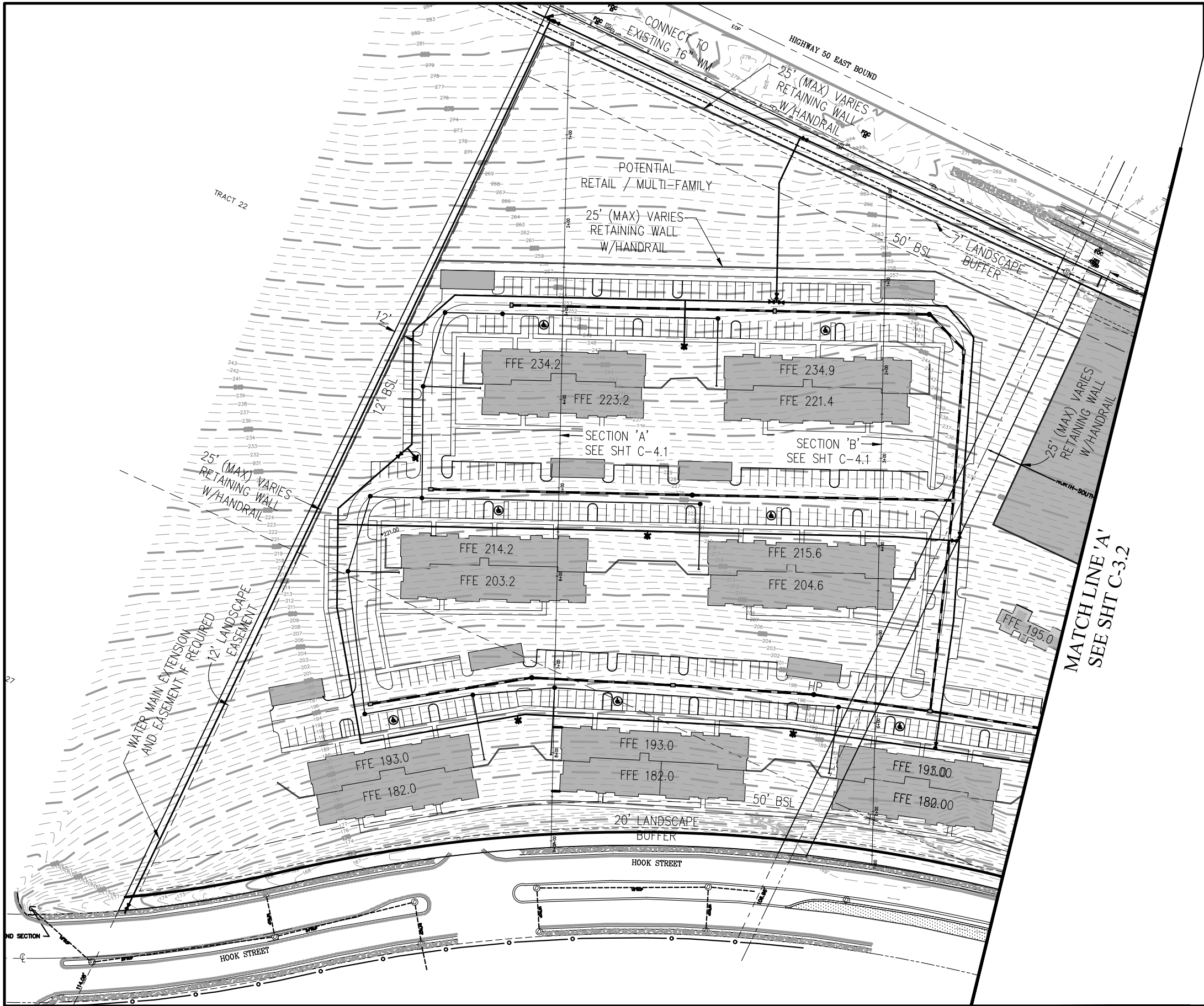
PLAN B: 10.5 ACRES RETAIL / 22.5 ACRES MULTIFAMILY / SENIORS

DATE	REVISIONS

B&S ENGINEERING CONSULTANTS, LLC
engineers planners

2221 Lee Road, Suite 17, Winter Park, Florida 32789 Telephone (407) 960-5868
Board of Professional Engineer Certificate No. 28973

AC FULCRUM - THE VUE AT CLERMONT CLERMONT, FLORIDA CONCEPTUAL GRADING SCHEMATIC - RETAIL S.R. 50 FRONTAGE	NOT FOR CONSTRUCTION UNLESS SIGNED AND SEALED MAJOR LEE STACY, P.E. REGISTRATION No. 70249 DATE: _____	JOB No.: AOC-01 DESIGNED: p.i.b. APPROVED BY: MLS DATE: 4-22-16 SHEET: C-2.3
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DATE	REVISIONS

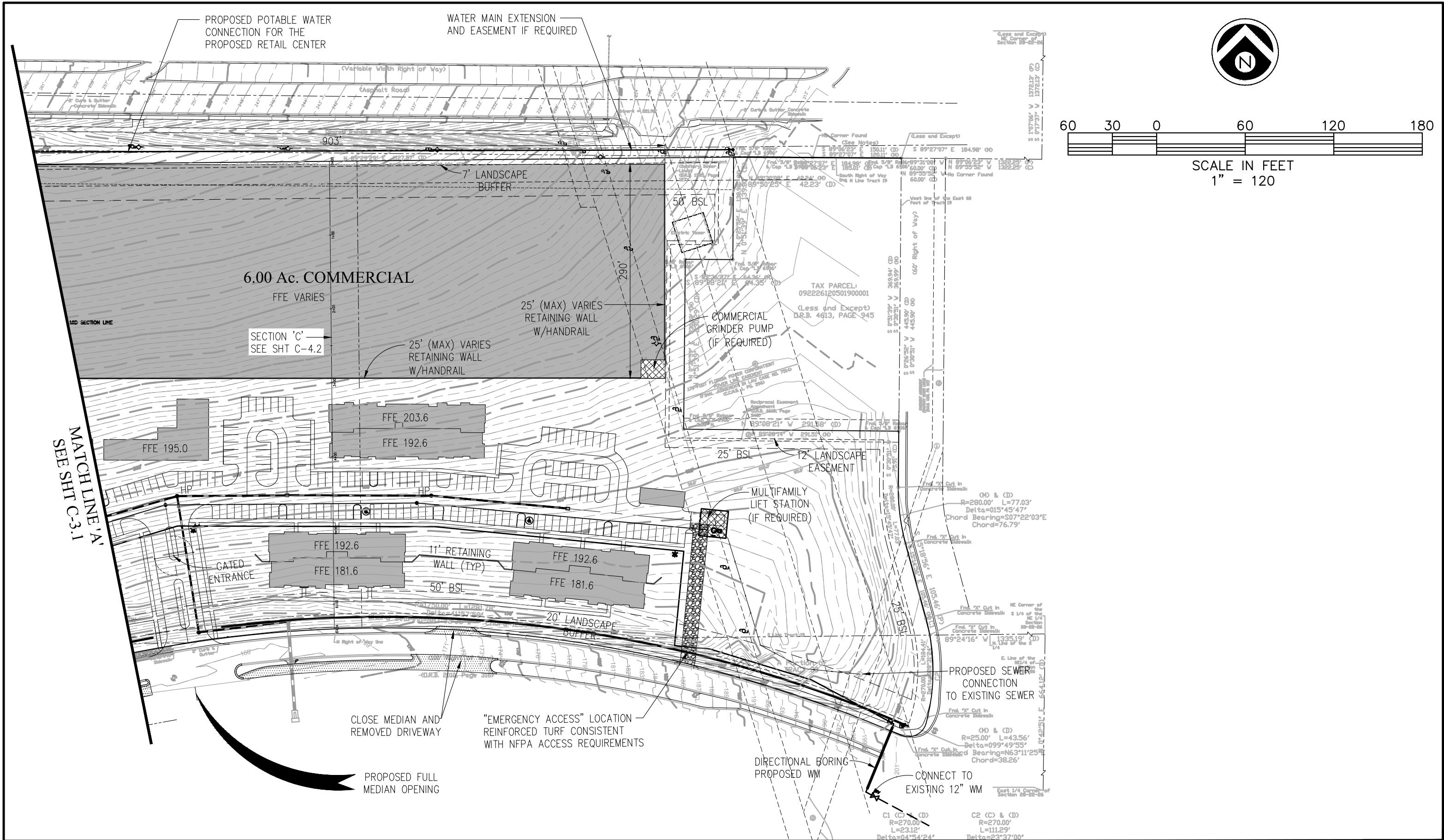
B&S ENGINEERING CONSULTANTS, LLC
engineers planners

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Board of Professional Engineer Certificate No. 28973

AC FULCRUM - THE VUE AT CLERMONT
CLERMONT, FLORIDA

CONCEPTUAL SITE PLAN 1

NOT FOR CONSTRUCTION UNLESS SIGNED AND SEALED	JOB No.: AOC-01 DESIGNED BY: p.i.b. APPROVED BY: MLS DATE: 4-22-16 SHEET:
MAJOR LEE STACY, P.E. REGISTRATION No. 70249 DATE:	C-3.1



DATE	REVISIONS

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Board of Professional Engineer Certificate No. 28973

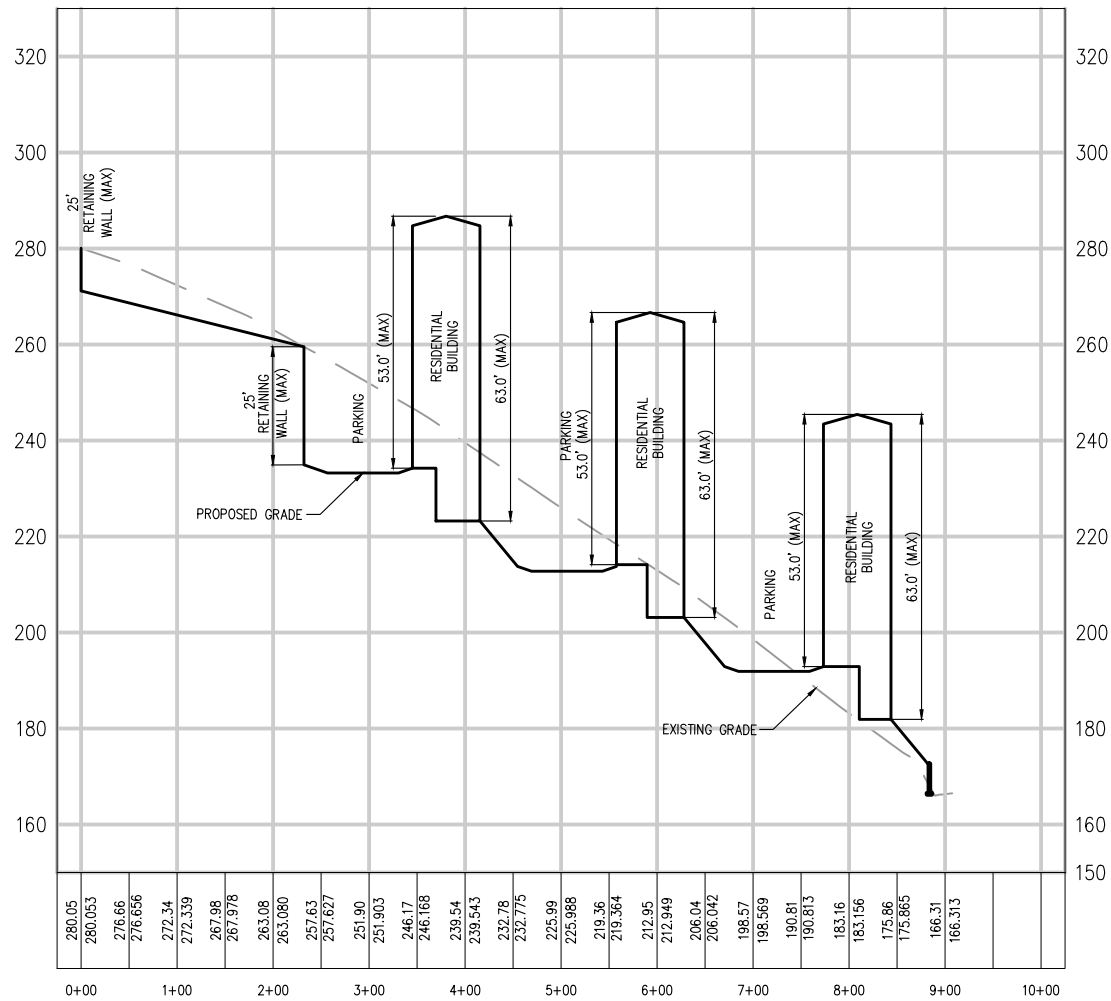
AC FULCRUM - THE VUE AT CLERMONT
CLERMONT, FLORIDA

CONCEPTUAL SITE PLAN 2

NOT FOR CONSTRUCTION
UNLESS SIGNED AND SEALED

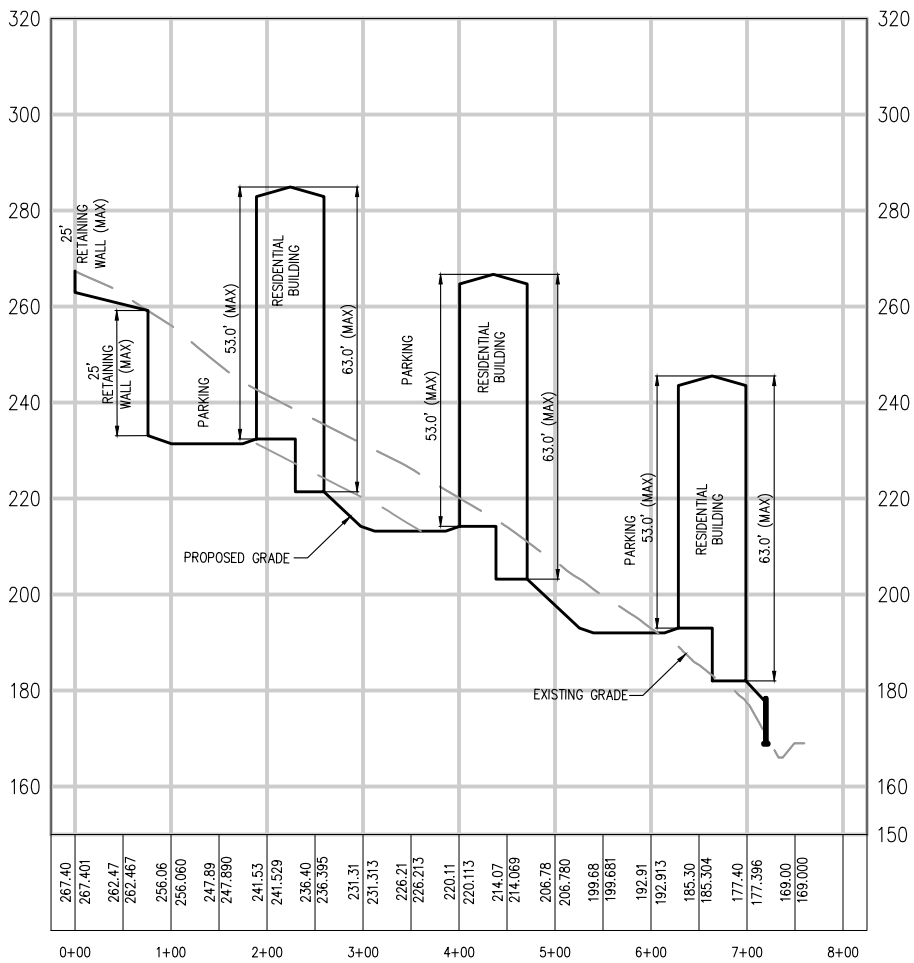
MAJOR LEE STACY, P.E.
REGISTRATION No. 70249
DATE: _____

JOB No.: AOC-01
DESIGNED: p.i.b.
APPROVED BY: MLS
DATE: 4-22-16
SHEET:
C-3.2



SECTION 'A'

SCALE:
HORZ: 1" = 200'
VERT: 1" = 20'



SECTION 'B'

DATE	REVISIONS

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engineers planners

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Board of Professional Engineer Certificate No. 28973

AC FULCRUM - THE VUE AT CLERMONT

CLERMONT, FLORIDA

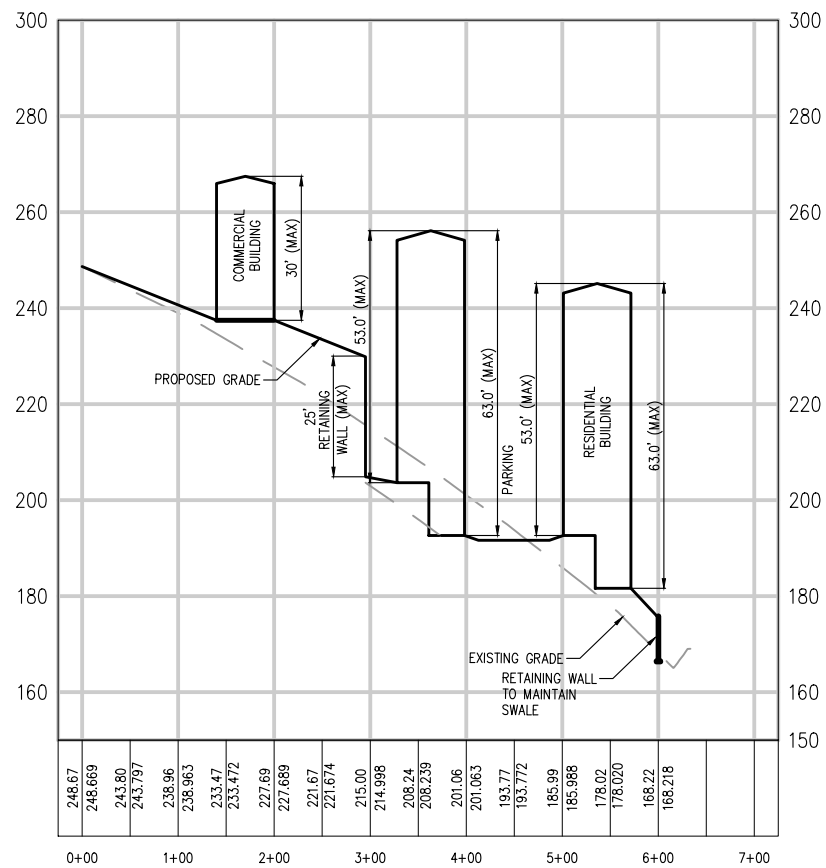
CROSS SECTION 1

NOT FOR CONSTRUCTION
UNLESS SIGNED AND SEALED

MAJOR LEE STACY, P.E.
REGISTRATION No. 70249

DATE: _____

JOB No.: AOC-01
DESIGNED: p.i.b.
APPROVED BY: MLS
DATE: 4-22-16
SHEET:
C-4.1



SECTION 'C'
SCALE:
HORZ: 1" = 200'
VERT: 1" = 20'

DATE	REVISIONS

B&S

ENGINEERING CONSULTANTS, LLC
engineers planners

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Board of Professional Engineer Certificate No. 28973

AC FULCRUM - THE VUE AT CLERMONT
CLERMONT, FLORIDA

CROSS SECTION 2

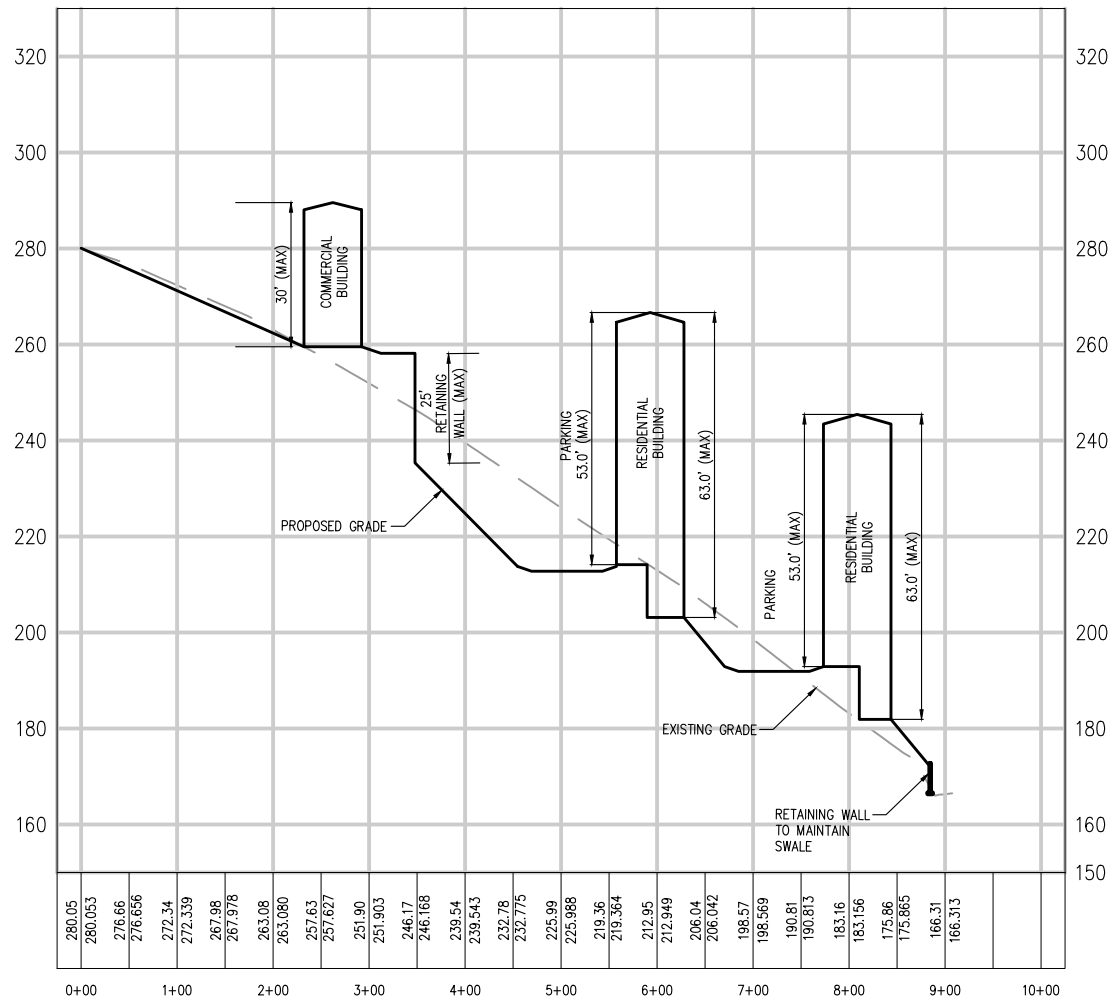
NOT FOR CONSTRUCTION
UNLESS SIGNED AND SEALED

MAJOR LEE STACY, P.E.
REGISTRATION No. 70249

DATE: _____

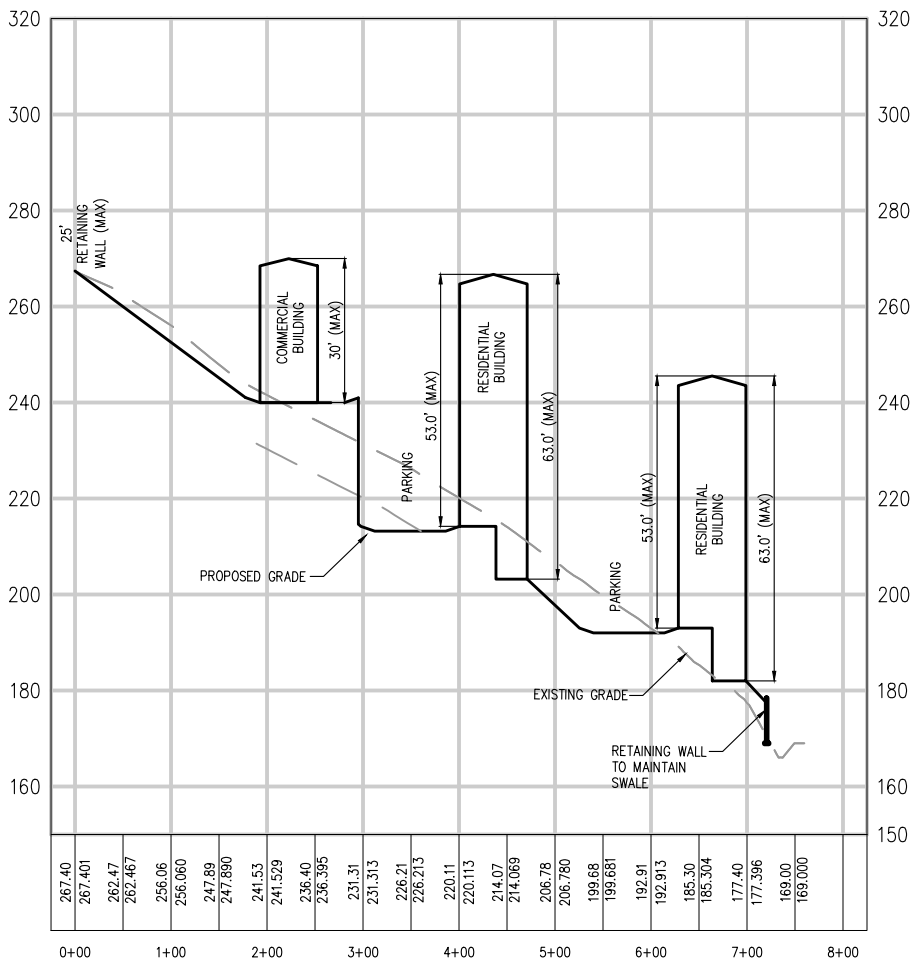
JOB No.: AOC-01
DESIGNED: p.i.b.
APPROVED BY: MLS
DATE: 4-22-16
SHEET:

C-4.2



SECTION 'D'

SCALE:
HORZ: 1" = 200'
VERT: 1" = 20'



SECTION 'E'

DATE	REVISIONS

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ENGINEERING CONSULTANTS, LLC
engineers planners

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Board of Professional Engineer Certificate No. 28973

AC FULCRUM - THE VUE AT CLERMONT
CLERMONT, FLORIDA

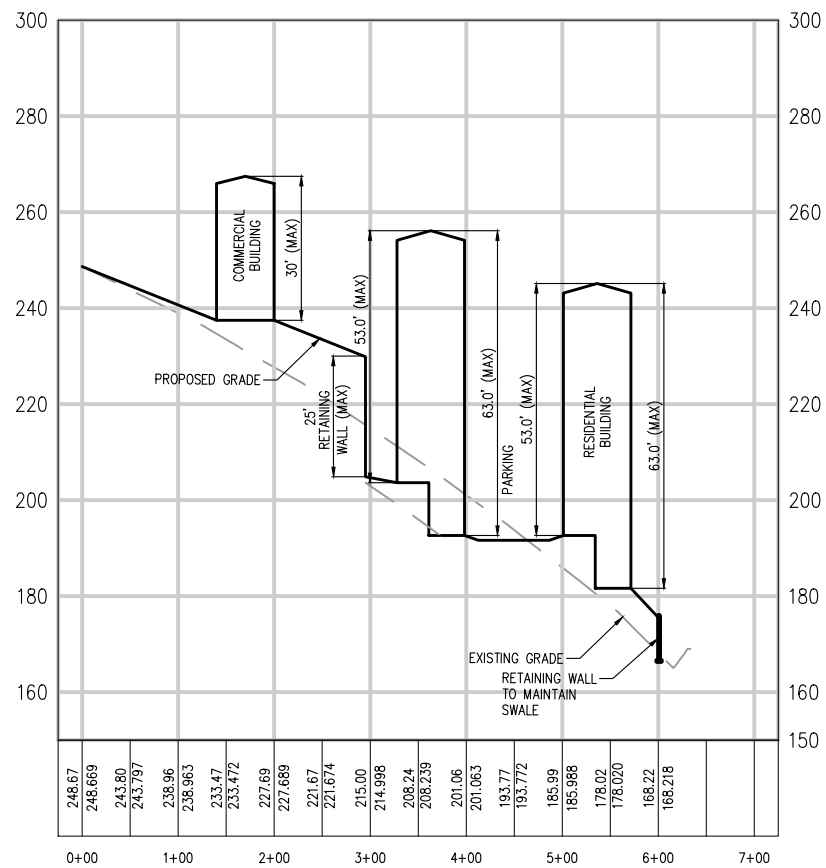
CROSS SECTION 3 (RETAIL ON NORTH)

NOT FOR CONSTRUCTION
UNLESS SIGNED AND SEALED

MAJOR LEE STACY, P.E.
REGISTRATION No. 70249
DATE: _____

JOB No.: AOC-01
DESIGNED: p.i.b.
APPROVED BY: MLS
DATE: 4-22-16
SHEET:

C-4.1



SECTION 'F'

SCALE:
HORZ: 1" = 200'
VERT: 1" = 20'

DATE	REVISIONS

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engineers planners

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Board of Professional Engineer Certificate No. 28973

AC FULCRUM - THE VUE AT CLERMONT
CLERMONT, FLORIDA

CROSS SECTION 4 (RETAIL ON NORTH)

NOT FOR CONSTRUCTION
UNLESS SIGNED AND SEALED

MAJOR LEE STACY, P.E.
REGISTRATION No. 70249

DATE: _____

JOB No.: AOC-01
DESIGNED: p.i.b.
APPROVED BY: MLS
DATE: 4-22-16
SHEET:

C-4.2



The VUE at Clermont

Clermont, Florida



SK-1 BUILDING HEIGHT



charlan brock & associates

DATE	REVISIONS

B&S
ENGINEERING CONSULTANTS, LLC
engineers planners

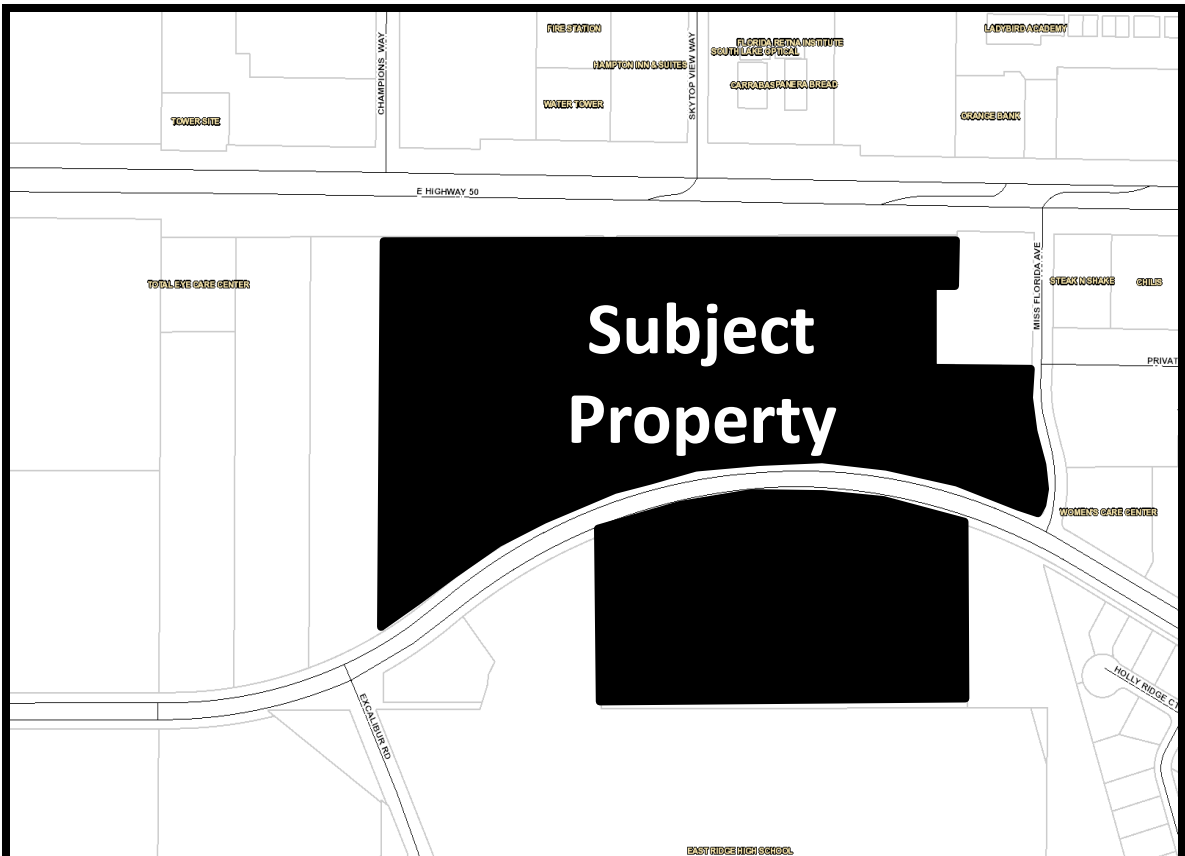
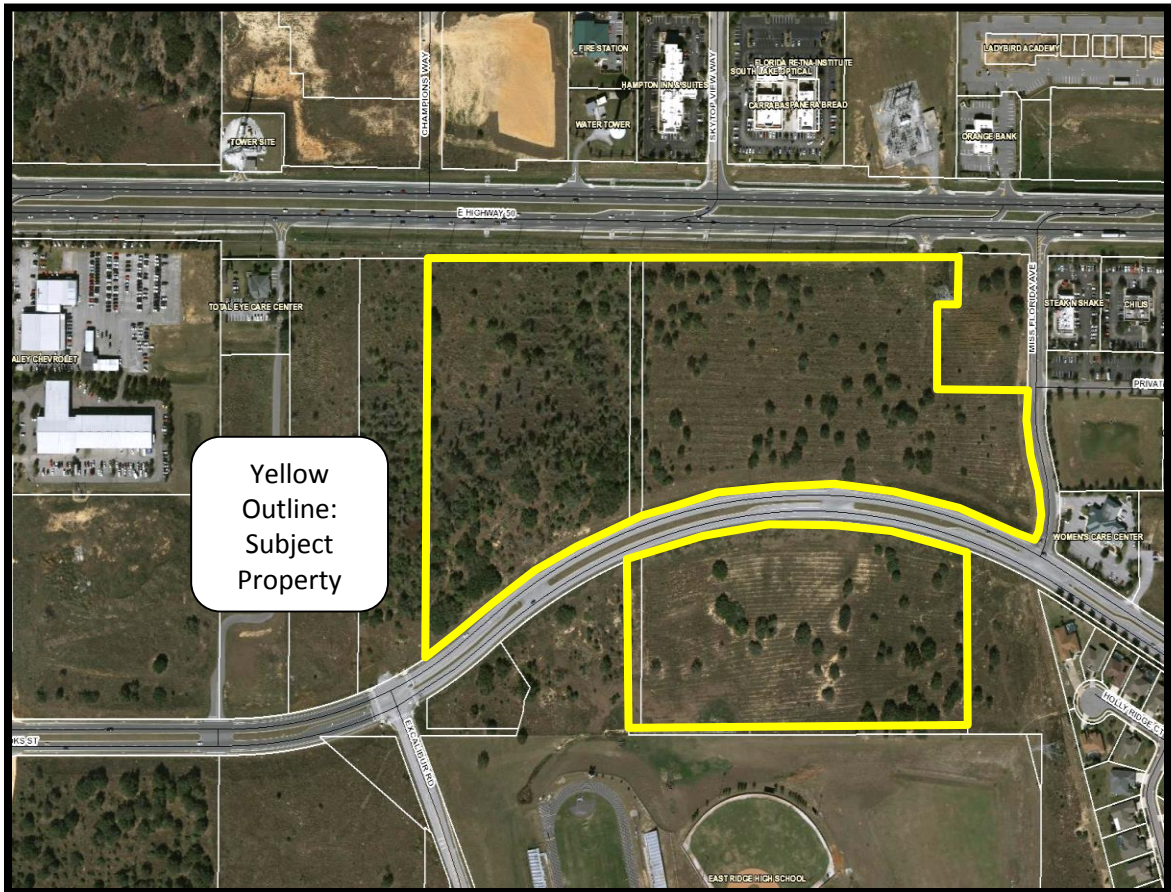
2221 Lee Road, Suite 17, Winter Park, Florida 32789 Telephone (407) 960-5868
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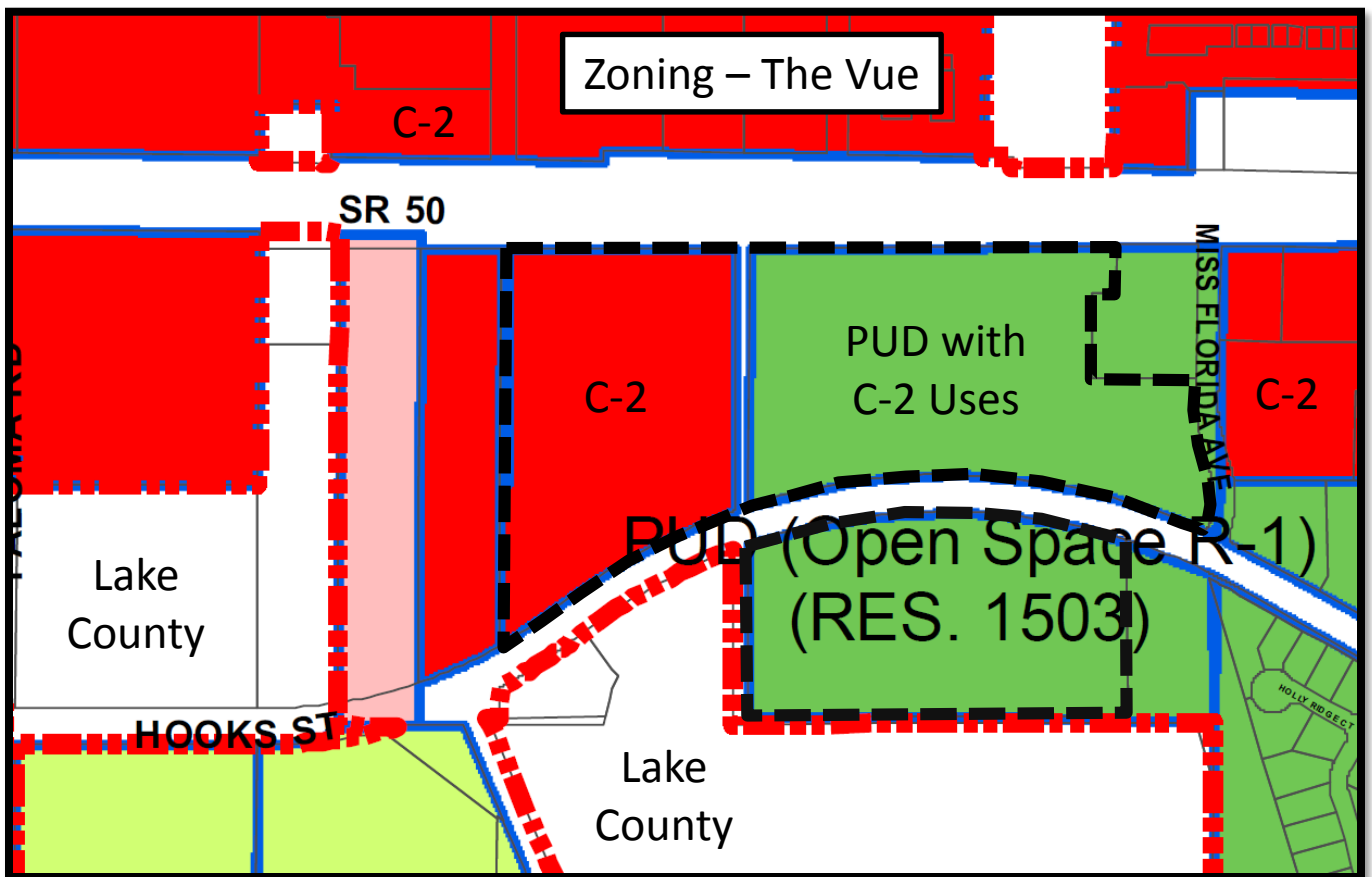
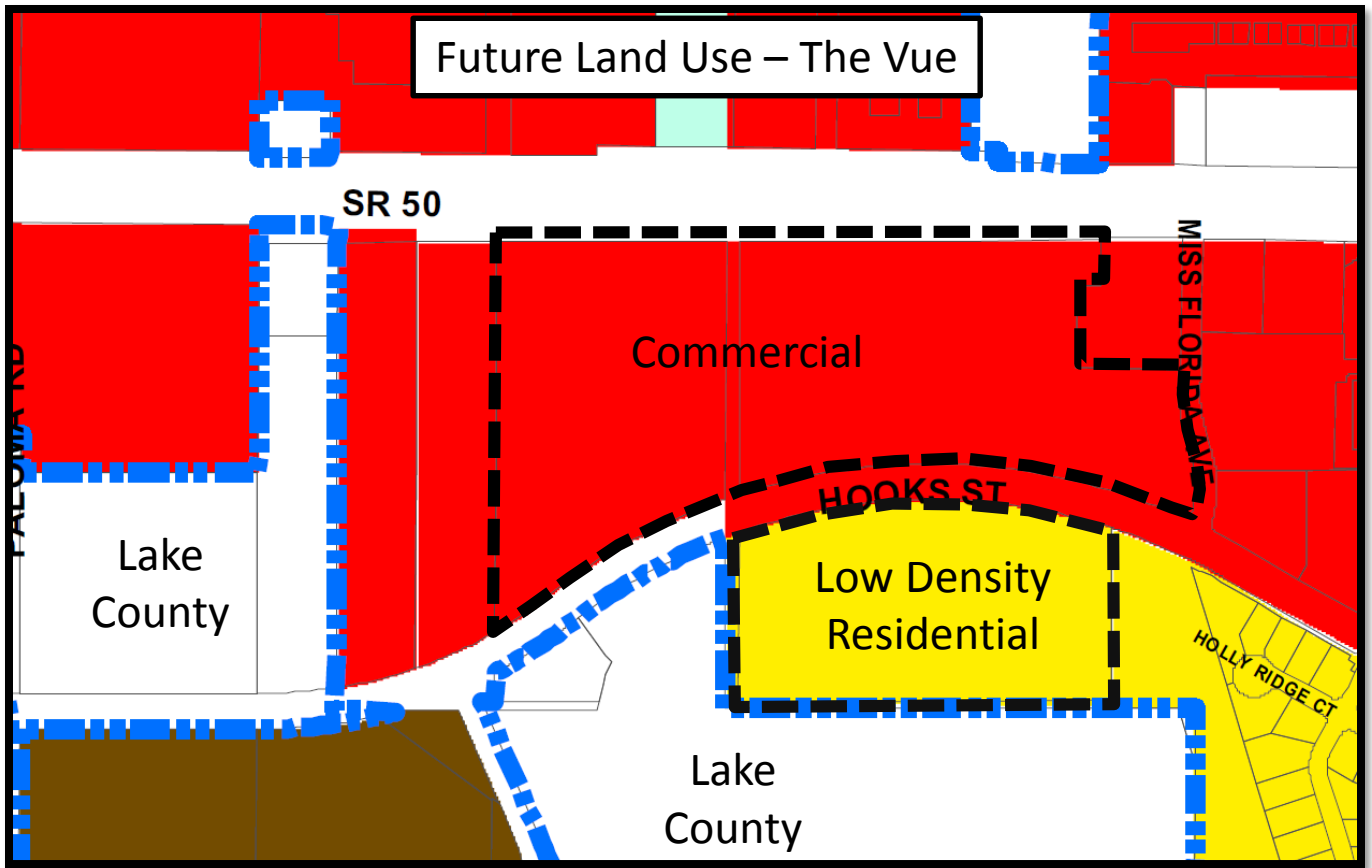
AC FULCRUM - THE VUE AT CLERMONT
 CLERMONT, FLORIDA

ARCHITECTURAL ELEVATION

JOB No.:	AOC-01
DESIGNED BY:	p.i.b.
APPROVED BY:	MLS
DATE:	4-22-16
SHEET:	A-1.1

Location Map - The Vue





City of Clermont
MINUTES
PLANNING AND ZONING COMMISSION
MAY 3, 2016

Page 1

The meeting of the Planning and Zoning Commission was called to order Tuesday May 3, 2016 at 6:30 p.m. by Chairman Nick Jones. Other members present were Carlos Solis, Herb Smith, Judy Proli, Cuqui Whitehead, Tony Hubbard, and Jack Martin. Also in attendance were Barbara Hollerand, Development Services Director, Curt Henschel, Planning Manager, John Kruse, Senior Planner, Dan Mantzaris, City Attorney, and Rae Chidlow, Planning Specialist.

MINUTES of the Planning and Zoning Commission meeting held March 15, 2016 were approved as written.

MINUTES of the Planning and Zoning Commission meeting held April 5, 2016 were approved as written.

REPORTS

Commissioner Whitehead stated that she has been elected as President of the Caribbean American Association of Lake County. She stated that she would like to invite everyone to a festival on June 11, 2016 at Waterfront Park.

Chairman Jones stated that there has been a request to postpone the Magic Moments conditional use permit to the June meeting.

Development Services Director Hollerand stated that the June meeting will be held on Monday, June 13, 2016 due to the renovations to the a/v system in the Council Chambers.

Commissioner Whitehead moved to table the Magic Moments conditional use permit to Monday, June 13, 2016; seconded by Commissioner Proli. The vote was unanimous to recommend tabling the request.

1. REQUEST FOR REZONING

REQUEST: To change the zoning from C-2 General Commercial and Urban Estate to Planned Unit Development

PROJECT: The Vue

Planning Manager Henschel presented the staff report as follows:

The applicant, AC-Fulcrum, is requesting a rezoning on 42 +/- acres from C-2 General Commercial and Urban Estate to a Planned Unit Development zoning for a mixed use, Planned Unit Development project consisting of a multi-family apartment complex, general commercial uses, retention area and open space. The property is located south of Highway 50, west of Miss Florida Avenue and north and south of Hooks Street. The eastern 17 acres of the project, north of Hooks Street, was contained in a previously approved Conditional Use Permit for a Planned Unit Development known as Hills of Clermont, and was permitted for C-2 General Commercial uses within Urban Estate zoning. The property is currently vacant. The property south of Hooks Street

**City of Clermont
MINUTES
PLANNING AND ZONING COMMISSION
MAY 3, 2016**

Page 2

is currently used as retention and open space. The western 13-acre portion, also vacant, is not part of the Hills of Clermont Planned Unit Development and is currently zoned C-2 General Commercial.

The applicant has requested 12 units per acre for the multi-family portion of the project. The allowing of the 12 units per acre will be addressed in the related Conditional Use Permit, Resolution 2016-15, since Planned Unit Development zoning is currently not recognized in Policy 1.9.2 of the City's Comprehensive Plan as a way to permit residential units greater than 8 units per acre. Staff will be making a text amendment to the policy to allow Planned Unit Development zoning under this policy.

The applicant has proposed two options, Option A and Option B. Option A proposes 6 acres of C-2 General Commercial along a portion of Highway 50, with 324 multi-family units on 27 acres. Option B proposes 10.5 acres of C-2 General Commercial all along Highway 50 with 270 multi-family units on 22.5 acres.

The characteristics of the site, with site elevation changes over 100 feet from Highway 50 south to Hooks Street, make it very challenging to develop. A portion of the project was even identified in the "Strategic Economic Development Plan" (DEO grant funded study) citing topography as a challenge.

The applicant has identified several waivers to the Land Development Code to make the site developable to their proposal. The multi-family units will be constructed in buildings that will have multi-level construction that may have heights up to 63 feet (18 feet above code maximum) and retaining walls up to 25 feet in height (19 feet above code maximum). The applicant is requesting a maximum elevation change, through cut and fill, of up to 25 feet over the site due to excessive grades on the site. The applicant has identified cut changes over 15% of the site exceeding greater than 10 feet for the multi-family portion.

The applicant is asking for a reduced landscape buffer along Highway 50 due to the severe topography of the site dropping off towards Hooks Street. The applicant has indicated a 7-foot-wide buffer with 30% more plantings will be installed. Staff has not seen evidence that the proposed landscape buffer will accomplish the visual and noise attenuation of a required 20-foot buffer. The applicant is requesting the driveways from Highway 50 to be below the centerline of Highway 50 due to the elevation change on the site for the commercial portion. The applicant has indicated they will work with the City Engineer to approve proposed grading to ensure adequate outfall and protection is in place to prevent runoff into the finished floor of the buildings.

The applicant is also requesting a variance to utilize 9 feet by 18 feet parking spaces instead of 10 feet by 20 feet. The applicant indicated the request was due to maximizing available parking while significantly reducing unnecessary environmental pollutant runoff, increasing green spaces throughout. The applicant is proposing to gate the multi-family portion of the project and is requesting a variance to allow the gating of this area of the project.

**City of Clermont
MINUTES
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MAY 3, 2016**

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On the coversheet, it was noted that the Planned Unit Development will allow all permitted C-2 uses (inclusive of 1 retailer less than 100,000 square feet but greater than 20,000 square feet). Staff has not seen any proposed buildings with square footages attached to the uses. Without further details of the building exceeding 20,000 square feet, staff is unable to support this request.

A large portion of the existing commercial area is changing to multi-family use, which warrants a traffic study and school concurrency report. The applicant did supply an initial growth impact report from the Lake County School Board indicating the project would have an estimated impact of 92 students for the 324-unit Option A. A traffic study and school reservation would be performed prior to site plan approval.

The conceptual overall site plans prepared by B&S Engineering Consultants, LLC, dated April 22, 2016, shows Option A (Sheet C-2.2) with 10 large buildings and some smaller buildings along with the parking areas and the commercial portion of the site. Option B (Sheet C-2.3) shows 8 large buildings and some smaller buildings along with the parking areas and the larger commercial portion of the site.

The applicant has proposed two options for the site for consideration. After reviewing both options, staff believes Option B is more consistent with the existing comprehensive plan and development in the area. Staff recommends approval of Option B, however; staff cannot support the excessive retaining wall heights, topography changes, reduced landscape buffer, and reduced parking stall dimensions, as requested by the applicant.

2. REQUEST FOR CONDITIONAL USE PERMIT

REQUEST: To allow a conditional use permit to allow for multi-family residential

PROJECT: The Vue

Planning Manager Henschel presented the staff report as follows:

The applicant, AC-Fulcrum, is requesting a rezoning on 42 +/- acres for a mixed use, Planned Unit Development project consisting of a multi-family apartment complex, general commercial uses, retention area and open space. The applicant has requested 12 units per acre for the multi-family portion of the project. With the recent addition of the Planned Unit Development zoning to the City's Land Development Code, this request may have been handled through that process. However, it was brought to staff's attention that an incompatibility exists in the City's Comprehensive Plan that needs to be addressed. Policy 1.9.2 states "Residential development shall be limited to 12 units per acre; however, densities higher than eight units per acre shall require a conditional use permit." This policy does not state Planned Unit Development zoning.

Staff has concluded that the policy can be easily amended to make the Planned Unit Development zoning compatible with this policy. The addition of "or Planned Unit Development." at the end of the policy would correct the incompatibility. Unfortunately, the time

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MINUTES
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MAY 3, 2016**

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necessary to make this change is a several months long process since it is a text amendment to the Comprehensive Plan. Staff will be moving forward on making this change.

In order to assist with the applicant's request in a timely manner, it was noted that the applicant could still seek a Conditional Use Permit for the 12 units per acre. Therefore, the applicant is requesting a conditional use permit to allow 12 units per acre for the project while all the other details of the project will be contained in the Planned Unit Development zoning ordinance. This would allow the applicant to move forward on the project and be consistent with the Comprehensive Plan.

Staff has reviewed the Planned Unit Development proposal and the total number of units for the multi-family portion is 324 units. Staff has placed this cap on the multi-family portion in the Conditional Use Permit and will also be in the Planned Unit Development ordinance. Staff recommends approval of Resolution 2016-15 to allow 12 units per acre for the project, not to exceed an overall unit count of 324 units.

Cecilia Bonifay, 420 S. Orange Avenue, Orlando, attorney with Akerman representing The Vue, stated that the City received a grant to create a strategic plan to help property owners develop difficult topography sites. She stated that although the City codes are good requirements, they do not fit a site such as this one. She stated that waivers are necessary to develop this property. She stated that on Option A and Option B drawing, the yellow coloring shows the portion of the site that will need additional cut and fill. She stated that the applicant wants to make The Vue senior housing which will decrease the trip generation on traffic and eliminate the demand on the schools. She stated that there are no potential tenants for the commercial uses at this time.

Commissioner Whitehead asked if the applicant is preferring Option A or Option B.

Ms. Bonifay stated that the applicant is open to the decision and staff is recommending Option B. She stated that the difference is Option A has six acres of commercial, two units of multi-family near Highway 50 with the remaining eight units below. She stated that Option B has a 10 acres of commercial area, removing the two multi-family units near Highway 50 and all the multi-family located below the commercial area.

Commissioner Solis asked if the rest of the area meets the City's cut and fill code.

Mr. Henschel stated that the cut and fill area that is not meeting City's code is highlighted in yellow on both Option A and Option B site plans.

Major Stacy, B&S Engineering Consultants, 2221 Lee Road, Winter Park, stated that the site is a challenge. He stated that they are experienced with topographic challenges. He stated that the 25-foot retaining walls and grade difference is between the commercial and multi-family. He stated that the wall preserves the character of the landscape. He stated that with senior living they have to meet ADA requirements and reduce significant elevation changes. He stated that they have to be able to get a fire truck in and out of the site which is a governing factor for what they are

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MINUTES
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doing with this site. He stated that the reason for the reduced parking stalls is to allow more open space to transition between the grade levels.

Commissioner Proli asked why develop this type of project for this property rather than going with single family homes. She stated that she is concerned about over-crowding the schools, traffic, police, and fire due to the growth in the city. She stated that the citizens would rather have more commercial than residential.

Commissioner Solis stated that the city needs more residential in order to get more commercial.

Commissioner Smith asked if the applicant is willing to proceed with Option B.

Ms. Bonifay stated that the applicant is willing to proceed with Option B. She stated that they have received a capacity letter from the school board and there is capacity. She stated that there is a requirement for a traffic study to be completed.

Jonathon Moore, 2419 Albert Lee Pkwy, Winter Park, stated that the site is difficult. He stated that the cost would be enormous to do single-family units on this property. He stated that the multi-family buildings are laid out to match the topography.

Commissioner Solis asked if this property could be developed at all following the City's standards.

Mr. Henschel stated that it would be very difficult.

Commissioner Solis stated that it's a question of do we want a vacant piece of property for a long time or do we want to work with someone who is willing to work with the property.

Commissioner Smith suggested to allow smaller parking stalls at the top portion of the site and make them larger as they build down the site.

Janet Justice McKenzie, 2546 Holly Berry Circle, Southridge Subdivision, stated that she had the same issue a year ago with another development wanting to build apartments across from their subdivision. She spoke in opposition to the development.

Pastor Sandy Edwards, 2554 Holly Berry Circle, stated that she is opposed to the development and is requesting the Commission to deny the application.

Sam Durance, 2466 Holly Berry Circle, stated that the project that was denied a year ago was much smaller than this project. He stated that they are not opposed to commercial, however he doesn't agree with multi-family. He submitted letters of opposition from his neighbors.

Ms. Bonifay stated that the property south of Hooks Street next to their subdivision will not be developed so there will be a buffer between this project and their subdivision.

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Commissioner Solis asked if there is an entrance from Highway 50.

Ms. Bonifay stated that there will be a right-in, right-out from Highway 50. She stated that the gated entrance for the multi-family will be from Hooks Street.

Commissioner Hubbard asked if the density count included the parcel to the south of Hooks Street.

Mr. Henschel stated that a portion of that property was prorated to be included.

Ms. McKenzie stated that she wanted to state again that the neighbors were assured that this property would remain commercial.

Commissioner Smith stated that was for a different parcel.

Mr. Henschel stated that was for a parcel in Hills of Clermont PUD for workforce housing.

Commissioner Proli stated that she has concerns about the height.

Commissioner Martin stated that there are two things he has been thinking about lately. He stated that one is the character and nature of Clermont and the other is about specific parcels such as this one. He stated that the character and nature of Clermont has been changing over the years. He stated that the City has developed a good downtown master plan. He stated that Clermont's character and nature seems to be flowing toward a Winter Park, Windermere, Pebble Beach, California character. He stated that now there are numerous auto sales along Highway 50. He stated that he sees more and more high density residential, however high density isn't the character and nature that Clermont was growing into. He stated that they have to help shape the character of Clermont. He stated that if they don't have an image, then they are allowing the character and nature to change into something they don't want. He stated that he is not in favor of this project because he wants something more like Winter Park, Windermere, or Pebble Beach.

Chairman Jones asked the applicant if they would compromise on the waivers that are being requested.

Mr. Moore stated this Commission has given him feedback as to what they want so he can now go back to see where they can compromise on requests. He stated that with this property it will be impossible to develop without any waivers.

Commissioner Whitehead moved to recommend approval of the rezoning for Option B and to negotiate the waivers; seconded by Commissioner Solis. The vote was 4-3 to recommend approval, with Commissioners Proli, Hubbard, and Martin opposing.

**City of Clermont
MINUTES
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MAY 3, 2016**

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Commissioner Whitehead moved to recommend approval of the conditional use permit; seconded by Commissioner Solis. The vote was 4-3 to recommend approval, with Commissioners Proli, Hubbard, and Martin opposing.

3. REQUEST FOR COMPREHENSIVE PLAN AMENDMENT

REQUEST: To change the future land use from Lake County Regional Commercial to Low Density Residential

PROJECT: WaterBrooke

Senior Planner Kruse presented the staff report as follows:

The applicant, Mattamy Homes, is requesting adoption of a future land use change for 28.6 acres that would be added to its residential subdivision, WaterBrooke. The proposed map amendment will change the future land use from Lake County's Regional Commercial to the City's Low Density Residential. The City's Low Density Residential allows up to 3 dwelling units per acre. The City's Low Density Residential does not permit commercial or industrial uses, as allowed by the County's future land use. The conversion from commercial and industrial uses to residential uses would be more logical in this area of the City since residential development has already occurred to the west of Hancock Road and is currently planned to the east of this parcel with the existing WaterBrooke development. Existing commercial uses are located a little more than 1-mile north along SR 50.

With the additional acreage added to the WaterBrooke subdivision, the applicant is requesting 1100 units on total 568.6 acres, which equates to 1.93 units per acre. This number is below the 3 dwelling units per acre allowable under the City's Low Density Residential future land use.

Upon approval by the City Council, the proposed amendment would be transmitted to the Florida Department of Economic Opportunity (DEO) and the reviewing agencies for review. DEO would then issue an Objections, Recommendations and Comments letter to the City, and the amendment would then be scheduled for a final public hearing in July.

Staff recommends approval of the transmittal of the large scale comprehensive plan amendment to change the future land use from Lake County Regional Commercial to the City's Low Density Residential.

4. REQUEST FOR REZONING

REQUEST: To change the zoning from UE Urban Estate to Planning Unit Development

PROJECT: WaterBrooke

Senior Planner Kruse presented the staff report as follows:



CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
APPLICATION

DATE: _____

FEE: \$1,153.50

PROJECT NAME (if applicable): The VUE at Clermont

APPLICANT: AC-Fulcrum

CONTACT PERSON: Jonathan Moore

Address: 710 East Colonial Drive

City: Orlando State: Florida Zip: 32803

Phone: 407-373-0930 Fax: _____

E-Mail: jmoore@accommercial.com

OWNER: 14 Acres SR 50, LLC

Address: 125-A East Marks Street

City: Orlando State: Florida Zip: 32803

Phone: _____ Fax: _____

Address of Subject Property: Clermont, FL 34711

General Location: Southwest Quadrant of Highway 50 and Miss Florida Avenue

Parcel ID: 09-22-26-120502100000

Legal Description (include copy of survey): Survey Attached

Land Use (City verification required): Vacant Commercial

Zoning (City verification required): C-2



**CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
APPLICATION**

Page 2

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

AC/Fulcrum is assembling the parcels shown in exhibit "A" attached. We will be developing a mix use project subject to City approval for the conditional use of multi-family with no greater density than 12 units per acre. There are many unique locational attributes which make apartments appropriate on this acreage such as the close proximity of the high school and middle school to the south, community college immediately to the north along with the hospital, an abundance of retailers, and zero abutting owned residential housing. The aforementioned factors make this one of the most suitable areas in Clermont for an apartment development. Additionally, there are physical topographical attributes that drive apartment viability on this particular site – the site work is least costly for multi-family than retail and the elevation change allows for fantastic views that serve as a unique feature for future residents.

Jonathan Moore / AC Properties X

Applicant Name (print)

[Signature]

Applicant Name (signature)

14 ACRES SR 50, LLC

Owner Name (print)

X [Signature]

Owner Name (signature)

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

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

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



CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
APPLICATION

DATE: _____

FEE: \$1,000

PROJECT NAME (if applicable): The VUE at Clermont

APPLICANT: AC-Fulcrum

CONTACT PERSON: Jonathan Moore

Address: 710 East Colonial Drive

City: Orlando State: Florida Zip: 32803

Phone: 407-373-0930 Fax: _____

E-Mail: jmoore@accommercial.com

OWNER: Maynard K. Knapp, Trustee c/o John F. Lowndes, Esq.

Address: 215 North Eola Drive

City: Orlando State: Florida Zip: 32801

Phone: 407-843-4600 Fax: 407-843-4444

Address of Subject Property: Clermont, FL 34711

General Location: Southwest Quadrant of Highway 50 and Miss Florida Avenue

Parcel ID: 09-22-26-120501900000

Legal Description (include copy of survey): Survey attached

Land Use (City verification required): Timber

Zoning (City verification required): C-2



CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
APPLICATION
Page 2

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

AC/Fulcrum is assembling the parcels shown in exhibit "A" attached. We will be developing a mix use project subject to City approval for the conditional use of multi-family with no greater density than 12 units per acre. There are many unique locational attributes which make apartments appropriate on this acreage such as the close proximity of the high school and middle school to the south, community college immediately to the north along with the hospital, an abundance of retailers, and zero abutting owned residential housing. The aforementioned factors make this one of the most suitable areas in Clermont for an apartment development. Additionally, there are physical topographical attributes that drive apartment viability on this particular site – the site work is least costly for multi-family than retail and the elevation change allows for fantastic views that serve as a unique feature for future residents.

Jonathan Moore / AC Properties
Applicant Name (print)

X [Signature]
Applicant Name (signature)

JOHN LOWMEYER AS ATTORNEY IN FACT
FOR MAYNARD K. THARP, TRUSTEE
Owner Name (print)

X [Signature]
Owner Name (signature)

***** NOTICE *****

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

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

Exhibit "A"



LEGAL NOTICE

Notice is hereby given that the City of Clermont will consider a request for a Conditional Use Permit to allow for multi-family residential.

LOCATION

South of Highway 50, west of Miss Florida Avenue, North of Hooks Street
Alternate keys 1028272 & 3334566

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

This request will be considered by the Planning & Zoning Commission on Tuesday, May 3, 2016 at 6:30pm.

A public meeting to consider the request will be held before the City Council on Tuesday, May 24, 2016 at 6:30pm.

All meetings will be held in City Hall located at 685 West Montrose Street.

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

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

Tracy Ackroyd Howe, MMC
City Clerk

Daily Commercial
April 26 and May 17, 2016



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, May 24, 2016		
Agenda Item Name		
Resolution No. 2016-12 <i>Walmart</i>		
Requested Action		
Recommend approval of Resolution 2016-12.		
Staff Report		
The applicant is requesting an amendment to the existing Walmart conditional use permit (CUP) (Resolution 1316) to allow for an increase in building square footage. Currently, the existing Walmart located at 1450 Johns Lake Road is limited to 218,685 square feet. The applicant is requesting to build a 3,905-square-foot expansion to the east side of the building. The proposed expansion, which will be for liquor sales, will not be accessible from inside the main building. Combining the existing allowable square footage of 218,685 and the proposed addition of 3,905 square feet, the new proposed building size will be limited to 222,590 square feet. The proposed use is a permitted use under the Land Development Code (LDC), Section 122-223, for C-2 uses and requires an amendment to the CUP for the increased square footage of the project. The proposed amendment has been addressed in the attached Resolution 2016-12 language. Strike through indicates deletions and underlines indicate additions. This same request was previously considered at the December 9, 2014 City Council meeting with a final decision of denial. The applicant has the right to reapply after a period of one year. The year time-frame has passed, and the applicant is reapplying for the same amendment as before. Based upon the submitted information and consistency with the LDC, staff recommends approval of Resolution 2016-12 for an increase of 3,905 square feet. <i>At the May 3, 2016 Planning and Zoning Commission meeting, Commissioner Cuqui Whitehead moved to recommend approval of the conditional use permit; seconded by Commissioner Herb Smith. The vote was unanimous to recommend approval.</i>		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Resolution CUP RES 2016-12.docx		
2. Map 2016 Map.pdf		

3.	Elevation	Color Elevations 2016.pdf
4.	2016 CUP Conditions	Wal-Mart CUP CONDITIONS 2016.doc
5.	Site Plan	2016 CUP Plans.pdf
6.	P&Z Minutes	P&Z Minutes.pdf
7.	Application	CUP application.pdf
8.	Legal ad	2016 Walmart CUP legal ad.docx

**CITY OF CLERMONT
RESOLUTION NO. 2016-12**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CLERMONT, LAKE COUNTY, FLORIDA, GRANTING AN
AMENDMENT TO A CONDITIONAL USE PERMIT (RESOLUTION 1316)
TO ALLOW AN EXPANSION TO THE EXISTING WAL-MART.**

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held May 3, 2016 recommended approval of this amendment to the Conditional Use Permit to allow an expansion to the existing Wal-mart; at the following location:

LOCATION:

1450 John's Lake Road

The City Council deems it advisable in the interest of the general welfare of the City of Clermont, Lake County, Florida to grant this Conditional Use Permit.

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

This application for an amendment to the Conditional Use Permit to allow an expansion to the existing Wal-mart; be granted subject to the following conditions:

CONDITIONAL USE PERMIT CONDITIONS:

Section 1 - General Conditions

1. The conditions as set forth in this Conditional Use Permit shall be legally binding upon any heirs, assigns and successors in title or interest.
2. No further expansion of the use or additions to the facility shall be permitted except as approved by another Conditional Use Permit.
3. The property shall be developed in substantial accordance with the Conceptual Site Plan dated 5/12/03 and prepared by CPH Engineers. Formal construction plans, incorporating all conditions stated in this Permit shall be submitted for review and approved by the Site Review Committee prior to the issuance of a Zoning Clearance or other development permits. The Conceptual Site Plans submitted with the Conditional Use Permit application are not the approved Construction Plans.
4. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.

CITY OF CLERMONT
RESOLUTION NO. 2016-12

5. The final Certificate of Occupancy shall not be issued until each of the stated conditions has been met.
6. If any of the stated conditions are violated, the applicant understands and agrees that the City Council may revoke this Conditional Use Permit by resolution.
7. The conditional use permit must be executed and filed in the office of the City Clerk within 90 days of its date of grant by the City Council or the Permit shall become null and void.
8. The applicant shall record in the Public Records of Lake County within 90 days of its date of approval by the City Council, a short-form version of this Conditional Use Permit as provided by the City or a form acceptable to the City, to provide notice to all interested parties, the assigns, successors and heirs of the developer/applicant and all future owners of the above-referenced property that the real property described above is subject to the terms and conditions of the Conditional Use Permit.
9. This Permit shall become null and void if substantial construction work has not begun within two (2) years of the date of this Conditional Use Permit is executed and signed by the permittee. "Substantial construction work" means the commencement and continuous prosecution of construction of required improvements ultimately finalized at completion.

Section 2 - Land Use

1. This permit is for a ~~218,685~~ 222,590 square foot Wal-Mart SuperCenter that will include general retail sales, a garden center, liquor store, grocery store, pharmacy, personal services, professional offices, restaurants, a gas station, and a Tire and Lube Express. The 3,905 square foot expansion shall be consistent with the Conceptual Site Plan dated 9/15/2014 as prepared by Kimley Horn Engineers.

Section 3 – Site Development

1. Detailed grading, erosion control, and dust abatement plans for the entire site shall be submitted to and approved by the Site Review Committee prior to Construction Plan approval and the initiation of development activity. The dust abatement plan shall detail measures to be taken to eliminate the migration of dust particles from the site.
2. The permittee/developers shall provide ground cover on all out parcel and disturbed areas, where construction is not immediately intended. Ground cover shall be provided in accordance with an approved ground cover plan acceptable to the City in accordance with Best Management Practices (BMP) of the United States Department of Agriculture Soil Conservation Service.
3. All excavated material shall be stored in a location approved by the City Engineer.
4. Ingress and egress to the site for construction shall be determined by the City Engineer.

CITY OF CLERMONT
RESOLUTION NO. 2016-12

Section 4 - Transportation Improvements

1. Sidewalks shall be required along all public road frontages, including U.S. Highway 27, in accordance with Florida Department of Transportation and City Codes.
2. Based upon results of the traffic study, the City may require that transportation improvements, necessitated by the portion of the project for which a building permit is sought, be made at the time of construction of that portion of the project. Project specific on-site/off-site transportation improvements consistent with identified project impacts, per the traffic study, will be the sole responsibility of the developer.
3. Citrus Tower Boulevard shall be constructed from Hooks Street to Johns Lake Road prior to issuance of the Certificate of Occupancy for the Wal-Mart Supercenter.
4. The right-of-way for the frontage road shall be dedicated prior to Construction Plan approval. The frontage road shall be constructed from Citrus Tower Boulevard to the north property line prior to issuance of a Certificate of Occupancy.
5. A signal warrant analysis for the intersection of U.S. Highway 27 and Johns Lake Road shall be completed and submitted to Florida Department of Transportation prior to Construction Plan approval. The Certificate of Occupancy for the Wal-Mart store will not be issued until the signal is installed and operational.
6. A signal shall be installed and operational at the intersection of Citrus Tower Boulevard and Johns Lake Road prior to the issuance of a Certificate of Occupancy.
7. Dual southbound left-turn lanes from U.S. Highway 27 onto Johns Lake Road shall be constructed prior to issuance of a Certificate of Occupancy. An additional eastbound lane with appropriate turn lanes shall be constructed on Johns Lake Road between U.S. Highway 27 and Citrus Tower Boulevard.
8. A mass transit stop shall be provided on site in accordance with the Lost Lake Reserve Development of Regional Impact and Planned Unit Development.

Section 5 - Utilities and Stormwater

1. Restaurants will be required to install grease traps at a size to be determined by the Environmental Services Director.

Section 6 – Landscaping and miscellaneous site improvements

1. Side slopes of the water retention areas shall be sodded and landscaped with trees. Trees shall be provided in the water retention areas that are appropriate for the soils and hydrology of the area.

CITY OF CLERMONT
RESOLUTION NO. 2016-12

2. The project shall be plumbed for reuse water with purple piping. Until such time as reuse water is available, irrigation water shall be provided for by well.
3. Cardboard recycling dumpsters shall be in dumpster enclosures constructed per Code.

Section 7 – Signage

1. All signs for the project shall be monument signs and their size and height, and so forth, shall be in accordance with the approved Lost Lake Planned Unit Development and the pending sign revision ordinance.
2. Only the lettering of the brand name on the fascia of the gas station canopy may be lit.

Section 8 - Architectural Design Standards

Architectural Plans for all buildings must be approved by the Site Review Committee prior to Construction Plan approval.

All structures shall be designed and constructed in accordance with the following design standards and the pending Architectural Design Ordinance unless otherwise approved by the City of Clermont Site Review Committee.

Façades and Exterior Walls:

1. Ground floor façades that face public streets shall have arcades, display windows, entry areas, awnings or other such features along no less than sixty (60) percent of their horizontal length.
2. Façades greater than one hundred (100) feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least three (3) feet. No uninterrupted length of any façade shall exceed one hundred (100) horizontal feet.
3. The loading areas shall be properly screened from public view. Proper screening shall include but not be limited to provision of a minimum 10-foot wide landscape buffer along the rear of the grocery and retail stores. All storage of pallets, cardboard boxes, and so forth, shall be within screened enclosures.

Roofs:

1. Parapet walls or other design features shall be used to conceal flat roofs and rooftop equipment such as HVAC units from public view from all sides of the building. Parapet walls or other design features shall be constructed at a height of at least one (1) inch above the tallest roof top unit. A metal or other enclosure for roof top equipment does not constitute screening from public view. The average height of such parapets shall not exceed fifteen (15) percent of the height of the supporting wall and such parapets shall not at any point exceed one-third (1/3) of the height of the supporting wall.

CITY OF CLERMONT
RESOLUTION NO. 2016-12

2. No uninterrupted length of any roofline or parapet wall shall exceed one hundred (100) horizontal feet.

Materials and colors:

1. The predominant exterior finish shall be of high quality materials, including, but not limited to, brick, stone, stucco and textured concrete masonry units. The finished surface of the exterior walls shall not include smooth-faced concrete block, tilt-up concrete panels or prefabricated steel panels.
2. Façade colors shall be low reflective, subtle, neutral, or earth tone colors. The use of high-intensity colors, metallic colors, black or fluorescent colors shall be prohibited.
3. Building trim and accent areas shall be limited to one primary color. The use of a primary color in the building trim is limited to a one (1) foot wide band around the building. Neon tubing shall not be an acceptable feature for building trim or accent areas.

Entryways:

1. Each large retail establishment shall have a clearly defined customer entrance featuring no less than three (3) of the following:
 - a. canopies or porticos;
 - b. overhangs;
 - c. recesses/projections;
 - d. arcades;
 - e. peaked roof forms;
 - f. arches;
 - g. architectural details such as tile work and moldings which are integrated into the building structure and design;
 - h. integral planters or wing walls that incorporate landscaped areas and/or places for sitting.

Signage:

1. Neon tubing shall not be used in building signage unless within the framework of an enclosure. The blue background color for the Wal-Mart Supercenter signs shall be reduced to a limited area around the lettering. This area is to be determined by staff during Site Plan Review.
2. Signage may include store identification including garden center and contractor pickup, and so forth, but not advertising such as “We Sell for Less” or “Low Prices”, and so forth.

CITY OF CLERMONT
RESOLUTION NO. 2016-12

Lighting:

1. Light poles shall not be painted in primary colors. Parking lot lights shall be aimed straight down and be enclosed in a shroud so that light will not project out in an upward or horizontal direction.

Outdoor storage:

1. All materials stored outside must be within an opaque enclosure.
2. All landscape materials stored outside must be within an enclosure. If the enclosure is not opaque, the enclosure shall consist of columns of the same material as the primary structure with ornamental metal fencing as screening.
3. All fencing shall be ornamental metal; chain link fencing is prohibited.

Outdoor display:

1. Outdoor display will only be allowed by the garden center, this area shall be clearly delineated on the Site Plan. Outdoor display shall be separated into two categories: daily display and seasonal display. Daily display is to be taken into the store at the end of each business day, while seasonal display may remain outside overnight. Outdoor storage of inventories of fertilizer and landscaping materials, or any other inventory, is prohibited. Flowers that are displayed outside must be on movable carts and brought in after business hours. Parking spaces cannot be used for any outdoor display or storage of inventory.

Miscellaneous:

1. Cart corrals or returns shall be provided for in the parking lot. No advertising shall be allowed on the cart corrals.
2. Outdoor storage of inventory in trailers or other storage systems shall be restricted to the six (6) parking spaces identified for this use on the approved Site Plan, and can only be utilized during the months of October through January.
3. All fencing, including fencing around water retention areas, shall be ornamental metal; chain link fencing is prohibited.

CITY OF CLERMONT
RESOLUTION NO. 2016-12

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 24th day of May, 2016.

CITY OF CLERMONT

Gail L. Ash, Mayor

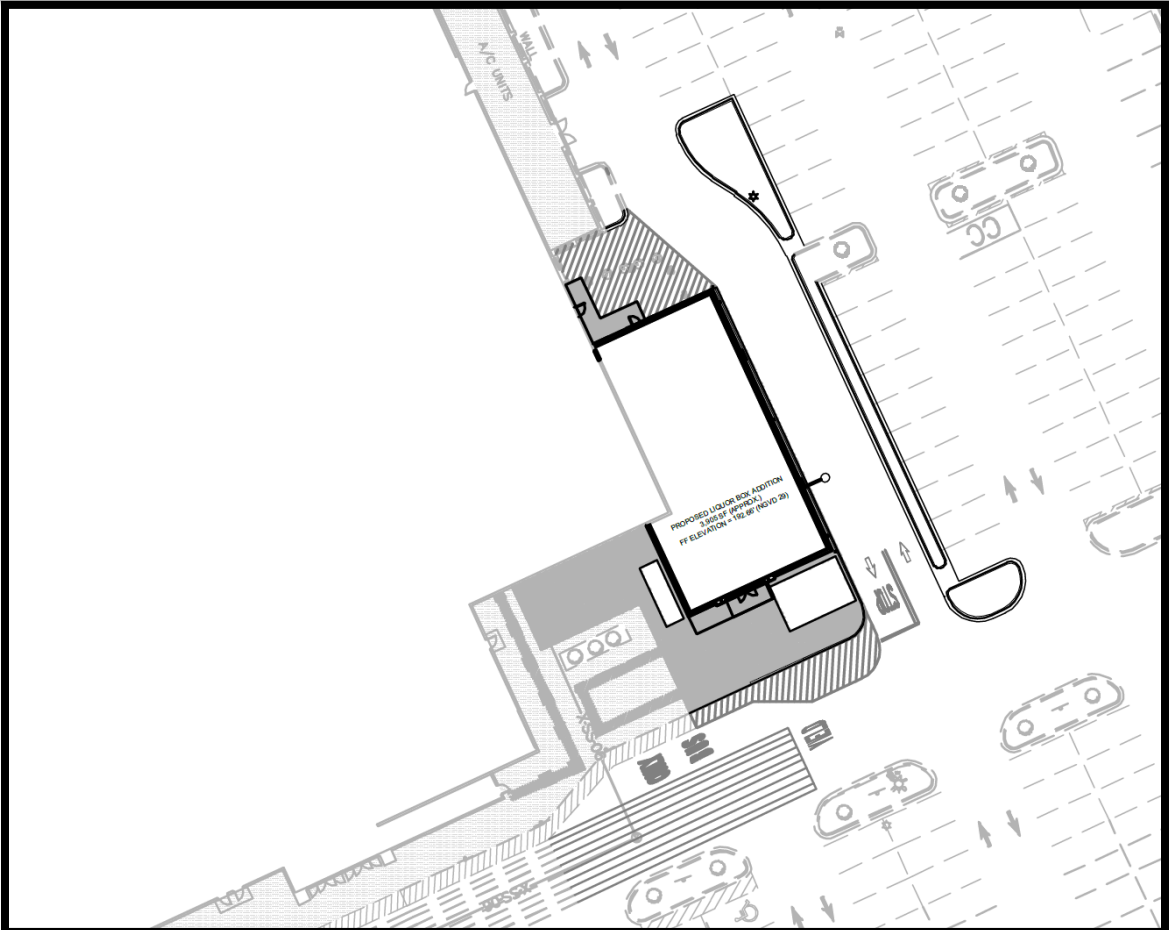
ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

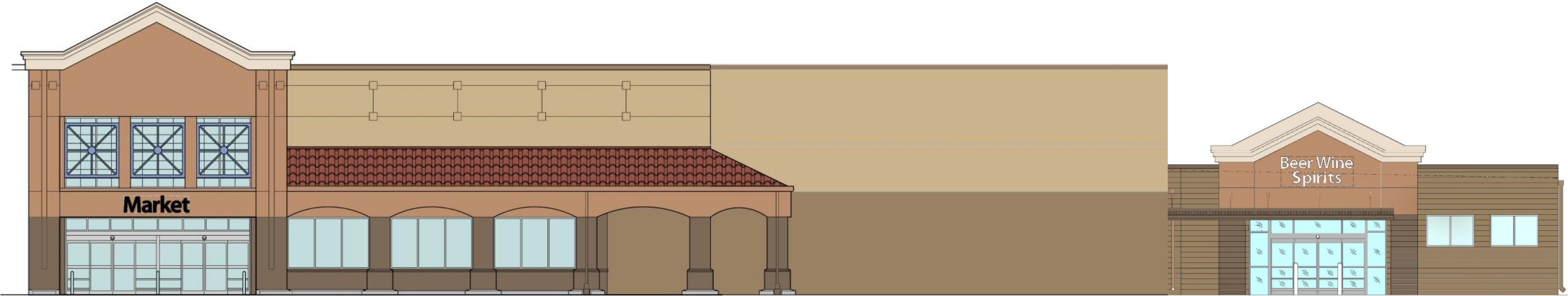
Daniel F. Mantzaris, City Attorney

Walmart Liquor Store Addition Map





Site Photos



Front Elevation

*Trellis omitted for clarity



Side Elevation

*All new building finishes and materials to match existing



March 29, 2016

2695 Clermont, FL

Exterior Elevation

CUP CONDITIONS:

Section 1 - General Conditions

1. The conditions as set forth in this Conditional Use Permit shall be legally binding upon any heirs, assigns and successors in title or interest.
2. No further expansion of the use or additions to the facility shall be permitted except as approved by another Conditional Use Permit.
3. The property shall be developed in substantial accordance with the Conceptual Site Plan dated 5/12/03 and prepared by CPH Engineers. Formal construction plans, incorporating all conditions stated in this Permit shall be submitted for review and approved by the Site Review Committee prior to the issuance of a Zoning Clearance or other development permits. The Conceptual Site Plans submitted with the Conditional Use Permit application are not the approved Construction Plans.
4. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.
5. The final Certificate of Occupancy shall not be issued until each of the stated conditions has been met.
6. If any of the stated conditions are violated, the applicant understands and agrees that the City Council may revoke this Conditional Use Permit by resolution.
7. The conditional use permit must be executed and filed in the office of the City Clerk within 90 days of its date of grant by the City Council or the Permit shall become null and void.
8. The applicant shall record in the Public Records of Lake County within 90 days of its date of approval by the City Council, a short-form version of this Conditional Use Permit as provided by the City or a form acceptable to the City, to provide notice to all interested parties, the assigns, successors and heirs of the developer/applicant and all future owners of the above-referenced property that the real property described above is subject to the terms and conditions of the Conditional Use Permit.
9. This Permit shall become null and void if substantial construction work has not begun within two (2) years of the date of this Conditional Use Permit is executed and signed by the permittee. "Substantial construction work" means the commencement and continuous prosecution of construction of required improvements ultimately finalized at completion.

Section 2 - Land Use

1. This permit is for a ~~218,685~~ 222,590 square foot Wal-Mart SuperCenter that will include general retail sales, a garden center, liquor store, grocery store, pharmacy, personal services, professional offices, restaurants, a gas station, and a Tire and Lube Express. The 3,905 square foot expansion shall be consistent with the Conceptual Site Plan dated 9/15/2014 as prepared by Kimley Horn Engineers.

Section 3 – Site Development

1. Detailed grading, erosion control, and dust abatement plans for the entire site shall be submitted to and approved by the Site Review Committee prior to Construction Plan approval and the initiation of development activity. The dust abatement plan shall detail measures to be taken to eliminate the migration of dust particles from the site.
2. The permittee/developers shall provide ground cover on all out parcel and disturbed areas, where construction is not immediately intended. Ground cover shall be provided in accordance with an approved ground cover plan acceptable to the City in accordance with Best Management Practices (BMP) of the United States Department of Agriculture Soil Conservation Service.
3. All excavated material shall be stored in a location approved by the City Engineer.
4. Ingress and egress to the site for construction shall be determined by the City Engineer.

Section 4 - Transportation Improvements

1. Sidewalks shall be required along all public road frontages, including U.S. Highway 27, in accordance with Florida Department of Transportation and City Codes.
2. Based upon results of the traffic study, the City may require that transportation improvements, necessitated by the portion of the project for which a building permit is sought, be made at the time of construction of that portion of the project. Project specific on-site/off-site transportation improvements consistent with identified project impacts, per the traffic study, will be the sole responsibility of the developer.
3. Citrus Tower Boulevard shall be constructed from Hooks Street to Johns Lake Road prior to issuance of the Certificate of Occupancy for the Wal-Mart Supercenter.
4. The right-of-way for the frontage road shall be dedicated prior to Construction Plan approval. The frontage road shall be constructed from Citrus Tower Boulevard to the north property line prior to issuance of a Certificate of Occupancy.
5. A signal warrant analysis for the intersection of U.S. Highway 27 and Johns Lake Road shall be completed and submitted to Florida Department of Transportation prior to Construction Plan approval. The Certificate of Occupancy for the Wal-Mart store will not be issued until the signal is installed and operational.
6. A signal shall be installed and operational at the intersection of Citrus Tower Boulevard and Johns Lake Road prior to the issuance of a Certificate of Occupancy.
7. Dual southbound left-turn lanes from U.S. Highway 27 onto Johns Lake Road shall be constructed prior to issuance of a Certificate of Occupancy. An additional eastbound lane with appropriate turn lanes shall be constructed on Johns Lake Road between U.S. Highway 27 and Citrus Tower Boulevard.
8. A mass transit stop shall be provided on site in accordance with the Lost Lake Reserve Development of Regional Impact and Planned Unit Development.

Section 5 - Utilities and Stormwater

1. Restaurants will be required to install grease traps at a size to be determined by the Environmental Services Director.

Section 6 – Landscaping and miscellaneous site improvements

1. Side slopes of the water retention areas shall be sodded and landscaped with trees. Trees shall be provided in the water retention areas that are appropriate for the soils and hydrology of the area.
2. The project shall be plumbed for reuse water with purple piping. Until such time as reuse water is available, irrigation water shall be provided for by well.
3. Cardboard recycling dumpsters shall be in dumpster enclosures constructed per Code.

Section 7 – Signage

1. All signs for the project shall be monument signs and their size and height, and so forth, shall be in accordance with the approved Lost Lake Planned Unit Development and the pending sign revision ordinance.
2. Only the lettering of the brand name on the fascia of the gas station canopy may be lit.

Section 8 - Architectural Design Standards

Architectural Plans for all buildings must be approved by the Site Review Committee prior to Construction Plan approval.

All structures shall be designed and constructed in accordance with the following design standards and the pending Architectural Design Ordinance unless otherwise approved by the City of Clermont Site Review Committee.

Façades and Exterior Walls:

1. Ground floor façades that face public streets shall have arcades, display windows, entry areas, awnings or other such features along no less than sixty (60) percent of their horizontal length.
2. Façades greater than one hundred (100) feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least three (3) feet. No uninterrupted length of any façade shall exceed one hundred (100) horizontal feet.
3. The loading areas shall be properly screened from public view. Proper screening shall include but not be limited to provision of a minimum 10-foot wide landscape buffer along the rear of the grocery and retail stores. All storage of pallets, cardboard boxes, and so forth, shall be within screened enclosures.

Roofs:

1. Parapet walls or other design features shall be used to conceal flat roofs and rooftop equipment such as HVAC units from public view from all sides of the building. Parapet walls or other design features shall be constructed at a height of at least one (1) inch above the tallest roof top unit. A metal or other enclosure for roof top equipment does not constitute screening from public view. The average height of such parapets shall not exceed fifteen (15) percent of the height of the supporting wall and such parapets shall not at any point exceed one-third (1/3) of the height of the supporting wall.
2. No uninterrupted length of any roofline or parapet wall shall exceed one hundred (100) horizontal feet.

Materials and colors:

1. The predominant exterior finish shall be of high quality materials, including, but not limited to, brick, stone, stucco and textured concrete masonry units. The finished surface of the exterior walls shall not include smooth-faced concrete block, tilt-up concrete panels or prefabricated steel panels.
2. Façade colors shall be low reflective, subtle, neutral, or earth tone colors. The use of high-intensity colors, metallic colors, black or fluorescent colors shall be prohibited.
3. Building trim and accent areas shall be limited to one primary color. The use of a primary color in the building trim is limited to a one (1) foot wide band around the building. Neon tubing shall not be an acceptable feature for building trim or accent areas.

Entryways:

1. Each large retail establishment shall have a clearly defined customer entrance featuring no less than three (3) of the following:
 - a. canopies or porticos;
 - b. overhangs;
 - c. recesses/projections;
 - d. arcades;
 - e. peaked roof forms;
 - f. arches;
 - g. architectural details such as tile work and moldings which are integrated into the building structure and design;
 - h. integral planters or wing walls that incorporate landscaped areas and/or places for sitting.

Signage:

1. Neon tubing shall not be used in building signage unless within the framework of an enclosure. The blue background color for the Wal-Mart Supercenter signs shall be reduced to a limited area around the lettering. This area is to be determined by staff during Site Plan Review.
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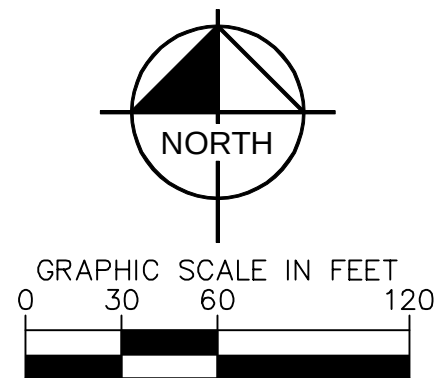
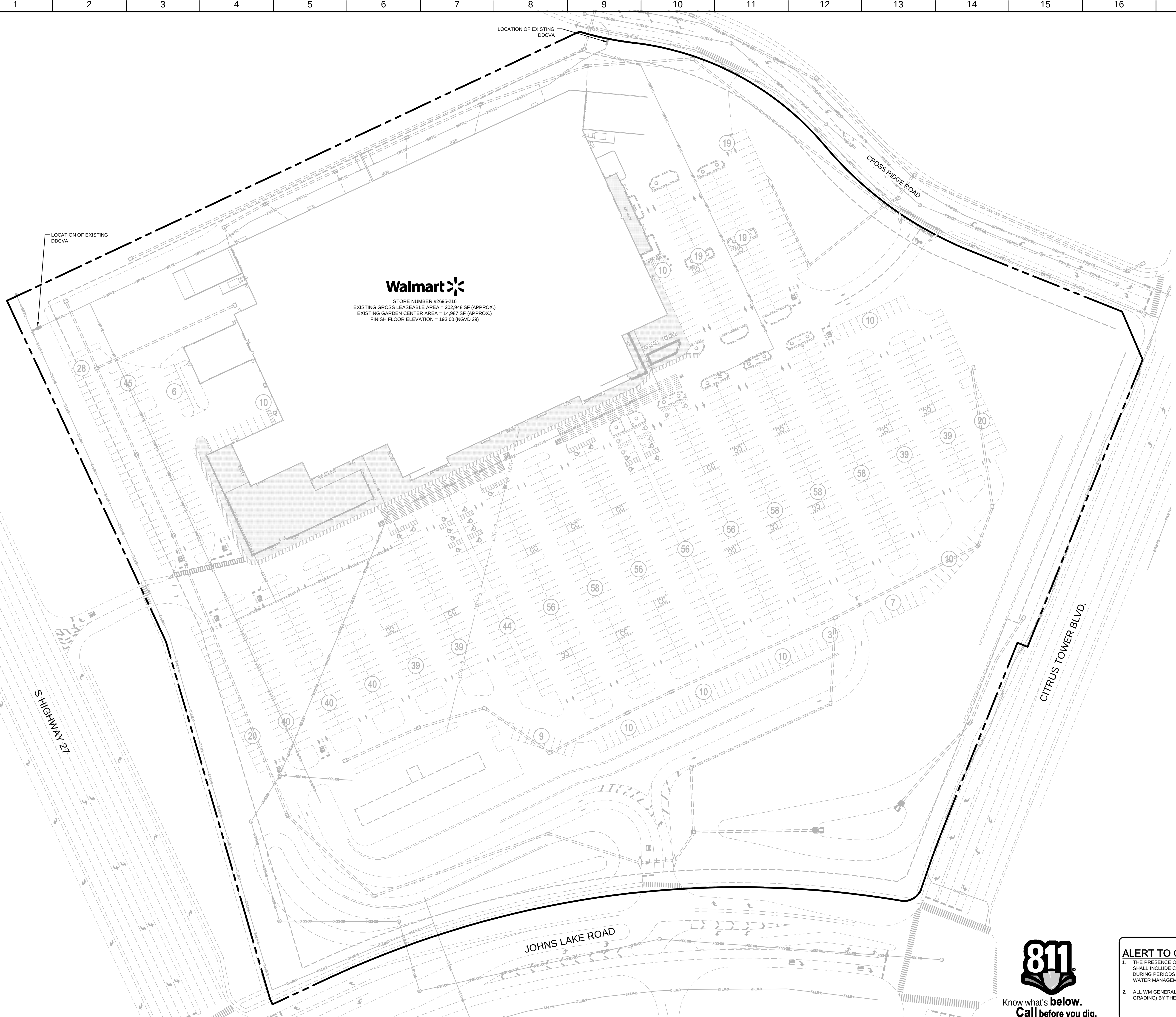
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LEGEND

- | | |
|--|-----------------------------------|
| | WALMART PROPERTY LINE |
| | SETBACK LINE |
| | LIMITS OF SPECIFIC PURPOSE SURVEY |
| | EXISTING BUILDING |
| | EXISTING EDGE OF PAVEMENT |
| | EXISTING CHAIN LINK FENCE |
| | EXISTING CART CORRAL |
| | EXISTING PARKING COUNT |
| | EXISTING TREE |
| | EXISTING BOLLARD |
| | EXISTING LIGHT POLE |
| | EXISTING WATER LINE |
| | EXISTING UNDERGROUND CONDUIT |
| | EXISTING STORM PIPE |
| | EXISTING STORM STRUCTURE |
| | EXISTING MANHOLE |

EXISTING CONDITIONS NOTES

1. THIS PLAN WAS PREPARED BASED ON A TOPOGRAPHIC SURVEY, ORIGINAL CONSTRUCTION DRAWINGS, AS-BUILTS INFORMATION, AND FIELD VISITS. FIELD CONDITIONS OUTSIDE THE AREA OF THE SPECIFIC PURPOSE TOPOGRAPHIC SURVEY MAY VARY FROM THIS DRAWING.
2. A SPECIFIC PURPOSE TOPOGRAPHIC SURVEY WAS PREPARED FOR THE PROPOSED WORK AREA BY KIMLEY-HORN AND ASSOCIATES, INC. DATED MAY 27, 2014. THE LIMITS FOR THE SPECIFIC PURPOSE TOPOGRAPHIC SURVEY ARE INDICATED ON THE EXISTING CONDITIONS PLAN. THE SPECIFIC PURPOSE SURVEY IS IN NGVD 29.
3. EXISTING UTILITIES ARE BASED UPON ORIGINAL CONSTRUCTION DRAWINGS. CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UTILITIES PRIOR TO COMMENCING CONSTRUCTION.

PROJECT BENCHMARKS

- TP #100: ELEVATION OF 187.91'
- TP #101: ELEVATION OF 191.30'
- TP #102: ELEVATION OF 192.39'
- TP #103: ELEVATION OF 192.80'



Know what's **below**.
Call before you dig.

ALERT TO CONTRACTOR:

1. THE PRESENCE OF GROUNDWATER SHOULD BE ANTICIPATED ON THIS PROJECT. CONTRACTOR'S BID SHALL INCLUDE CONSIDERATION FOR THIS ISSUE. WHEN PERFORMING GRADING OPERATIONS DURING PERIODS OF WET WEATHER, PROVIDE ADEQUATE DEWATERING, DRAINAGE AND GROUND WATER MANAGEMENT TO CONTROL MOISTURE OF SOILS. REFER TO MASTER SITE SPECIFICATIONS.
2. ALL WM GENERAL CONTRACTOR WORK TO BE COMPLETED (EARTHWORK, FINAL UTILITIES, AND FINAL GRADING) BY THE MILESTONE DATE IN PROJECT DOCUMENTS.

 Walmart		STORE #2695-216 CLERMONT, FL		FLORIDA	
DATE 09/15/2014		PROJECT NO. 148445031			
SHEET NUMBER 1 of 4		CITY OF CLERMONT			
EXISTING CONDITIONS PLAN					
SCALE AS SHOWN		DESIGN ENGINEER: MATTHEW R. FEWAL, P.E.			
DESIGNED BY SNH		FLORIDA LICENSE NUMBER 08397			
CHECKED BY MRF		DATE:			
		© 2014 KIMLEY-HORN AND ASSOCIATES, INC. 655 NORTH FRANKLIN STREET, SUITE 150, TAMPA, FL 33602 PHONE: 813-620-1440 WWW.KIMLEY-HORN.COM CA 0000696			
No.		REVISIONS		DATE	

Plotted By: Vera, Nilues Sheet Set: Walmart LBA --2695 Layout: OVERALL October 27, 2014 04:23:18pm K:\TAM_Civil\147253 - Wal-Mart\000 - Liquor Box Additions\2695 - Wal-Mart\000 - C:\Users\Verano\Documents\2014\10\27 CUP\OVERALL SITE PLAN - 2695.dwg

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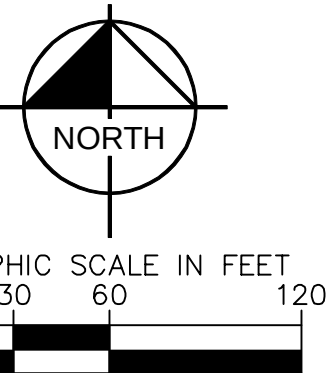
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Walmart

STORE NUMBER #2695-216
EXISTING GROSS LEASEABLE AREA = 202,948 SF (APPROX.)
EXISTING GARDEN CENTER AREA = 14,387 SF (APPROX.)
FINISH FLOOR ELEVATION = 133.00 (NGVD 29)

LOCATION OF EXISTING DDCVA

LOCATION OF EXISTING DDCVA



LEGEND

- WALMART PROPERTY LINE
- SETBACK LINE
- EXISTING BUILDING
- PROPOSED BUILDING
- EXISTING CURB
- PROPOSED CURB
- EXISTING CHAIN LINK FENCE
- EXISTING CART CORRAL
- EXISTING PARKING COUNT
- EXISTING TREE
- EXISTING BOLLARD
- EXISTING LIGHT POLE
- EXISTING WATER LINE
- EXISTING UNDERGROUND CONDUIT
- EXISTING STORM PIPE
- EXISTING STORM STRUCTURE
- EXISTING MANHOLE

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CITRUS TOWER BLVD.

JOHNS LAKE ROAD

S HIGHWAY 27



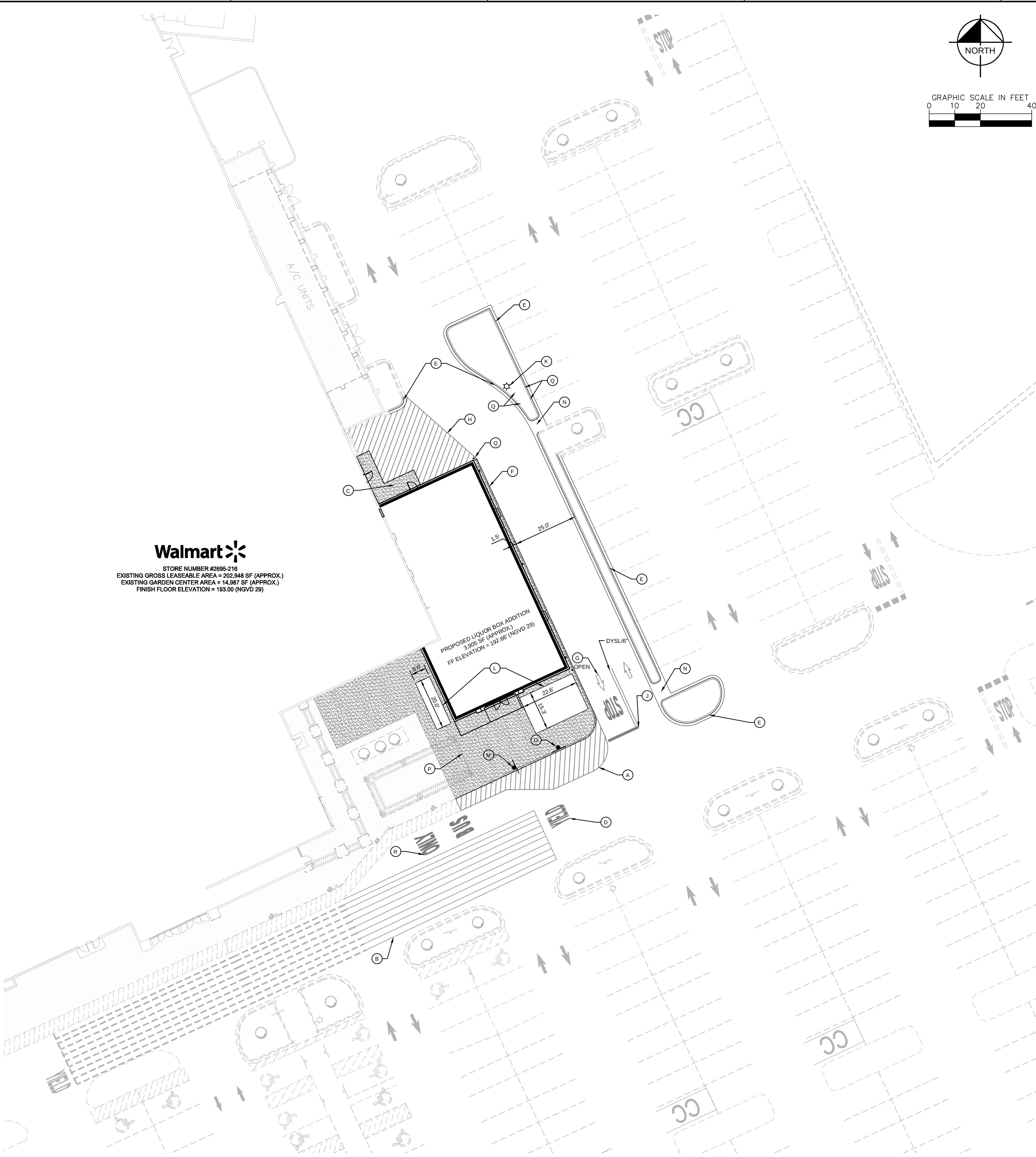
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- ALL WM GENERAL CONTRACTOR WORK TO BE COMPLETED (EARTHWORK, FINAL UTILITIES, AND FINAL GRADING) BY THE MILESTONE DATE IN PROJECT DOCUMENTS.

DATE 09/15/2014			CITY OF CLERMONT			FLORIDA			No.			REVISIONS			DATE		
PROJECT NO. 148445031			WAL-MART STORES EAST, LP			OVERALL SITE PLAN			SCALE AS SHOWN			DESIGN ENGINEER: MATTHEW R. FEWAL, P.E.			Kimley»Horn		
SHEET NUMBER 2 of 4			CLERMONT, FL						DRAWN BY SNH			FLORIDA LICENSE NUMBER 06397			© 2014 KIMLEY-HORN AND ASSOCIATES, INC. 655 NORTH FRANKLIN STREET, SUITE 150, TAMPA, FL 33602 PHONE: 813-620-1460 WWW.KIMLEY-HORN.COM CA 0000696		

Plotted By: Vera, Nilues Sheet Set: Walmart LBA --2695 Layout: 6070 October 27, 2014 04:23:38pm K:\TAM_Civil\172653 - Wal-Mart\000 - Liquor Box Additions\2695 - Clermont\CADD\Exhibit\2014.10.27 CUP\SITE PLAN -- 2695.dwg

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Walmart
STORE NUMBER #2695-216
EXISTING GROSS LEASEABLE AREA = 202,948 SF (APPROX.)
EXISTING GARDEN CENTER AREA = 14,987 SF (APPROX.)
FINISH FLOOR ELEVATION = 193.00 (NGVD 29)

LEGEND	
	WALMART PROPERTY LINE
	SETBACK LINE
	EXISTING BUILDING
	PROPOSED BUILDING
	EXISTING CURB
	PROPOSED CURB
	EXISTING CART CORRAL
	EXISTING ARCHITECTURAL CONCRETE APRON (SEE ARCH. PLANS)
	NEW ARCHITECTURAL CONCRETE APRON (SEE ARCH. PLANS)

EXISTING SITE ANALYSIS TABLE	
WALMART (GROSS LEASEABLE AREA)	202,948 S.F.
PARKING (ASSOCIATES AND CUSTOMER)	1045 SPACES
ACCESSIBLE (2.34%)	25 SPACES
TOTAL PARKING	1070 SPACES
EXISTING RATIO	5.27/1,000 S.F.
CITY REQUIRED RATIO	5.00/1,000 S.F.
* CART CORRAL	18 CORRALS / 18 SPACES

PROPOSED SITE ANALYSIS TABLE	
WALMART GLA (INCLUDES LIQUOR BOX ADDITION)	206,853 S.F.
PARKING (ASSOCIATES AND CUSTOMER)	1021 SPACES
ACCESSIBLE (2.34%)	25 SPACES
TOTAL PARKING	1046 SPACES
RATIO	5.06/1,000 S.F.
CITY REQUIRED RATIO	5.00/1,000 S.F.
* CART CORRAL	18 CORRALS / 18 SPACES

ACREAGE SUMMARY	
LIQUOR BOX ADDITION WORK AREA	0.54 ACRES
TOTAL WALMART SITE AREA	29.83 ACRES

THE EXISTING PAVEMENT ELEVATIONS ARE BASED ON FIELD DATA OBTAINED DURING THE COURSE OF DESIGN. HOWEVER, IT IS EXPRESSLY UNDERSTOOD THAT IT IS IMPOSSIBLE TO ACCURATELY DEPICT EVERY IRREGULARITY IN THE EXISTING PAVEMENT SURFACE. BY SUBMITTING A BID, THE CONTRACTOR ACKNOWLEDGES THAT HE HAS EXAMINED THE PROJECT TO THE DEGREE NECESSARY TO PROVIDE A LUMP SUM PRICE FOR THE WORK AND THAT HE HAS INCLUDED THE NECESSARY FUNDS FOR SHIMMING AND/OR MILLING AS MAY BE REQUIRED TO PRODUCE THE FINAL ELEVATIONS SHOWN.

CAUTION - NOTICE TO CONTRACTOR
THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED UPON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANY AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE IMPROVEMENTS SHOWN BY THESE PLANS.

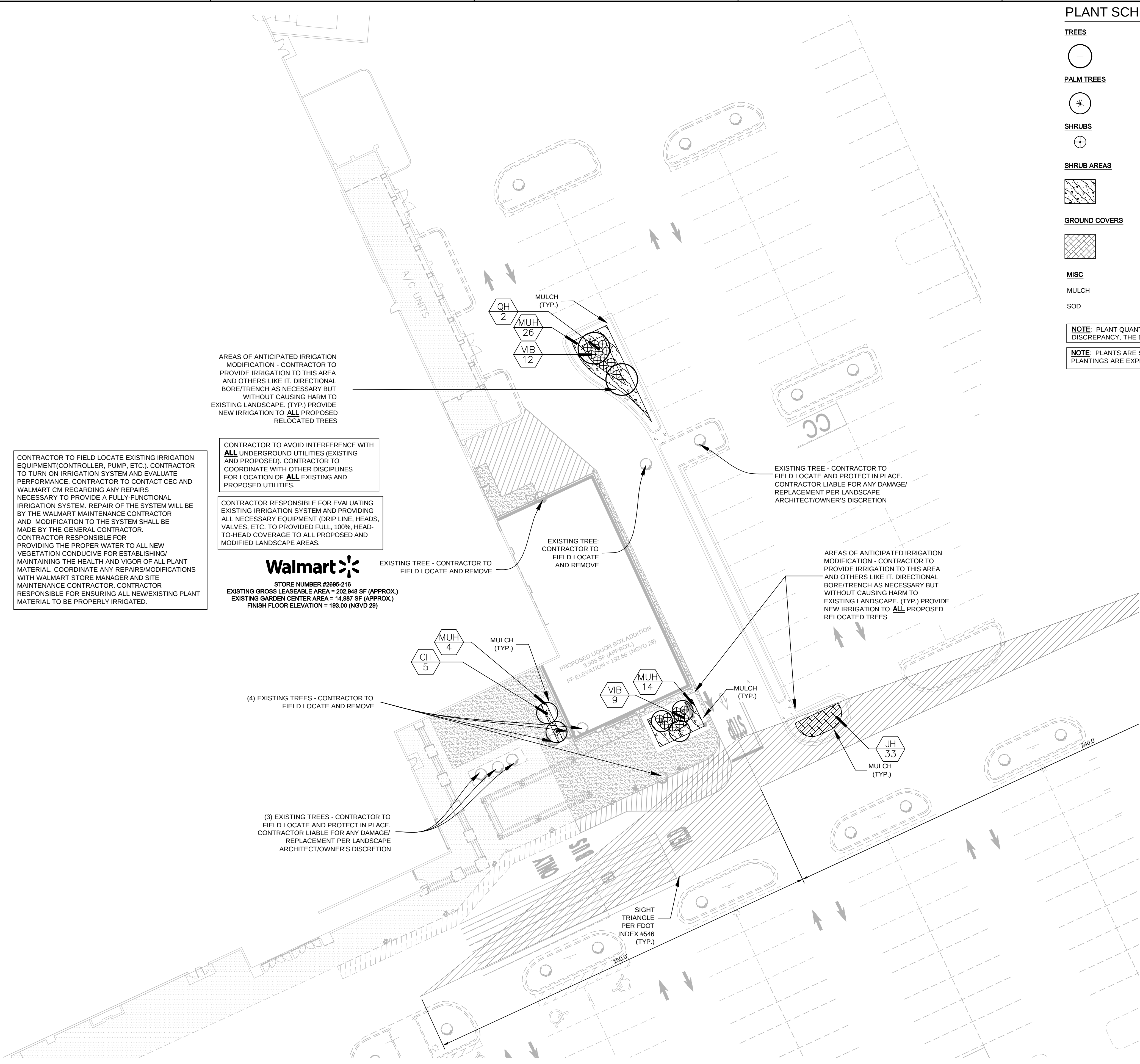


- ### SITE NOTES
- ALL WORK AND MATERIALS SHALL COMPLY WITH ALL CITY/COUNTY REGULATIONS AND CODES AND O.S.H.A. STANDARDS.
 - CONTRACTOR SHALL REMOVE ALL STRIPING THAT CONFLICTS WITH PLANNED IMPROVEMENTS BY ABRASIVE BLASTING.
 - CONTRACTOR SHALL REFER TO THE ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF VESTIBULES, SLOPE PAVING, SIDEWALKS, EXIT PORCHES, PRECISE BUILDING DIMENSIONS AND EXACT BUILDING UTILITY ENTRANCE LOCATIONS.
 - ALL DISTURBED AREAS ARE TO RECEIVE FOUR INCHES OF TOPSOIL, SEED, MULCH AND WATER UNTIL A HEALTHY STAND OF GRASS IS ESTABLISHED. SEE 0200 SPECIFICATION.
 - DRIVE AISLE CURBED RADI ARE TO BE 10' UNLESS OTHERWISE NOTED. ISLAND CURBED RADI ARE TO BE 3' UNLESS OTHERWISE NOTED.
 - ALL DIMENSIONS AND RADI ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
 - ALL NECESSARY INSPECTIONS, APPROVALS, AND/OR GRATIFICATION REQUIRED BY CODES AND/OR AUTHORITIES SHALL BE COMPLETED PRIOR TO THE ANNOUNCED BUILDING POSSESSIONS AND THE FINAL CERTIFICATION OF SERVICES.
 - REFER TO ARCH. PLANS FOR LOCATIONS AND DETAILS OF PIPE BOLLARDS LOCATED AT FRONT OF BUILDING.
 - SEE ARCH. PLAN, FOR CONCRETE APRON AND PAD DETAILS. ALL PAVING, CURBING, FLATWORK, SIDEWALKS, FENCING, BOLLARDS, ETC. WHICH CONFLICT WITH NEW CONSTRUCTION ARE TO BE DEMOLISHED AND DISPOSED OF IN ACCORDANCE WITH ANY LOCAL, STATE, OR FEDERAL REGULATIONS.
 - ALL NEW PAINTED PAVEMENT MARKINGS SUCH AS DIRECTIONAL ARROWS AND LETTERING SHALL BE PAINTED USING TEMPLATES.
 - THE PAVEMENT SHALL BE FLUSH WITH THE SURFACE OF THE EXIT PORCHES OR SIDEWALKS AT ALL DOORS UNLESS NOTED OTHERWISE. REFER TO GRADING PLAN FOR SPECIFIC ELEVATION INFORMATION.
 - CONTRACTOR SHALL SAWCUT EXISTING PAVEMENT AS SHOWN ON DEMOLITION PLAN TO ALLOW FOR CLEAN, STRAIGHT JOINT BETWEEN OLD AND NEW SURFACES.
 - CONTRACTOR TO REMOVE ALL PAVEMENT, BASE MATERIALS, CURBING, BOLLARDS, ETC. WITHIN SAWCUT LIMITS OF CONSTRUCTION AREA.
 - ALL NEW STRIPING WITHIN WALMART LIMITS SHALL BE PAINTED (TWO COATS) AS PER THE SPECIFICATIONS.
 - RESTRIPING SHALL BE RESTRIPE (TWO COATS) OVER EXISTING USING EXISTING COLORS PER SPECIFICATIONS.
 - CONTRACTOR TO COORDINATE FIRE LANE STRIPING AND SIGN REQUIREMENTS WITH LOCAL FIRE DEPARTMENT.
 - CONTRACTOR SHALL MILL EXISTING ASPHALT TO ENSURE SMOOTH TRANSITIONS BETWEEN OLD AND NEW PAVEMENT. MILL STRIP SHALL BE 5" WIDE (MIN.) BY 1.5' DEEP AT EXISTING PAVEMENT INTERFACE AND SHALL EXTEND THE LENGTH OF THE SHIM (TYP).
 - ELEVATION OF NEW PAVEMENT TO MATCH ELEVATION OF PAVEMENT TO REMAIN. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO ENSURE POSITIVE DRAINAGE IN ALL AREAS.
 - CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIRING DAMAGE TO ANY EXISTING ITEMS THAT WILL REMAIN IN PLACE AFTER CONSTRUCTION AND DEMOLITION ARE COMPLETE. THOSE ITEMS INCLUDE, BUT ARE NOT LIMITED TO, DRAINAGE SYSTEMS, UTILITIES, CURBING, PAVEMENT, ETC. REPAIRS SHALL BE EQUAL TO, OR BETTER THAN EXISTING CONDITIONS. CONTRACTOR IS RESPONSIBLE FOR DOCUMENTING ANY EXISTING DAMAGES AND NOTIFYING THE WALMART CONSTRUCTION MANAGER. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL RELOCATIONS, (UNLESS OTHERWISE NOTED ON PLANS) INCLUDING BUT NOT LIMITED TO, ALL UTILITIES, STORM DRAINAGE, SIGNS, TRAFFIC SIGNALS & POLES, ETC. AS REQUIRED. ALL WORK SHALL BE IN ACCORDANCE WITH GOVERNING AUTHORITIES REQUIREMENTS AND PROJECT SITE WORK SPECIFICATIONS AND SHALL BE APPROVED BY SUCH. ALL COST SHALL BE INCLUDED IN BASE BID.
 - SEE DETAIL SHEET FOR CONCRETE JOINT REQUIREMENTS.
 - THE CONTRACTOR SHALL COORDINATE ALL ACTIVITIES WITH THE WALMART CONSTRUCTION MANAGER. THE EXISTING WALMART SHALL REMAIN IN OPERATION DURING CONSTRUCTION.
 - CONTRACTOR SHALL KEEP ALL EXISTING PARKING, SIDEWALKS, DRIVES, ETC. CLEAR AND FREE FROM ANY CONSTRUCTION MATERIAL TO ENSURE EASY AND SAFE PEDESTRIAN AND VEHICULAR ACCESS TO AND FROM THE SITE. CONTRACTOR SHALL COORDINATE ALL CONSTRUCTION ACTIVITY WITHIN THE PROXIMITY OF THE EXISTING STORE WITH THE WALMART CONSTRUCTION MANAGER AND THE STORE MANAGER TO MINIMIZE DISTURBANCE AND INCONVENIENCES TO THE STORES OPERATION AND CUSTOMERS.
 - IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO PROTECT THE PUBLIC AT ALL TIMES. FENCING, BARRICADES, ENCLOSURES, BARRELS, ETC. TO BE USED IN THE BEST POSSIBLE MANNER AND AS APPROVED BY THE WAL-MART CONSTRUCTION MANAGER.
 - IN PAVED AREAS WHERE ASPHALT IS TRENCHED FOR INSTALLATION OF NEW UTILITIES OR IRRIGATION SYSTEM, THE AREA SHALL BE REPAIRED USING THE HEAVY DUTY ASPHALT PAVING SECTION, UNLESS NOTED OTHERWISE.
 - THE SITE WORK FOR THIS PROJECT SHALL MEET OR EXCEED "THE SITE SPECIFIC SPECIFICATIONS".
 - REFER TO ARCH. PLANS FOR SITE LIGHTING ELECTRICAL PLAN.
 - ALL WM GENERAL CONTRACTOR WORK TO BE COMPLETED (EARTHWORK, FINAL UTILITIES, AND FINAL GRADING) BY THE MILESTONE DATE IN PROJECT DOCUMENTS.

- ### SITE LEGEND
- (A) 6" WIDE FIRE LANE STRIPING PAINTED TRAFFIC YELLOW. MATCH EXISTING STRIPING. SEE FIRE LANE DETAIL.
 - (B) PEDESTRIAN CROSSWALK WITH 6" WIDE PAINTED WHITE STRIPING PARALLEL TO DIRECTION OF TRAFFIC AT 2'-0" O.C. AND (1)-8" WHITE STRIPE PERPENDICULAR ON BOTH ENDS. SEE CROSSWALK MARKING DETAIL.
 - (C) EXIT PORCH. SEE ARCHITECTURAL PLANS FOR EXACT SIZE, LOCATION FOR STOOPS, STAIRS AND/OR RAMPS THAT MAY BE REQUIRED. RAMP PAVEMENT FLUSH WITH THE TOP OF STOOP.
 - (D) "YIELD" PAINTED WHITE ON PAVEMENT TYPICAL. SEE DETAIL SHEET.
 - (E) 18" TYPE "F" CONCRETE CURB AND GUTTER TYPICAL. SEE DETAIL SHEET.
 - (F) TYPE "D" CONCRETE CURB AND GUTTER TYPICAL. SEE DETAIL SHEET.
 - (G) ARROW PAVEMENT MARKINGS TYPICAL. SEE PLAN FOR TYPE. SEE DETAIL SHEET.
 - (H) 6" WIDE STRIPING PAINTED YELLOW AT 24" O.C. AT 45°
 - (I) "STOP" SIGN. SEE DETAIL SHEET.
 - (J) STOP BAR AND "STOP". SEE DETAIL SHEET.
 - (K) CONTRACTOR TO RELOCATE LIGHT POLE, FIXTURE AND WIRING. CONTRACTOR TO INSTALL PULL BOX AS REQUIRED. CONTRACTOR TO CONSTRUCT LIGHT POLE BASE PER LIGHT POLE BASE DETAIL.
 - (L) PROPOSED PLANTER BOX. SEE ARCH PLANS.
 - (M) PEDESTRIAN CROSSING SIGN TYPICAL AT PEDESTRIAN CROSSWALKS AS NOTED ON PLANS.
 - (N) CONCRETE FLUME.
 - (O) NO PARKING FIRE LANE SIGN. SEE DETAIL SHEET. CONTRACTOR SHALL MATCH EXISTING SIGN.
 - (P) PARTIAL STRUCTURE TO REMAIN. SEE ARCH PLANS.
 - (Q) 6" Ø PIPE BOLLARD TYPICAL UNLESS NOTED OTHERWISE. SEE DETAIL SHEET.
 - (R) PROPOSED "BUS ONLY" PAVEMENT MARKING. SEE DETAIL SHEET.

PAINT STRIPING LEGEND	
SWSL4"	SINGLE WHITE SOLID LINE / 4" WIDE
SYSL4"	SINGLE YELLOW SOLID LINE / 4" WIDE
DYSL6"	DOUBLE YELLOW SOLID LINE / 6" WIDE EACH
SYSL10"	SINGLE YELLOW SOLID LINE / 10" WIDE
SWDL4"	SINGLE WHITE DASHED LINE / 4" WIDE
SBYL4"	SINGLE BROKEN YELLOW LINE / 4" WIDE
WSL24"	SINGLE WHITE SOLID LINE / 24" WIDE

- ### ALERT TO CONTRACTOR:
- THE PRESENCE OF GROUNDWATER SHOULD BE ANTICIPATED ON THIS PROJECT. CONTRACTOR'S BID SHALL INCLUDE CONSIDERATION FOR THIS ISSUE. WHEN PERFORMING GRADING OPERATIONS DURING PERIODS OF WET WEATHER, PROVIDE ADEQUATE DEWATERING, DRAINAGE AND GROUND WATER MANAGEMENT TO CONTROL MOISTURE OF SOILS. REFER TO MASTER SITE SPECIFICATIONS.
 - ALL WM GENERAL CONTRACTOR WORK TO BE COMPLETED (EARTHWORK, FINAL UTILITIES, AND FINAL GRADING) BY THE MILESTONE DATE IN PROJECT DOCUMENTS.



CONTRACTOR TO FIELD LOCATE EXISTING IRRIGATION EQUIPMENT(CONTROLLER, PUMP, ETC.). CONTRACTOR TO TURN ON IRRIGATION SYSTEM AND EVALUATE PERFORMANCE. CONTRACTOR TO CONTACT CEC AND WALMART CM REGARDING ANY REPAIRS NECESSARY TO PROVIDE A FULLY-FUNCTIONAL IRRIGATION SYSTEM. REPAIR OF THE SYSTEM WILL BE BY THE WALMART MAINTENANCE CONTRACTOR AND MODIFICATION TO THE SYSTEM SHALL BE MADE BY THE GENERAL CONTRACTOR. CONTRACTOR RESPONSIBLE FOR PROVIDING THE PROPER WATER TO ALL NEW VEGETATION CONDUCIVE FOR ESTABLISHING/ MAINTAINING THE HEALTH AND VIGOR OF ALL PLANT MATERIAL. COORDINATE ANY REPAIRS/MODIFICATIONS WITH WALMART STORE MANAGER AND SITE MAINTENANCE CONTRACTOR. CONTRACTOR RESPONSIBLE FOR ENSURING ALL NEW/EXISTING PLANT MATERIAL TO BE PROPERLY IRRIGATED.

AREAS OF ANTICIPATED IRRIGATION MODIFICATION - CONTRACTOR TO PROVIDE IRRIGATION TO THIS AREA AND OTHERS LIKE IT. DIRECTIONAL BORE/TRENCH AS NECESSARY BUT WITHOUT CAUSING HARM TO EXISTING LANDSCAPE. (TYP.) PROVIDE NEW IRRIGATION TO **ALL** PROPOSED RELOCATED TREES

CONTRACTOR TO AVOID INTERFERENCE WITH **ALL** UNDERGROUND UTILITIES (EXISTING AND PROPOSED). CONTRACTOR TO COORDINATE WITH OTHER DISCIPLINES FOR LOCATION OF **ALL** EXISTING AND PROPOSED UTILITIES.

CONTRACTOR RESPONSIBLE FOR EVALUATING EXISTING IRRIGATION SYSTEM AND PROVIDING ALL NECESSARY EQUIPMENT (DRIP LINE, HEADS, VALVES, ETC. TO PROVIDED FULL 100% HEAD-TO-HEAD COVERAGE TO ALL PROPOSED AND MODIFIED LANDSCAPE AREAS.

Walmart
STORE NUMBER #2695-216
EXISTING GROSS LEASEABLE AREA = 202,948 SF (APPROX.)
EXISTING GARDEN CENTER AREA = 14,987 SF (APPROX.)
FINISH FLOOR ELEVATION = 193.00 (NGVD 29)

(4) EXISTING TREES - CONTRACTOR TO FIELD LOCATE AND REMOVE

(3) EXISTING TREES - CONTRACTOR TO FIELD LOCATE AND PROTECT IN PLACE. CONTRACTOR LIABLE FOR ANY DAMAGE/ REPLACEMENT PER LANDSCAPE ARCHITECT/OWNER'S DISCRETION

QH 2
MUH 26
VIB 12

EXISTING TREE - CONTRACTOR TO FIELD LOCATE AND REMOVE

EXISTING TREE - CONTRACTOR TO FIELD LOCATE AND PROTECT IN PLACE. CONTRACTOR LIABLE FOR ANY DAMAGE/ REPLACEMENT PER LANDSCAPE ARCHITECT/OWNER'S DISCRETION

AREAS OF ANTICIPATED IRRIGATION MODIFICATION - CONTRACTOR TO PROVIDE IRRIGATION TO THIS AREA AND OTHERS LIKE IT. DIRECTIONAL BORE/TRENCH AS NECESSARY BUT WITHOUT CAUSING HARM TO EXISTING LANDSCAPE. (TYP.) PROVIDE NEW IRRIGATION TO **ALL** PROPOSED RELOCATED TREES

MULCH (TYP.)

CH 5

MUH 4

VIB 9

MUH 14

MULCH (TYP.)

MULCH (TYP.)

MULCH (TYP.)

MULCH (TYP.)

MULCH (TYP.)

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MULCH (TYP.)

MULCH (TYP.)

MULCH (TYP.)

MULCH (TYP.)

WEED MAT IS TO BE UTILIZED WITHIN ALL MULCHED PLANTING BEDS, 4.1 OZ., WOVEN POLYPROPYLENE, NEEDLE-PUNCHED FABRIC, WEED BARRIER.

NOTE: ALL PROPOSED LANDSCAPE PLANTING AREAS TO BE EXCAVATED TO A MINIMUM DEPTH OF 24" AS NECESSARY TO CONTAIN APPROPRIATE PLANTING MIX AS SPECIFIED IN SECTION 2900, PART 2.5 TOPSOIL. CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTION OF ALL EXISTING UTILITIES, IRRIGATION LINES, WIRING, STRUCTURES, LANDSCAPE, ETC. WHICH ARE SCHEDULED TO BE RETAINED/ REUSED.

CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATION AND DIMENSIONS OF VESTIBULE, SLOPED PAVING, EXIT PORCHES, RAMPS AND TRUCK DOCKS, PRECISE BUILDING DIMENSIONS AND EXACT UTILITY ENTRANCE LOCATIONS.

PLANT SCHEDULE

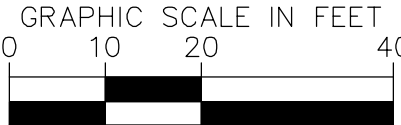
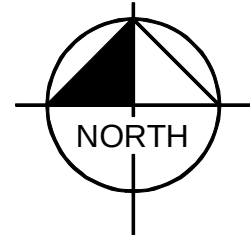
TREES	CODE	QTY	BOTANICAL NAME / COMMON NAME	SPECIFICATIONS	REMARKS
	QH	2	Quercus virginiana 'High Rise' / High Rise Live Oak	12' Ht., 5'-6" Ht., 3" Cal.	Straight, Single leader, Full
PALM TREES	CODE	QTY	BOTANICAL NAME / COMMON NAME	SPECIFICATIONS	REMARKS
	CH	5	Chamaerops humilis / European Fan Palm	8' CT	Single trunk, Straight
SHRUBS	CODE	QTY	BOTANICAL NAME / COMMON NAME	SPECIFICATIONS	REMARKS
	VIB	21	Viburnum obovatum / Walter's Viburnum	24"x24",36"oc	
SHRUB AREAS	CODE	QTY	BOTANICAL NAME / COMMON NAME	SPECIFICATIONS	SPACING REMARKS
	MUH	44	Muhlenbergia capillaris / Pink Muhly	24" Ht., 24" Spr.	36" o.c. Full
GROUND COVERS	CODE	QTY	BOTANICAL NAME / COMMON NAME	SPECIFICATIONS	SPACING REMARKS
	JH	33	Juniperus horizontalis / Creeping Juniper	6" Ht., 10" Spr.	24" o.c. Full
MISC	QTY	BOTANICAL/COMMON	SPECIFICATIONS		
MULCH	TBD	Florimulch	Shredded, 4" depth		
SOD	TBD	Paspalum notatum 'Argentine' / Argentine Bahia Grass	100% Insect, Weed, and Disease Free, Laid Tight, Rolled		

NOTE: PLANT QUANTITIES ARE PROVIDED FOR CONVENIENCE ONLY. IN THE CASE OF A DISCREPANCY, THE DRAWING SHALL TAKE PRECEDENCE.

NOTE: PLANTS ARE SPECIFIED BY HEIGHT AND SPREAD, NOT CONTAINER SIZE. ALL PLANTINGS ARE EXPECTED TO BE FLORIDA #1 AND MEET ALL SPECIFICATIONS PROVIDED.

LANDSCAPE AND IRRIGATION NOTES

- ALL LANDSCAPED AREAS ARE TO RECEIVE A MINIMUM OF 4" OF TOPSOIL. TOPSOIL SHALL HAVE A PH RANGE OF 5.5 TO 7.4 PERCENT, FREE FROM SUBSOIL, OBJECTIONABLE WEEDS, LITTER, SODS, STIFF CLAY, STONES LARGER THAN 1-INCH IN DIAMETER, STUMPS, ROOTS, TRASH, HERBICIDES, TOXIC SUBSTANCES, OR ANY OTHER MATERIAL WHICH MAY BE HARMFUL TO PLANT GROWTH OR HINDER PLANTING OPERATIONS. TOP SOIL SHALL CONTAIN A MINIMUM OF THREE PERCENT ORGANIC MATERIAL.
- ALL PLANT MATERIAL SHALL BE HEALTHY, VIGOROUS, AND FREE OF PESTS AND DISEASE.
- ALL PLANT MATERIAL SHALL BE CONTAINER GROWN OR BALLED AND BUR LAPPED AS INDICATED IN THE PLANT LIST.
- ALL TREES SHALL HAVE A STRAIGHT TRUNK AND FULL HEAD AND MEET ALL REQUIREMENTS SPECIFIED.
- ALL MATERIALS ARE SUBJECT TO THE APPROVAL OF THE LANDSCAPE ARCHITECT BEFORE, DURING, AND AFTER INSTALLATION.
- ALL TREES MUST BE GUYED OR STAKED AS SHOWN IN THE DETAILS.
- ALL PLANTING AREAS SHALL BE COMPLETELY MULCHED AS SPECIFIED.
- PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING ALL UNDERGROUND UTILITIES AND SHALL AVOID DAMAGE TO ALL UTILITIES DURING THE COURSE OF THE WORK. LOCATIONS OF EXISTING BURIED UTILITY LINES SHOWN ON THE PLANS ARE BASED UPON BEST AVAILABLE INFORMATION AND ARE TO BE CONSIDERED APPROXIMATE. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR 1) TO VERIFY THE LOCATIONS OF UTILITY LINES AND ADJACENT TO THE WORK AREA 2) TO PROTECT OF ALL UTILITY LINES DURING THE CONSTRUCTION PERIOD 3) TO REPAIR ANY AND ALL DAMAGE TO UTILITIES, STRUCTURES, SITE APPURTENANCES, ETC. WHICH OCCURS AS A RESULT OF THE CONSTRUCTION.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL QUANTITIES SHOWN ON THESE PLANS BEFORE PRICING THE WORK.
- CONTRACTOR SHALL BE RESPONSIBLE FOR DELIVERY SCHEDULE AND PROTECTION BETWEEN DELIVERY AND PLANTING PER SPECIFICATION.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR FULLY MAINTAINING (INCLUDING BUT NOT LIMITED TO: WATERING, SPRAYING, MULCHING, FERTILIZING, ETC.) ALL OF THE PLANT MATERIALS AND LAWN UNTIL SUBSTANTIAL COMPLETION ACCEPTANCE DATE.
- ANY PLANT MATERIAL WHICH IS DISEASED, DISTRESSED, DEAD, OR REJECTED (PRIOR TO SUBSTANTIAL COMPLETION) SHALL BE PROMPTLY REMOVED FROM THE SITE AND REPLACED WITH MATERIAL OF THE SAME SPECIES, QUANTITY, AND SIZE AND MEETING ALL PLANT LIST SPECIFICATIONS.
- THE CONTRACTOR SHALL COMPLETELY GUARANTEE ALL PLANT MATERIAL FOR A PERIOD OF 12-19 MONTHS FOLLOWING THE SUBSTANTIAL COMPLETION DATE. THE CONTRACTOR SHALL PROMPTLY MAKE ALL REPLACEMENTS DURING THE NORMAL PLANTING SEASON.
- AFTER BEING DUG AT THE NURSERY SOURCE, ALL TREES IN LEAF SHALL BE ACCLIMATED FOR TWO (2) WEEKS UNDER A MIST SYSTEM PRIOR TO INSTALLATION.
- STANDARDS SET FORTH IN "AMERICAN STANDARD FOR NURSERY STOCK" REPRESENT GUIDELINE SPECIFICATIONS ONLY AND SHALL CONSTITUTE MINIMUM QUALITY REQUIREMENTS FOR PLANT MATERIAL.
- WHERE SHOWN ON THE PLANS AND DETAILS, PLANTING BEDS ARE TO BE COMPLETELY COVERED WITH A MULCH FROM A LOCAL SOURCE HARVESTED IN A SUSTAINABLE MANNER TO A MINIMUM DEPTH OF FOUR INCHES.
- REFER TO WALMART SPECIFICATIONS FOR INFORMATION NEEDED FOR IMPLEMENTATION OF PLANTING PLANS.
- WEED MAT IS REQUIRED IN LANDSCAPED ISLANDS AS SPECIFIED.
- THIS PLAN IS TO BE IMPLEMENTED COOPERATIVELY WITH SWPPP PLAN, AS NEEDED, TO MAXIMIZE THE EFFECTIVENESS OF THE SWPPP PLAN FOR THIS SITE.
- THE CONTRACTOR IS ENCOURAGED TO COMPLETE TEMPORARY OR PERMANENT SEEDING OR SODDING IN STAGES FOR SOIL STABILIZATION AS AREAS ARE COMPLETED AFTER GRADING.
- THIS PLAN DOES NOT PRESENT ANY TEMPORARY STABILIZATION REQUIRED AS PART OF SWPPP PLAN.
- ALL LANDSCAPING SHALL BE INSTALLED ACCORDING TO SOUND NURSERY PRACTICES, AND SHALL BE FLORIDA NO. 1 OR BETTER AS GIVEN IN "GRADES AND STANDARDS FOR NURSERY PLANTS, PARTS I AND II," STATE OF FLORIDA, DEPARTMENT OF AGRICULTURE.
- ALL INVASIVE / EXOTIC SPECIES AND PROHIBITED TREE SPECIES WITHIN THE LIMITS OF DISTURBANCE SHALL BE REMOVED FROM SITE, INCLUDING ROOT BALLS TO THE EXTENT POSSIBLE WITH NO DAMAGE TO ADJACENT EXISTING TREES.
- EXISTING TREES TO BE CORRECTIVELY PRUNED BY A CERTIFIED ARBORIST TO ULTIMATELY ACHIEVE FLORIDA NUMBER ONE GRADE WITH THE DIRECTION OF THE LANDSCAPE ARCHITECT.
- CONTRACTOR SHALL VERIFY ALL DIMENSIONS, ELEVATIONS, EQUIPMENT QUANTITIES, ETC. PRIOR TO BEGINNING WORK.
- CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT OF ANY DISCREPANCIES IN PLANS OR SPECIFICATIONS PRIOR TO BEGINNING OR CONTINUING WORK.
- THE CONTRACTOR SHALL MAKE NO SUBSTITUTIONS, DELETIONS, OR ADDITIONS TO THIS PLAN WITHOUT APPROVAL OF THE LANDSCAPE ARCHITECT.
- ALL CONSTRUCTION SHALL CONFORM TO CITY, COUNTY, STATE, AND FEDERAL REQUIREMENTS. IT SHALL BE THE RESPONSIBILITY OF THE IRRIGATION CONTRACTOR TO ENSURE THAT ALL IRRIGATION EQUIPMENT MEETS GOVERNMENT REGULATIONS. CONTRACTOR SHALL ALSO BE RESPONSIBLE FOR OBTAINING ANY NECESSARY PERMITS OR APPROVALS.
- THIS PLAN IS SCHEMATIC AND DUE TO THE NATURE OF CONSTRUCTION SLIGHT FIELD MODIFICATIONS MAY BE NECESSARY TO IMPLEMENT PLAN.
- CONTRACTOR TO VERIFY ACTUAL AVAILABLE WATER PRESSURE BEFORE BEGINNING INSTALLATION. CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT IF AVAILABLE WATER PRESSURE WILL NOT ALLOW SYSTEM MODIFICATION TO BE POSSIBLE.
- IRRIGATION SYSTEMS CONNECTED TO POTABLE WATER SUPPLY, SHALL HAVE A BACKFLOW PREVENTER INSTALLED.
- WHERE APPLICABLE IRRIGATION HEADS ARE TO BE ADJUSTED FOR COMPLETE COVERAGE WITH MINIMUM OVER SPRAY BEYOND LANDSCAPE AREAS.
- EXISTING TREES TO REMAIN ARE TO BE PROTECTED FROM DAMAGE. DO NOT TRENCH OR EXCAVATE WITHIN THE CRITICAL ROOT ZONE OF ANY TREE.
- ALL IRRIGATION SLEEVING TO BE THE RESPONSIBILITY OF THE IRRIGATION CONTRACTOR. ELECTRICAL WIRES FOR IRRIGATION VALVES AND IRRIGATION LINES ARE TO BE PLACED IN SEPARATE SLEEVES.
- IRRIGATION CONTRACTOR SHALL REVIEW WINTERIZATION PROCEDURES FOR IRRIGATION SYSTEM WITH OWNERS REPRESENTATIVE.
- ALL PLANT MATERIAL, IN TREE HOLDING AREAS SHALL BE MANUALLY WATERED/IRRIGATED TO KEEP MOIST UNTIL PLANTED.
- CONTRACTOR TO PROVIDE PERMANENT BENCH-MARKS ON ALL CURB LINES AT RELATED SLEEVE LOCATIONS (TYP.).



ALERT TO CONTRACTOR:

- THE PRESENCE OF GROUNDWATER SHOULD BE ANTICIPATED ON THIS PROJECT. CONTRACTOR'S BID SHALL INCLUDE CONSIDERATION FOR THIS ISSUE. WHEN PERFORMING GRADING OPERATIONS DURING PERIODS OF WET WEATHER, PROVIDE ADEQUATE DEWATERING, DRAINAGE AND GROUND WATER MANAGEMENT TO CONTROL MOISTURE OF SOILS. REFER TO MASTER SITE SPECIFICATIONS.
- ALL WM GENERAL CONTRACTOR WORK TO BE COMPLETED (EARTHWORK, FINAL UTILITIES, AND FINAL GRADING) BY THE MILESTONE DATE IN PROJECT DOCUMENTS.

DATE
09/15/2014

PROJECT NO.
148445031

SHEET NUMBER
4 OF 4

LANDSCAPE AND IRRIGATION PLAN

Walmart STORE #2695-216
CLERMONT, FL
WAL-MART STORES EAST, LP
CITY OF CLERMONT
FLORIDA

DESIGNED BY
LA0001428
M.T.F.

DRAWN BY
M.T.F.

CHECKED BY
MSM

REVISIONS

DATE

Kimley»Horn

© 2014 KIMLEY-HORN AND ASSOCIATES, INC.
655 NORTH FRANKLIN STREET, SUITE 150, TAMPA, FL 33602
PHONE: 813-620-1460
WWW.KIMLEY-HORN.COM CA 0000696

REGISTERED PROFESSIONAL ARCHITECT
STATE OF FLORIDA
REG. NO. 12171
DATE: 03/29/16

**City of Clermont
MINUTES
PLANNING AND ZONING COMMISSION
MAY 3, 2016**

Page 9

Commissioner Whitehead moved to recommend approval of the rezoning; seconded by Commissioner Solis. The vote was unanimous to recommend approval.

5. REQUEST FOR CONDITIONAL USE PERMIT

REQUEST: To allow an amendment to conditional use permit (Resolution 1316) to allow for an expansion to the existing Wal-Mart building.

PROJECT: Wal-Mart

Senior Planner Kruse presented the staff report as follows:

The applicant is requesting an amendment to the existing Wal-Mart Conditional Use Permit (Resolution 1316) to allow for an increase in building square footage. Currently, the existing Wal-Mart located at 1450 Johns Lake Rd. is limited to 218,685 square feet. The applicant is requesting to build a 3,905 square foot expansion to the east side of the building. The proposed expansion, which will be for liquor sales, will not be accessible from inside the main building. Combining the existing allowable square footage of 218,685 and the proposed addition of 3,905 square feet, the new proposed building size will be limited to 222,590 square feet.

The proposed use is a permitted use under the Land Development Code, Section 122-223, for C-2 uses and requires an amendment to the Conditional Use Permit for the increased square footage of the project. The proposed amendment has been addressed in the attached Resolution 2016-12 language. Strikethroughs indicate deletions and underlines indicate additions.

This same request was previously considered at the December 9, 2014 City Council meeting with a final decision of denial. The applicant has the right to reapply after a period of one year for this location. The year timeframe has been completed and the applicant is reapplying for the same amendment as before. Based upon the submitted information and the Land Development Code, staff recommends approval of Resolution 2016-12 for an increase of 3,905 square feet.

Jonathon Huels, 215 N. Eola Drive, Orlando, an attorney with Lowndes law firm, stated that they concur with staff's recommendation.

Commissioner Proli asked what the hours will be for the liquor store.

City Attorney Mantzaris stated that they will have to follow city code which is from 7 a.m. to 2 a.m.

Commissioner Whitehead moved to recommend approval of the conditional use permit; seconded by Commissioner Smith. The vote was unanimous to recommend approval.



CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
APPLICATION

DATE: 03/29/2016 FEE: \$526.50

PROJECT NAME (if applicable): Wal-Mart Store #2695-216- Clermont- Liquor Box Addition

APPLICANT: Kimley-Horn and Associates, Inc.

CONTACT PERSON: Matthew R. Femal

Address: 655 N. Franklin Street, Suite 150

City: Tampa State: FL Zip: 33602

Phone: (813) 620-1460 Fax: _____

E-Mail: Matt.Femal@kimley-horn.com

OWNER: Wal-Mart Stores East, LP

Address: 2001 SE 10th Street

City: Bentonville State: AR Zip: 72716

Phone: (479) 273-4000 Fax: _____

Address of Subject Property: 1450 Johns Lake Rd., Clermont, FL 34711

General Location: North corner of S Hwy 27 and Johns Lake Rd.

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

Land Use (City verification required): Master Planned Development

Zoning (City verification required): PUD

Page 2

The project proposes the addition of a 3,905 (approx.) SF liquor box to the existing Walmart located at 1450 Johns Lake Rd., Clermont, FL.

X _____
Owner Name (signature)

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

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

Real Estate

Jeff Waggener, Senior Director of Project Design and Management



2001 SE 10th Street
Bentonville, AR 72716
Phone 479.273.4000
www.walmart.com

May 29, 2014

RE: Liquor Licensing, Zoning, Permitting, and Approvals
Applicant: Wal-Mart Stores East, L.P. a Delaware Limited Partnership
Project Name: Clermont, FL #2695-216
Site Address: 1450 Johns Lake Rd., Clermont, FL 34711

On behalf of Wal-Mart Stores East, LP ("Wal-Mart"), I hereby authorize Kimley-Horn and Associates, Inc. (the "Engineer"), to serve as Wal-Mart's authorized agent for the purpose of seeking all requisite liquor licenses, zoning modifications, permits, and approvals related to the proposed building additions and site modifications of the above-referenced site.

The Engineer's authorization is expressly limited to (i) signing and delivering applications for liquor licenses, zoning modifications, permits, and approvals that are related to the building additions and site modifications of the above-referenced site, and (ii) advancing the requisite funds on behalf of Wal-Mart to file such applications. Further, this authorization does not empower the Engineer to either negotiate on Wal-Mart's behalf or otherwise obligate Wal-Mart in any manner whatsoever, including any attempt to obligate Wal-Mart to pay for or construct improvements without additional authorization in writing from Wal-Mart.

Respectfully,

WAL-MART STORES EAST, LP,
a Delaware limited partnership

By: WSE Management, LLC, a Delaware limited
liability company, General Partner

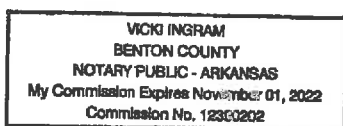
By:


Jeff Waggener
Sr. Director of Project Design and Management



STATE OF ARKANSAS
COUNTY OF BENTON

The foregoing instrument was acknowledged before me this 29 day of May, 2014, by Jeff Waggener as Senior Director of Project Design and Management of WSE Management, LLC, a Delaware limited liability company, the General Partner of Wal-Mart Stores East, LP, a Delaware limited partnership, on behalf of the company and the partnership. He ☒ is personally known to me OR ☐ produced _____ as identification.



[Notary Seal]

Vicki Ingram
Print Name: Vicki Ingram
Notary Public, State of Arkansas
Commission number: 1230202
My commission expires: 11/01/2022

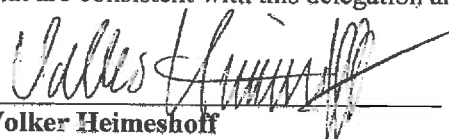
DELEGATION OF SIGNATURE AUTHORITY

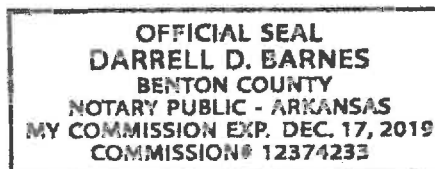
I, **Volker Heimeshoff**, being a Vice President of Wal-Mart Stores, Inc.; Wal-Mart Real Estate Business Trust; Wal-Mart TRS, LLC; Wal-Mart Realty Company; Wal-Mart Property Company; Wal-Mart Stores Arkansas, LLC; Wal-Mart Stores, Texas, LLC; Wal-Mart Stores East, LP; Wal-Mart Louisiana, LLC; WSE Management, LLC; Sam's Real Estate Business Trust; Sam's TRS, LLC; Sam's East, Inc.; Sam's West, Inc.; Sam's PW, Inc., Sam's Property Company, Wal-Mart.com USA, LLC, and Wal-Mart Puerto Rico, Inc. (hereinafter collectively referred to as "the Company"), do hereby delegate to:

Sr. Director of Project Design & Management
Sr. Director of Proto, Architecture & Engineering
Director of Project Design & Management
Senior Manager of Project Design and Management (remodel team)

authority to execute, implement, maintain, amend or renew the following documents, in connection with the design and construction of new stores, site relocations, expansions, remodels and takeovers, including but not limited to civil engineering agreements; architectural agreements; easements, deeds, municipal maintenance agreements, municipal improvement/development agreements, plats and any permit, application or other document required by various jurisdictions, as long as such contracts are for amounts less than \$750,000.00, and in compliance with Walmart Realty Division Corporate Governance ("Governance"), on behalf of the Company, in their respective capacity for the Company. Notwithstanding the foregoing, the Senior Managers of Project Design and Management on the remodel team may only sign such items related to remodel projects.

All signing authority contained herein must be done in compliance with Governance and agreements signed may not commit the Company to amounts in excess of the individual's invoice approval authority as maintained by the VP of Real Estate Finance. This delegation shall supersede and revoke any signature authority previously given to those in the above positions, as of the date set forth below. All acts and transactions of individuals in the positions above which were taken or made in good faith and prior to the formal delegation of authority to such position that are consistent with this delegation are hereby ratified and approved.


Volker Heimeshoff
Vice President



Subscribed and sworn before me this 19th day of December, 2013


Notary Public

My commission expires: 12/17/19

[Notary Seal]

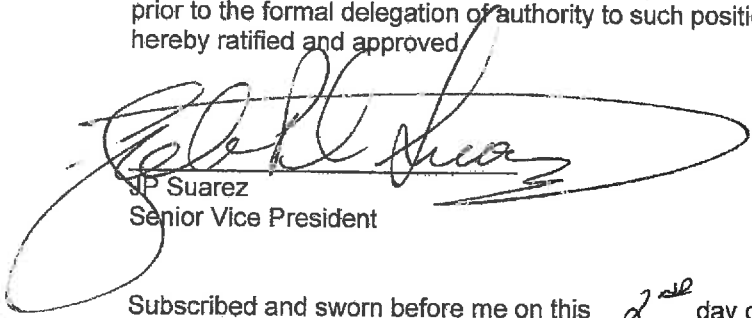
Delegation of Signature Authority

I, JP Suarez, as Senior Vice President (Real Estate Strategy, Design and Construction) of Wal-Mart Real Estate Business Trust; Wal-Mart TRS, LLC; Wal-Mart Realty Company; Wal-Mart Property Co.; Sam's Real Estate Business Trust; Sam's TRS, LLC; Sam's Property Co.; Benchmark Realty Advisors, Inc.; Benchmark Resources, Inc.; North Arkansas Wholesale Co., Inc.; and Sam's PW, Inc.; and as Executive Vice President of Wal-Mart Stores, Inc.; Wal-Mart Stores Arkansas, LLC; Wal-Mart Stores Texas, LLC; Wal-Mart Stores East, LP; Wal-Mart Louisiana, LLC; WSE Management, LLC; Wal-Mart Stores East, LLC, Sam's East, Inc.; Sam's West, Inc.; Wal-Mart.com USA, LLC; and Wal-Mart Puerto Rico, Inc. (hereinafter collectively referred to as "the Company", hereby delegate to:

Vice President, Construction
Vice President, Prototype and New Format Development
Vice President, Realty, Disposition and Appraisal
Vice President, Store Planning

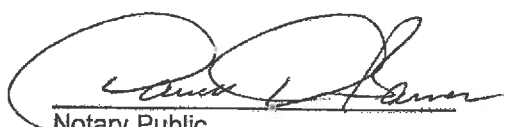
the authority to sign documents and to delegate the signing of documents on behalf of the Company to their respective teams, down to manager level, in compliance with Walmart US Governance and Operating Standards and Walmart Realty Division Corporate Governance.

All acts and transactions of individuals in the positions above which were taken or made in good faith and prior to the formal delegation of authority to such position that are consistent with this delegation are hereby ratified and approved



JP Suarez
Senior Vice President

Subscribed and sworn before me on this 2nd day of December, 2013



Notary Public

Notary Seal

OFFICIAL SEAL
DARRELL D. BARNES
BENTON COUNTY
NOTARY PUBLIC - ARKANSAS
MY COMMISSION EXP. DEC. 17, 2019
COMMISSION# 12374233



September 25, 2014

Mr. Curtis Henschel
City of Clermont
Planning & Zoning Department
685 West Montrose Street
Clermont, Florida, 34711

**Re: Proposed Walmart Liquor Box Addition
1450 Johns Lake Road, Clermont, Florida
Traffic Impact Analysis**

Dear Mr. Henschel:

The purpose of this letter is to document the potential traffic impacts of a proposed Liquor Box addition to the existing Walmart site located at 1450 Johns Lake Road, Clermont, Florida.

Trip Generation

The gross trip generation potential of the proposed Liquor Box addition for the P.M. peak-hour of the adjacent street was estimated using information contained in the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 9th Edition, for land use code (LUC), 813 (Free-Standing Discount Superstore). The estimated gross external trips expected to be generated by the proposed addition are 18 two-way, trip-ends (9 entering/9 exiting) in the P.M. peak hour of adjacent roadways during the 4:00 p.m. to 6:00 p.m. time period.

Pass-by capture for the Liquor Box addition was considered based upon the ITE *Trip Generation Manual*, 9th Edition, for land use code 813 (Free-Standing Discount Superstore). The pass-by trips were subtracted from the total gross external trips to determine anticipated net, new project trips from the Liquor Box addition.

The results of these calculations, which are included in Table 1, indicate that the proposed Liquor Box addition may be expected to generate 12 net, new, two-way trip-ends (6 entering/6 exiting) in the P.M. peak hour, or approximately one trip per every five minutes.

EXISTING LAND USE P.M. PEAK-HOUR PROJECT TRIP GENERATION

ITE TRIP GENERATION CHARACTERISTICS					DIRECTIONAL DISTRIBUTION		GROSS TRIPS			TOTAL EXTERNAL TRIPS			PASS-BY CAPTURE		NET NEW EXTERNAL TRIPS		
Land Use	ITE Edition	ITE Code	Scale	ITE Units	Percent		In	Out	Total	In	Out	Total	Percent	PB Trips	In	Out	Total
Existing Store																	
Discount Superstore	9	813	220,731	KSF	49%	51%	470	490	960	470	490	960	28%	268	336	356	692
Total:							470	490	960	470	490	960	28%	268	336	356	692

EXISTING PLUS PROPOSED LAND USE P.M. PEAK-HOUR PROJECT TRIP GENERATION

ITE TRIP GENERATION CHARACTERISTICS					DIRECTIONAL DISTRIBUTION		GROSS TRIPS			TOTAL EXTERNAL TRIPS			PASS-BY CAPTURE		NET NEW EXTERNAL TRIPS		
Land Use	ITE Edition	ITE Code	Scale	ITE Units	Percent		In	Out	Total	In	Out	Total	Percent	PB Trips	In	Out	Total
Existing Store + Addition																	
Discount Superstore + Addition	9	813	224,731	KSF	49%	51%	479	499	978	479	499	978	28%	274	342	362	704
Total:							479	499	978	479	499	978	28%	274	342	362	704

Net (Proposed - Existing)	6	6	12
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Traffic Impacts

Johns Lake Road, Citrus Tower Boulevard and South Highway 27, the first directly accessed roadways, are 2 lane, 4 lane and 6 lane roadways, respectively. The 12 additional P.M. peak hour trips anticipated to be added from the proposed Walmart Liquor Box addition represent less than 1% of the roadways' capacities. Due to the fact that the additional traffic impacts to the roadway network are not anticipated to be significant, it is requested that a detailed traffic analysis not be required for the proposed liquor box addition and instead allow this traffic impact analysis to be submitted for your review.

We will follow-up with you to discuss this matter in more detail. We appreciate your time and consideration of this request.

Very truly yours,

KIMLEY-HORN AND ASSOCIATES, INC.



Matthew Femal, P.E.
Project Manager



Joe Robertson, E.I.
Transportation Analyst

Property Record Card

Due to a current issue with the Flash Plugin in Internet Explorer, it is suggested that you use Firefox, Chrome or other modern browser to view this page.

General Information

Owner Name:	WAL-MART STORES EAST LP	Alternate Key:	3836309
Mailing Address:	WAL MART PROPERTY TAX DEPT PO BOX 8050 MS 0555 BENTONVILLE, AR 72712-8050	Parcel Number:	32-22-26- 230000000100
Property Location:	1450 JOHNS LAKE RD CLERMONT FL 34711	Millage Group and City:	000C (Clermont) : 17.5789
Property Description:	CLERMONT, WAL-MART SUPERCENTER AT CLERMONT STORE NO 2695-02 SUB LOT 1--LESS FROM INTERSECTION OF E'LY R/W LINE OF US HIGHWAY 27 & N R/W LINE OF JOHN'S LAKE ROAD, THENCE RUN ALONG SAID E'LY R/W LINE OF US HWY 27 N 25-09-24 W 7.86 FT TO A POINT, THENCE CONT ALONG SAID R/W LINE N 16-24- 07 W 122.80 FT, RUN N 64-50-36 E 175.95 FT FOR POB, RUN N 25-09-24 W 105 FT, N 64-50-36 E 247 FT, S 25-09-24 E 105 FT, S 64-50-36 W 247 FT TO POB--PB 53 PG 99-100		

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class Value	Just Value
1	DEPARTMENT STORES (1300)	0	0		1247643	SF	\$0.00	\$3,742,929.00
2	UTILITIES (9100)	0	0		0.55	AC	\$0.00	\$550.00

Commercial Building(s)

Building 1

Commercial	Building Value: \$4,594,098.00							
Summary	Section(s)							
Year Built: 2006	Section No.	Section Type	Wall Height	No. Stories	Ground Floor Area	Basement	Basement Finished	Map Color
Total Square Footage: 220731	1	FINISHED LIVING AREA (FLA)	18	1	200991	0%	0%	
Full Bathrooms: 6		Interior Finish (13D)			Percent	Sprinkler		A/C
Half Bathrooms: 0					100.00 %	Yes		Yes
Elevators: 0	2	FINISHED LIVING AREA (FLA)	16	1	6699	0%	0%	
Elevator Landings: 0								
Escalators: 0								

LEGAL NOTICE

Notice is hereby given that the City of Clermont will consider a request for an amendment to a Conditional Use Permit (Resolution 1316) to allow for an expansion to the existing Wal-Mart building.

LOCATION

1450 Johns Lake Road

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

This request will be considered by the Planning & Zoning Commission on Tuesday, May 3, 2016 at 6:30pm.

A public meeting to consider the request will be held before the City Council on Tuesday, May 24, 2016 at 6:30pm.

All meetings will be held in City Hall located at 685 West Montrose Street.

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

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

Tracy Ackroyd Howe, MMC
City Clerk

Daily Commercial
April 26 and May 17, 2016



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, May 24, 2016		
Agenda Item Name		
Resolution No. 2016-13 <i>Real Life Christian Church</i>		
Requested Action		
Recommend approval of Resolution 2016-13.		
Staff Report		
The applicant is requesting an amendment to the existing Resolution 2012-28 to allow an additional access point onto their church property. The large church parcel has approximately 2,700 feet of right-of-way frontage along three rights-of-way with only two access points. One access driveway is located on Cross Ridge Road, and the other access driveway is located on Steves Road. The original site plan approved with Resolution 2012-28 only allowed these two access points. With the church growing and having large services, there are times when these access points are very congested, both on site and within the rights-of-way. The church has identified a way to alleviate much of these traffic concerns by adding a third driveway on Citrus Tower Boulevard. Currently, the church has approximately 1,500 feet along Citrus Tower Boulevard without any driveways. By allowing one driveway to be located along their southern border, access onto their site will allow a flow-through traffic pattern that will ease the traffic congestion on the other two rights-of-way. <i>At the May 3, 2016 Planning and Zoning Commission meeting, Commissioner Cuqui Whitehead moved to recommend approval of the conditional use permit; seconded by Commissioner Carlos Solis. The vote was unanimous to recommend approval.</i>		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Resolution	CUP RES 2016-13.docx	
2. Location Map	Location Map.docx	
3. Conditions	Conditions.docx	
4. Res. 2010-24	R-2010-24.pdf	
5. Res. 2012-28	R-2012-28.pdf	
6. Site plan - Exhibit A	Site plan.pdf	

7.	P&Z Minutes	P&Z Minutes.pdf
8.	Application	CUP application.pdf
9.	Legal ad	2016 Real Life CUP legal ad.docx

**CITY OF CLERMONT
RESOLUTION NO. 2016-13**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING AN AMENDMENT TO A CONDITIONAL USE PERMIT (RESOLUTION 2012-28) TO ALLOW FOR AN ADDITIONAL VEHICLE ACCESS POINT.

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held May 3, 2016 recommended approval of this amendment to the Conditional Use Permit to allow for an additional vehicle access point; at the following location:

LOCATION:

1501 Steve's Road

The City Council deems it advisable in the interest of the general welfare of the City of Clermont, Lake County, Florida to grant this Conditional Use Permit.

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

This application for an amendment to the Conditional Use Permit to allow for an additional vehicle access point; be granted subject to the following conditions:

CONDITIONAL USE PERMIT CONDITIONS:

Section 1 - General Conditions

1. The conditions as set forth in this Conditional Use Permit shall be legally binding upon any heirs, assigns and successors in title or interest.
2. No further expansion of the use or additions to the facility shall be permitted except as approved by the Site Review Committee. An amendment to the Conditional Use Permit may be required.
3. The Conditional Use Permit must be executed and processed through the Office of the City Clerk within 90 days of its date of approval by the City Council or the Permit shall become null and void.
4. The applicant shall record in the Public Records of Lake County within 90 days of its date of approval by the City Council, a short-form version of this Conditional Use Permit as provided by the City or a form acceptable to the City, to provide notice to all interested parties, the assigns, successors and heirs of the developer/applicant and all future owners of the above-referenced property that the real property described above is subject to the terms and conditions of the Conditional Use Permit.

CITY OF CLERMONT
RESOLUTION NO. 2016-13

5. The structure shall be inspected by the Fire Marshal for life safety requirements. All requirements must be met prior to any Certificate of Occupancy being issued.
6. The structure shall be inspected by the City Building Inspector and all building code violations must be corrected prior to a Certificate of Occupancy being issued.
7. Construction and operation of the proposed use shall at all times comply with the regulations of this and other governmental agencies.
8. Prior to the issuance of any permits, the applicant shall be required to submit Formal Site Plans for review and approval by the City of Clermont Site Review Committee. The Site Plans shall show location of all proposed buildings, structures, picnic areas, and outdoor recreation areas as indicated in the Conditional Use Application. The Site Plans shall meet all submittal requirements and comply with the conditions of this Resolution, applicable City Codes, Regulations, Ordinances, and provide compliance with the adopted City Comprehensive Plan, as amended.
9. All applicable rules and regulations for development within the City shall be met, including but not limited to, final site plan approval, landscaping, drainage, parking and sign regulations, and all yard setbacks. All required landscaping must be served with a low volume, permanent irrigation system that must be properly maintained. The drainage and storm water retention requirements of the City and the appropriate regulatory agencies shall be met, and approved by the City Engineer.
10. If any of the stated conditions are violated, the applicant understands and agrees that the City Council may revoke this Conditional Use Permit by resolution.
11. This Permit shall become null and void if substantial construction work has not begun within two (2) years of the date of issuance of this Conditional Use Permit. "Substantial construction work" means the commencement and continuous prosecution of construction of required improvements ultimately finalized at completion.
12. Operation of the ball fields; as specified in the City of Clermont Resolution No. 2010-24, will be between the hours of 8am – 9pm Monday through Thursday, 8am – 10pm Friday through Saturday, and 10am – 9pm Sunday. Conditions in Resolution 2010-24 pertaining to parcel C1 shall remain effective.
13. The property may be used as the Real Life Family Christian Church facility with educational programs including pre-school through 12th grade and recreational sports field area. The site shall be developed in substantial accordance with the Site Plan designed by Denham Engineering, LLC dated 3-31-16 (Exhibit A.)

CITY OF CLERMONT
RESOLUTION NO. 2016-13

Section 2 - Physical Site Development

1. The applicant shall submit a detailed excavation, grading and erosion control plan for the site during the Site Plan Review process which must be approved by the City Site Review Committee prior to initiation of development activity.
2. Noise levels during construction shall not exceed those recommended by the Florida Department of Environmental Protection. Any vibratory compaction shall be limited to the hours of 8:00am to 6:00pm Monday through Saturday only. Vibrations shall be limited to avoid any damages to neighboring persons or properties. Heavy equipment and normal work operations will be allowed on the site between the hours of 7:00am and 7:00pm Monday through Saturday. Heavy equipment or heavy machinery engines will not be started earlier than 7:00am on any approved work day.
3. Any excavated material shall be stored in a location approved by the City Engineer.
4. Geotechnical information regarding the soil characteristics of the site shall be submitted to the City as part of the Site Review process.
5. The permittee/developers shall provide both temporary and permanent grassing including fertilizer application on all disturbed areas. Grassing shall be provided in accordance with Best Management Practices (BMP) of the United States Department of Agriculture Soil Conservation Service.
6. In areas where earth work requires filling/compaction, density tests will be conducted at a maximum of 2 foot intervals in order to prove compaction requirements. All disturbed soils shall be compacted to 95% density of modified proctor.
7. Any areas being modified to a slope of three (3) horizontal to one (1) vertical (3:1), such as water retention areas, shall be sodded. Slopes greater than 3:1 shall be prohibited.
8. Ingress/egress to the site for construction shall be as approved by the City Site Review Committee.
9. The developer/permittee shall be responsible for the cost of all required on-site and off-site infrastructure improvements necessitated by impacts of the project. Connection to available City potable water and sanitary sewer shall be the responsibility of the permittee.

CITY OF CLERMONT
RESOLUTION NO. 2016-13

Section 3 - Transportation Improvements

1. The permittee/developer shall construct a sidewalk adjacent to Steve's Road in accordance with adopted City Code standards. The required sidewalk shall be provided within one (1) year after the completion the Steve's Road project. Said sidewalk shall be constructed at a length and location as approved by the City Site Review Committee.
2. The permittee/developer shall provide off-street parking and loading spaces in the following manner: (a) The initial church facility shall construct sixty (60) parking spaces of impervious material as required by City Code. (b) 260 spaces may be proved as grass parking area. All grass parking areas shall be maintained and be provided with concrete bumper stops for proper parking space delineation. (c) All said required parking and vehicular use areas shall be landscaped in conformance with adopted City Code.
3. Roadway improvement plans for Steve's Road and the project site, including but not limited to, access drives, acceleration/deceleration lanes, turn lanes, traffic signalization devices, and internal signage and traffic movement lanes shall be submitted to and approved, appropriately, by the City Site Review Committee. All transportation improvement related plans shall be submitted and approved prior to commencement of any development activity for any portion of the project. Project specific on-site/off-site transportation improvements consistent with identified project impacts will be the sole responsibility of the developer.
4. Ingress/egress to the site for construction shall be as approved by the City Site Review Committee.

Section 4 - Stormwater Management

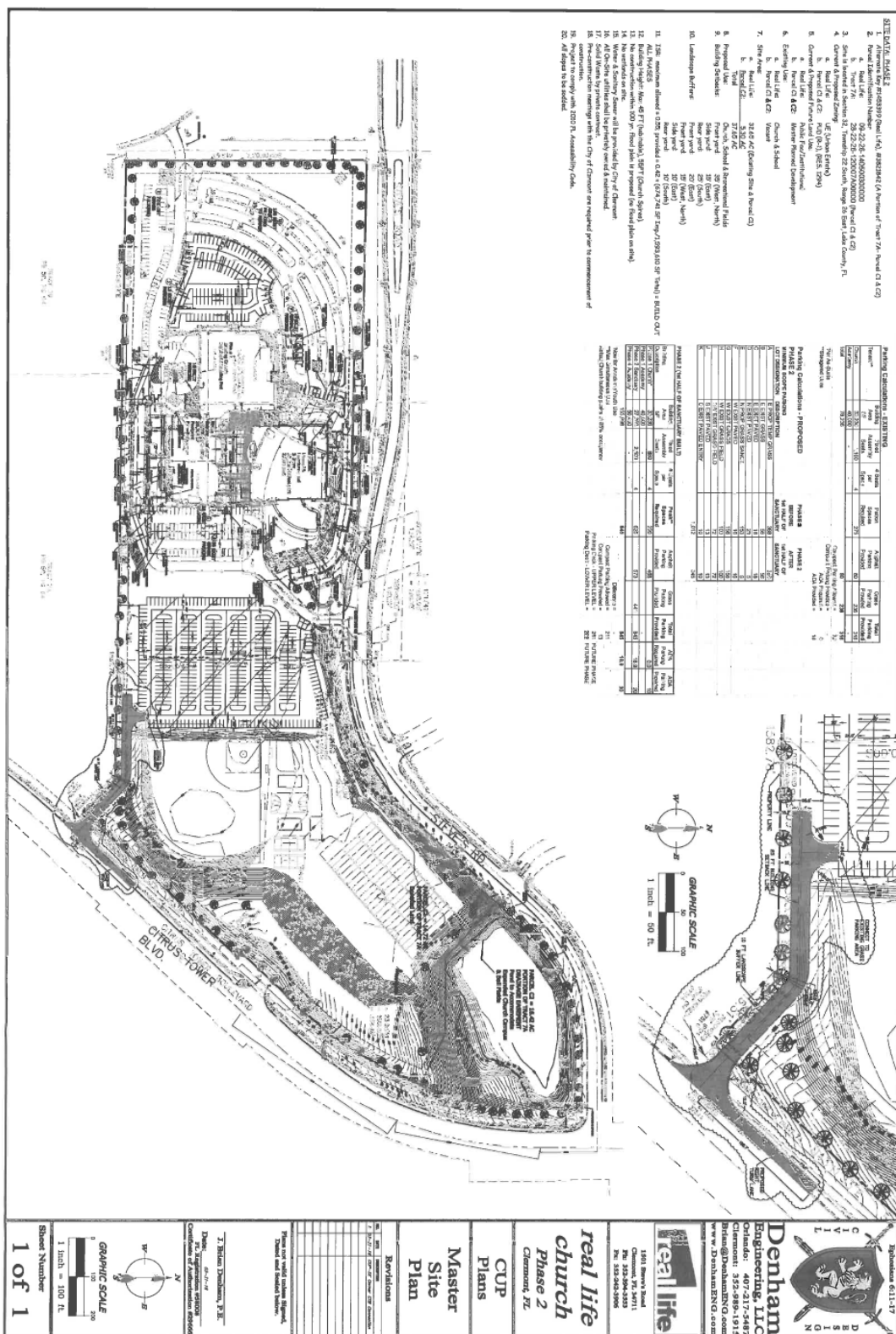
1. Permeability tests must be submitted as part of the Site Plan Review process. Permeability shall be maintained.
2. Verification of the stormwater run-off data, assumptions and calculations shall be provided to, and approved by, the City Engineer prior to any development activity. Positive outfall for stormwater shall be provided as approved by the City Engineer.
3. A St. John's River Water Management District stormwater permit shall be required and filed with the City prior to receipt of a Development Permit or any development activity on the site.
4. Stormwater retention areas shall be constructed at a maximum relief 3:1 (H:V). The side slopes shall be sodded. All other areas being disturbed shall be stabilized with landscape and sod in accordance with adopted City Code.
5. Final disposition of stormwater outfall shall be as approved by the City Engineer.

CITY OF CLERMONT
RESOLUTION NO. 2016-13

Section 5 -Site Improvements/Landscaping

1. All signage shall conform to adopted City Codes and Standards.
2. A Site Lighting Plan shall be submitted and approved for the property. All lighting shall be designed, installed and directed to fall upon the subject site and not adversely impact abutting properties or Steve's Road traffic.
3. The permittee shall contract solid waste (refuse) service and construct appropriate dumpster facilities in accordance with adopted City Code. All dumpster and other external equipment sites shall be enclosed with masonry structures with wooden gates. All such structures and appurtenances shall be landscaped in accordance with City Code. Construction details and location of said structures shall be provided on Development Plans approved by the City Site Review Committee.

Exhibit A



CITY OF CLERMONT
RESOLUTION NO. 2016-13

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 24th day of May, 2016.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Location Map:



Section 1 - General Conditions

1. The conditions as set forth in this conditional use permit shall be legally binding upon any heirs, assigns and successors in title or interest.
2. No further expansion of the use or additions to the facility shall be permitted except as approved by the Site Review Committee. An amendment to the conditional use permit may be required.
3. The conditional use permit must be executed and processed through the office of the City Clerk within 90 days of its date of approval by the City Council or the permit shall become null and void.
4. The applicant shall record in the Public Records of Lake County within 90 days of its date of approval by the City Council, a short-form version of this conditional use permit as provided by the City or a form acceptable to the City, to provide notice to all interested parties, the assigns, successors and heirs of the developer/applicant and all future owners of the above-referenced property that the real property described above is subject to the terms and conditions of the conditional use permit.
5. The structure shall be inspected by the Fire Marshal for life safety requirements. All requirements must be met prior to any certificate of occupancy being issued.
6. The structure shall be inspected by the City Building Inspector and all building code violations must be corrected prior to a certificate of occupancy being issued.
7. Construction and operation of the proposed use shall at all times comply with the regulations of this and other governmental agencies.
8. Prior to the issuance of any permits, the applicant shall be required to submit formal site plans for review and approval by the City of Clermont Site Review Committee. The site plans shall show location of all proposed buildings, structures, picnic areas, and outdoor recreation areas as indicated in the conditional use application. The site plans shall meet all submittal requirements and comply with the conditions of this resolution, applicable city codes, regulations, ordinances, and provide compliance with the adopted City Comprehensive Plan, as amended.
9. All applicable rules and regulations for development within the City shall be met, including but not limited to, final site plan approval, landscaping, drainage, parking and sign regulations, and all yard setbacks. All required landscaping must be served with a low volume, permanent irrigation system that must be properly maintained. The drainage and storm water retention requirements of the City and the appropriate regulatory agencies shall be met, and approved by the City Engineer.
10. If any of the stated conditions are violated, the applicant understands and agrees that the City Council may revoke this conditional use permit by resolution.
11. This permit shall become null and void if substantial construction work has not begun within two (2) years of the date of issuance of this Conditional Use Permit. "Substantial construction work" means the commencement and continuous prosecution of construction of required improvements ultimately finalized at completion.
12. Operation of the ball fields (as specified in the City of Clermont Resolution No. 2010-24) will be between the hours of 8AM-9PM Mon - Thu, 8AM-10PM Fri - Sat and 10AM-9PM Sun. Conditions in Resolution 2010-24 pertaining to parcel C1 shall remain effective.

13. The property may be used as the Real Life Family Christian Church facility with educational programs including pre-school through 12th grade and recreational sports field area. The site shall be developed in substantial accordance with the site plan designed by Denham Engineering, LLC dated 3-31-16 (Exhibit A.)

Section 2 - Physical Site Development

1. The applicant shall submit a detailed excavation, grading and erosion control plan for the site during the site plan review process which must be approved by the City Site Review Committee prior to initiation of development activity.
2. Noise levels during construction shall not exceed those recommended by the Florida Department of Environmental Protection. Any vibratory compaction shall be limited to the hours of 8:00 A.M. to 6:00 P.M. Monday through Saturday only. Vibrations shall be limited to avoid any damages to neighboring persons or properties. Heavy equipment and normal work operations will be allowed on the site between the hours of 7:00 A.M. and 7:00 P.M. Monday through Saturday. Heavy equipment or heavy machinery engines will not be started earlier than 7:00 A.M. on any approved work day.
3. Any excavated material shall be stored in a location approved by the City Engineer.
4. Geotechnical information regarding the soil characteristics of the site shall be submitted to the City as part of the Site Review process.
5. The permittee/developers shall provide both temporary and permanent grassing including fertilizer application on all disturbed areas. Grassing shall be provided in accordance with best management practices (BMP) of the U.S.D.A. Soil Conservation Service.
6. In areas where earth work requires filling/compaction, density tests will be conducted at a maximum of 2 foot intervals in order to prove compaction requirements. All disturbed soils shall be compacted to 95% density of modified proctor.
7. Any areas being modified to a slope of three (3) horizontal to one (1) vertical (3:1), such as water retention areas, shall be sodded. Slopes greater than 3:1 shall be prohibited.
8. Ingress/egress to the site for construction shall be as approved by the City Site Review Committee.
9. The developer/permittee shall be responsible for the cost of all required on-site and off-site infrastructure improvements necessitated by impacts of the project. Connection to available City potable water and sanitary sewer shall be the responsibility of the permittee.

Section 3 - Transportation Improvements

1. The permittee/developer shall construct a sidewalk adjacent to Steve's Road in accordance with adopted City Code Standards. The required sidewalk shall be provided within one (1) year after the completion the Steve's Road project. Said sidewalk shall be constructed at a length and location as approved by the City Site Review Committee.
2. The permittee/developer shall provide off-street parking and loading spaces in the following manner: (a) The initial church facility shall construct sixty (60) parking spaces of impervious material as required by City Code. (b) 260 spaces may be proved as grass parking area. All grass parking areas shall be maintained and be provided with concrete bumper stops for proper parking space delineation. (c) All said required parking and vehicular use areas shall be landscaped in conformance with adopted City Code.

3. Roadway improvement plans for Steve's Road and the project site, including but not limited to, access drives, accel/decel lanes, turn lanes, traffic signalization devices, and internal signage and traffic movement lanes shall be submitted to and approved, appropriately, by the City Site Review Committee. All transportation improvement related plans shall be submitted and approved prior to commencement of any development activity for any portion of the project. Project specific on-site/off-site transportation improvements consistent with identified project impacts will be the sole responsibility of the developer.
4. Ingress/egress to the site for construction shall be as approved by the City Site Review Committee.

Section 4 - Stormwater Management

1. Permeability tests must be submitted as part of the site plan review process. Permeability shall be maintained.
2. Verification of the stormwater run-off data, assumptions and calculations shall be provided to, and approved by, the City Engineer prior to any development activity. Positive outfall for stormwater shall be provided as approved by the City Engineer.
3. A St. John's River Water Management District stormwater permit shall be required and filed with the City prior to receipt of a development permit or any development activity on the site.
4. Stormwater retention areas shall be constructed at a maximum relief 3:1 (H:V). The side slopes shall be sodded. All other areas being disturbed shall be stabilized with landscape and sod in accordance with adopted city code.
5. Final disposition of stormwater outfall shall be as approved by the City Engineer.

Section 5 -Site Improvements/Landscaping

1. All signage shall conform to adopted city codes and Standards.
2. A site lighting plan shall be submitted and approved for the property. All lighting shall be designed, installed and directed to fall upon the subject site and not adversely impact abutting properties or Steve's Road traffic.
3. The permittee shall contract solid waste (refuse) service and construct appropriate dumpster facilities in accordance with adopted city code. All dumpster and other external equipment sites shall be enclosed with masonry structures with wooden gates. All such structures and appurtenances shall be landscaped in accordance with city code. Construction details and location of said structures shall be provided on development plans approved by the City Site Review Committee.

**CITY OF CLERMONT
RESOLUTION NO. 2010-24**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING AN AMENDMENT TO A CONDITIONAL USE PERMIT (2010-1) TO CORRECT THE STATED ACREAGE OF PARCEL C-1 FROM 20.77 ACRES TO 14.73 ACRES.

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held October 5, 2010 recommended for approval of this amendment to a Conditional Use Permit (2010-1) to correct the stated acreage of Parcel C-1 from 20.77 acres to 14.73 acres; at the following location:

LOCATION:

Southwest of Citrus Tower Boulevard and Steve's Road

The City Council deems it advisable in the interest of the general welfare of the City of Clermont, Lake County, Florida to grant this Conditional Use Permit.

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

This application for an amendment to a Conditional Use Permit (2010-1) to correct the stated acreage of Parcel C-1 from 20.77 acres to 14.73 acres; be granted subject to the following conditions:

CONDITIONS:

SECTION 1 – General Conditions

1. The conditions as set forth in this Conditional Use Permit shall be legally binding upon any heirs' assigns and successors in title or interest.
2. No further expansion of the use or additions to the facility shall be permitted except as approved by another Conditional Use Permit.
3. The property shall be developed in substantial accordance with the master site plan as shown in the revised Exhibit "A" incorporating all conditions of this Conditional Use Permit.
4. No person firm corporation or entity shall erect construct enlarge alter repair remove improve move convert or demolish any building or structure or alter the land in any manner within the boundary of the project without first submitting necessary plans obtaining necessary approvals and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.

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5. The final Certificate of Occupancy shall not be issued until each of the stated conditions has been met.

6. If any of the stated conditions are violated the applicant understands and agrees that the City Council may revoke this Conditional Use Permit by resolution.

7. The Conditional Use Permit must be executed and filed in the office of the City Clerk within 90 days of its date of grant by the City Council or the permit shall become null and void.

8. This permit shall become null and void if substantial construction work has not begun within two (2) years of the date that this Conditional Use Permit is executed and signed by the permittee. "Substantial construction work" means the commencement and continuous prosecution of construction of required improvements ultimately finalized at completion.

SECTION 2 – Land Use

The Lost Lake Reserve project shall be developed in accordance with the directives of the Development Regional Impact, this Conditional Use Permit/Planned Unit Development and the Comprehensive Plan for this Master Planned Development.

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

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

Residential:

- Parcel "A" – detached single family residential units with a minimum lot size of 9000 sq. ft. and a minimum lot width of 75 ft. All other development standards shall be consistent with the R-1 Single-family Medium Residential Zoning District.
- Parcel "B" – detached single family residential units with a minimum lot size of 01020 sq. ft. and a minimum lot width of 100 ft. All other development standards shall be consistent with the R-1-A Single-family Low Density Residential Zoning District.
- Parcel "C1" – 14.73 acres of park land. A deed restriction shall be imposed by the developer to allow only athletic fields, recreation and open space uses. Parcel C1 shall be developed in substantial accordance with the conceptual site plan dated March 6, 2010 and the perspective drawings as developed by AECOM and Forum Architectures & Interior Design Inc. for Maxcy Development Group, as shown in Exhibit "B".
- Parcel "C2" – 16.41 acres with up to 192 multi-family residential units. Townhomes, duplexes, quadruplexes, condominiums, or apartments may be constructed at a maximum density of 12 dwelling units per acre. Parcel C2 shall be developed in substantial

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accordance with the conceptual site plan dated March 6, 2010 and the perspective drawings as developed by AECOM and Forum Architectures and Interior Design Inc. for Maxcy Development Group, as shown in Exhibit "B".

- Parcel "D" – up to 300 multifamily residential units on 25 acres. Townhomes, duplexes, quadruplexes, condominiums, or apartments may be constructed at a maximum density of 12 dwelling units per acre.
- Parcel "E" – detached single family residential units with a minimum lot size of 9000 sq. ft. and a minimum lot width of 75 ft. All other development standards shall be consistent with the R-1 Single-family Medium Residential Zoning District.
- Parcel "F" – detached single family residential units with a minimum lot size of 9000 sq. ft. and a minimum lot width of 75 ft. All other development standards shall be consistent with the R-1 Single-family Residential Zoning District.
- Parcel "G" – up to 300 multifamily residential units on 25 acres Townhomes condominiums or apartments may be constructed at a maximum density of 12 dwelling units per acre.

Non-residential:

- Parcels "H" & "R" – allow for a variety of professional office and personal services uses. Allowed uses shall be the professional office and personal services as permitted in the C1 zoning district. All regulations of the C1 zoning district shall apply to these uses. In addition, residential uses are limited to 1 du/5,000 sq. ft. of the heated and cooled area. Subdivisions of commercial land must go through the commercial subdivision platting process.
- Parcel "I" – Worship and Daycare – A 5.04 acre parcel reserved for a worship site. In addition to worship uses the parcel can also include daycare and primary educational uses associated with the church; however, and daycare and educational uses shall be subject to a conditional use approval by the City.
- Parcels "K" & "J" – Commercial Villages – allow development of a variety of retail and service uses to serve the Planned Unit Development and nearby neighborhoods, consistent with the regulations in the C2 General Commercial zoning district. Permitted uses in C2 shall be permitted and Conditional Uses in C2 shall require a conditional use permit. The following uses shall be prohibited: "adult" oriented forms of business or services including adult bookstores; tattoo and body piercing establishments; psychic readers; pawn shops and campgrounds. Shopping centers require a Conditional Use Permit and other subdivisions of commercial land must go through the commercial subdivision platting process.

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

- Parcel "L" – Town Center – allows a variety of retail and service uses, consistent with the C1 Light Commercial zoning district. Residential uses shall be allowed at a ratio of 1 du/2500 sq. ft. of heated and cooled space. The following uses shall be prohibited: "adult" oriented forms of business or services, i.e. adult bookstores; tattoo and body piercing establishments; psychic readers; pawnshops and campgrounds. Shopping centers require a Conditional Use Permit and other subdivisions of commercial land must go through the commercial subdivision platting process.
- Parcel "M" – An 11.4 acre Recreation and Open Space (ROS) parcel bridges the gap between the Eagle Lake perimeter park and Lost Lake Elementary School. It is proposed for active community recreation such as field and court sports.
- Approximately 15.2 acres is planned for passive recreation for the perimeter of Lake Felter. This Recreation and Open Space (ROS) feature coincides with the 100 year floodplain.
- A linear park that borders both sides of Citrus Tower Boulevard along Parcels "B", "C", "D", and "E".
- Parcel "N" – A 1.0 acre parcel is reserved for a Community Facility at the northeast corner of the 11.2 acre ROS parcel.

SECTION 3 – Physical Site Development and Environmental Issues

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

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

3. The Lake Felter mitigation has been completed in accordance with the plans approved by the City and the SJRWMD. The mitigation is subject to the monitoring requirements under the permit. The Eagle Lake mitigation plans have been submitted to the SJRWMD in accordance with the Consent Order issued by SJRWMD. In accordance with the

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Consent Order, the Eagle Lake restoration must be completed prior to development north of John's Lake Road or when water levels rise to normal levels. All activity in the floodplains or wetlands requires a permit from the City per SECTION 94-34 of the code.

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

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

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

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

SECTION 4 – Transportation Improvements

1. Citrus Tower Blvd.

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

Development approved through the adoption of the Development Order for the Development Regional Impact can commence on Parcel "F" without any improvement to Citrus Tower Blvd. Parcel "G" shall require the construction of Citrus Tower Boulevard from John's Lake Road south to the secondary entrance of Parcel "G" within one (1) year of the first CO being

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issued in Parcel "G". Parcels "C" and "E" shall require the construction of Citrus Tower from John's Lake Road to Steve's Road prior to the issuance of any CO in Parcels "C" or "E". Further development shall commence as provided for in the Development Regional Impact Development Order.

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

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

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

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

The one hundred feet of right of way for the construction of Citrus Tower Boulevard from the southern property boundary to the northern property boundary will be contained in a right of way reservation corridor map (the "Map") which shall be an exhibit to this document. The Map will delineate the location of a one hundred fifty foot (150') corridor from the southern to northern property boundary. The exact right of way to be dedicated will be furnished to the City upon completion and approval of the construction drawings for Citrus Tower Boulevard. The Developer will complete and submit the construction plans for Citrus Tower Blvd. from the southern property boundary to the northern property boundary within 6

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months of the Conditional Use Permit approval. Simultaneously with the dedication of the right of way to the City, the City in turn will grant to the Developer a temporary access easement over the right of way and grant the Developer the authority to construct the necessary roadway improvements in the right of way which is the Developer's responsibility. Notwithstanding the above, the Developer shall dedicate the one hundred feet (100') of right of way for Citrus Tower Blvd. no later than twelve (12) months after the approval of this Conditional Use Permit.

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

2. Steve's Road Construction

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

The eighty foot (80') right of way for the construction of Steve's Road from the western property boundary to Citrus Tower Blvd. and the sixty foot (60') right of way from Citrus Tower Blvd. along the northern property boundary will be contained in a right of way reservation corridor map (the "Map") which shall be an exhibit to this document. The Map will delineate the location of a one hundred fifty foot (150') corridor from the eastern to western property boundary. The exact right of way to be dedicated will be furnished to the City upon completion and approval of the construction drawings for Steve's Road.

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

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

The eighty foot (80') right of way for the construction of Steve's Road from the western property boundary to Citrus Tower Blvd. and the sixty foot (60') right of way from Citrus Tower Blvd. along the northern property boundary will be contained in a right of way

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

3. All roads within the project shall be designed and constructed in accordance with adopted City standards.

4. The permittee shall pay a pro rata share of the traffic study to determine if a signal is warranted at the intersection of U.S. 27 and John's Lake Road. If a signal is warranted, the permittee shall pay its pro rata share of the cost for a signal and its installation. The permittee shall also pay for the total cost of warning signs and lights north of the signal as required by the FDOT and the City of Clermont.

5. If in the future it is determined by the City that a signal is necessary at the intersection of John's Lake Road and Citrus Tower Blvd., the cost of engineering, equipment, and installation shall be the responsibility of the permittee and may be eligible for impact fee credits.

6. A mass transit stop shall be provided for in the Commercial Village.

7. Ingress/egress to the site for construction shall be as approved by the City Site Review Committee.

8. An FDOT permit will be required and filed with the City for any activity proposed to occur along U.S. 27 right-of-way prior to issuance of development approvals or permitting by the City.

9. Single family units shall not front on, or be permitted direct access to John's Lake Road, Steve's Road, or Citrus Tower Boulevard.

10. The permittee shall be permitted to extend the maximum length of a cul-de-sac street from one thousand two hundred (1,200) feet to two thousand (2,000) feet.

11. The developer shall pay the City for the purchase and installation of the traffic signal (span wire) at the intersection of Citrus Tower Blvd. and Steve's Road as designed and installed by Lake County, not to exceed \$200,000. The signal shall be installed and paid for

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prior to the first Certificate of Occupancy being issued for Parcel C2 or for any buildings in Phase 2, whichever comes first. The City will support and reasonably cooperate with the developer with regard to the developer's application for eligible impact fee credits from Lake County.

SECTION 5 – Utilities

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

SECTION 6 - Linear Park

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

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

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conjunction with each phase of Citrus Tower Blvd. construction. Maintenance of the linear park shall be by the homeowners association.

SECTION 7- Recreation

1. Public Park -

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

2. Eagle Lake Park and the Lake Felter passive park shall be constructed in conjunction with Phase 2 of the 11.4 acre active City park.

3. All recreation and park areas shall link with the pedestrian/bikeway system.

4. A neighborhood play lot (tot lot) shall be provided in each residential tract prior to the issuance of any certificates of occupancy for the tract. The neighborhood play lots shall be connected to the internal pedestrian/bikeway system.

SECTION 8 – Landscaping

1. A 30 ft. landscape buffer shall be constructed along the eastern boundary of Parcel "F" prior to the issuance of the first c/o in Parcel "F". The buffer shall be planted with a minimum of three rows of 3"-caliper 6" above grade pines planted 20 ft. on center. The rows shall be planted in a staggered manner so as to provide an opaque barrier.

2. In addition to the Linear Park, additional landscape buffers shall be provided along Citrus Tower Boulevard. A 20 ft. buffer shall be provided along all commercial properties except for the Town Center. A 25 ft. buffer shall be provided along the frontage of Parcel "G". Landscaping in the Linear Park and other buffers shall exceed minimum code requirements.

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3. A wall and landscaped buffer shall be required along all double frontage lots (residential lots along Citrus Tower Blvd. and John's Lake Road unless otherwise approved by the site review committee.

4. The landscape buffer for the commercial and office parcels along U.S. 27 shall be 25 ft. wide with berm and double the planting of shrubs.

5. The developer shall landscape and maintain the Citrus Tower Blvd. median from Steve's Road to John's Lake, in substantial accordance with Exhibit "C". The developer shall install all landscape material (as approved by the City), and maintain the median of Citrus Tower Blvd. within the Lost Lake Reserve from Steve's Road to John's Lake Road. Said landscaping shall be installed prior to the first Certificate of Occupancy being issued for Parcel C1 or C2 or for any building.

SECTION 9 – Architectural Design Standards

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

1. The developer/permittee shall create a set of design standards which establish the scale, mass, and form of development for the non-residential components of the Planned Unit Development. The non-residential standards shall include specific landscape controls for all rights-of-way, parking areas, plazas, and public open space, as well as a complete palette of street furnishings where appropriate.

2. The design standards for the non-residential areas shall be reviewed and approved by the City Site Review Committee and shall be applied to all development in the Planned Unit Development unless the City has established its own design standards and has adopted such standards as part of its code.

3. The following design standards shall apply to large retail establishments unless otherwise approved by the City of Clermont Site Review Committee:

Facades and Exterior Walls:

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

Roofs:

1. Parapet walls or other design features shall be used to conceal flat roofs and rooftop equipment such as HVAC units from public view from all sides of the building. The average height of such parapets shall not exceed fifteen (15) percent of the height of the supporting

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wall and such parapets shall not at any point exceed one-third (1/3) of the height of the supporting wall.

2. No uninterrupted length of any roofline or parapet wall shall exceed one hundred (100) horizontal feet.

Materials and colors:

1. The predominant exterior finish shall be of high quality materials, including, but not limited to, brick, stone, stucco and textured concrete masonry units. The finished surface of the exterior walls shall not include smooth-faced concrete block, tilt-up concrete panels or prefabricated steel panels.
2. Façade colors shall be low reflective, subtle, neutral or earth tone colors. The use of high-intensity colors, metallic colors, black or fluorescent colors shall be prohibited.
3. Building trim and accent areas shall be limited to one primary color. The use of a primary color in the building trim is limited to a two (2) foot wide band around the building. Neon tubing shall not be an acceptable feature for building trim or accent areas.

Entryways:

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

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

Signage:

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

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Outdoor storage:

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

Outdoor display:

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

SECTION 10 – Signage

10.1 General Provision:

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

10.2 Directional Signs:

- 2.1 Directional Signs which identify amenities and/or uses which serve the general public and/or residents of the development shall be regulated as follows:
 - 2.1.1 Directional Signs may identify amenities and/or uses; builders and/or neighborhoods.
 - 2.1.2 Directional Signs shall be limited to locations along Citrus Tower Boulevard and John’s Lake Road within the boundaries of the development.
 - 2.1.3 Directional Signs shall be limited to a double faced maximum of sixteen (16) square feet per sign face, not more than ten (10) feet in height.
 - 2.1.4 Directional Signs shall maintain a five hundred (500) foot separation from other directional signs and a minimum fifty (50) foot peripheral setback from all other signs.
 - 2.1.5 Directional Signs shall be setback a minimum of five (5) feet from all property lines, provided that a safe line of sight is maintained and the placement of said sign does not otherwise create a hazard to pedestrian or vehicular traffic as determined by the City of Clermont.

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10.3 Main Entrance Signs:

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

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

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

3.4 Main Entrance Monuments shall be four sided structures a maximum of eighteen (18) feet high and shall be limited to the project logo and a maximum of nine (9) square feet each side.

3.5 Main Entrance Project Identification Signs shall have a maximum copy area of thirty (32) square feet and a maximum height of eight (8) feet. The wall shall be placed in such a manner that a clear line of sight is maintained and does not create a hazard to public safety, health or welfare as determined by the City.

10.4 Boundary Markers:

4.1 At the north and south entrances to the development on Citrus Tower Boulevard and at the east entrance on John's Lake Road, either project identification signs or boundary markers may be provided. They shall be located at or near the project boundaries.

4.2 Boundary Markers shall be located along both sides of the right-of-way up to the property line provided; however, that placement of these structures shall not create a hazard to public health or safety as determined by the City of Clermont.

4.3 Boundary Markers shall be four (4) sided structures a maximum of six (6) feet high. Boundary Markers shall be limited to the project logo and a maximum of four (4) square feet each side.

10.5 Project Identification Signs:

5.1 At the north and south entrances to the development on Citrus Tower Boulevard and at the east entrance on John's Lake Road, either project identification signs or boundary markers may be provided. They shall be located at or near the project boundaries.

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5.2 A single faced wall display may be located on each side of the boulevard with a maximum copy area of thirty (32) square feet and a maximum height of eight (8) feet. The wall shall be placed in such a manner that a clear line of sight is maintained and does not create a hazard to public safety, health or welfare as determined by the City.

5.3 In lieu of the single faced wall display on each side of the boulevard, the developer may elect to locate identification signs within medians of the entry boulevards. Such features shall consist of a double faced monument or wall with a maximum thirty-two (32) square feet of copy area per sign face. The structure shall be located a minimum of ten (10) feet from edge of pavement, provided that a clear line of sight is maintained, and the placement of these facilities does not otherwise create a hazard to public safety, health or welfare as determined by the City.

10.6 Village (Subdivision) Identification Signs:

6.1 Village Identification Signs shall be located at the entry ways to neighborhood villages within the Development.

6.2 A single faced wall display may be located on each side of the boulevard with a maximum copy area of thirty (32) square feet and a maximum height of eight (8) feet. The wall shall be placed in such a manner that a clear line of sight is maintained and does not create a hazard to public safety, health or welfare as determined by the City.

6.3 In lieu of the single faced wall display on each side of the boulevard, the developer may elect to locate identification signs within medians of the entry boulevards.

6.4 Such features shall consist of a double faced monument or wall with a maximum thirty-two (32) square feet of copy area per sign face. The structure shall be located a minimum of ten (10) feet from edge of pavement, provided that a clear line of sight is maintained, and the placement of these facilities does not otherwise create a hazard to public safety, health or welfare as determined by the City.

10.7 Gateway Markers:

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

CITY OF CLERMONT
RESOLUTION NO. 2010-24

10.8 Multi-Tenant Identification Signs:

8.1 Multi-Tenant Identification Signs shall be located along US Highway 27, Citrus Tower Boulevard, John's Lake Road and the uninterrupted parking drive within Parcel "K". Multi-Tenant Identification Signs shall be in conformance with the City of Clermont Land Development Regulations.

8.2 Multi-tenant Identification Signs located within Parcel "K" shall allow identification of tenants within any further subdivided parcel regardless of the location of the specific sign.

10.9 Single Tenant Identification Signs:

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

10.10 Minor Identification Signs:

10.1 Minor Identification Signs shall identify community amenities located within the development such as, but not limited to: parks, schools, and tot lots.

10.2 Minor Identification Signs shall be a double-faced pole, pylon, ground or wall sign and may be located at each common area or facility and shall have a maximum copy area of sixteen (16) square feet per sign face, a maximum height of eight (8) feet and a minimum setback of five (5) feet from property lines.

SECTION 11 – Public Safety

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

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

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

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

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

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

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

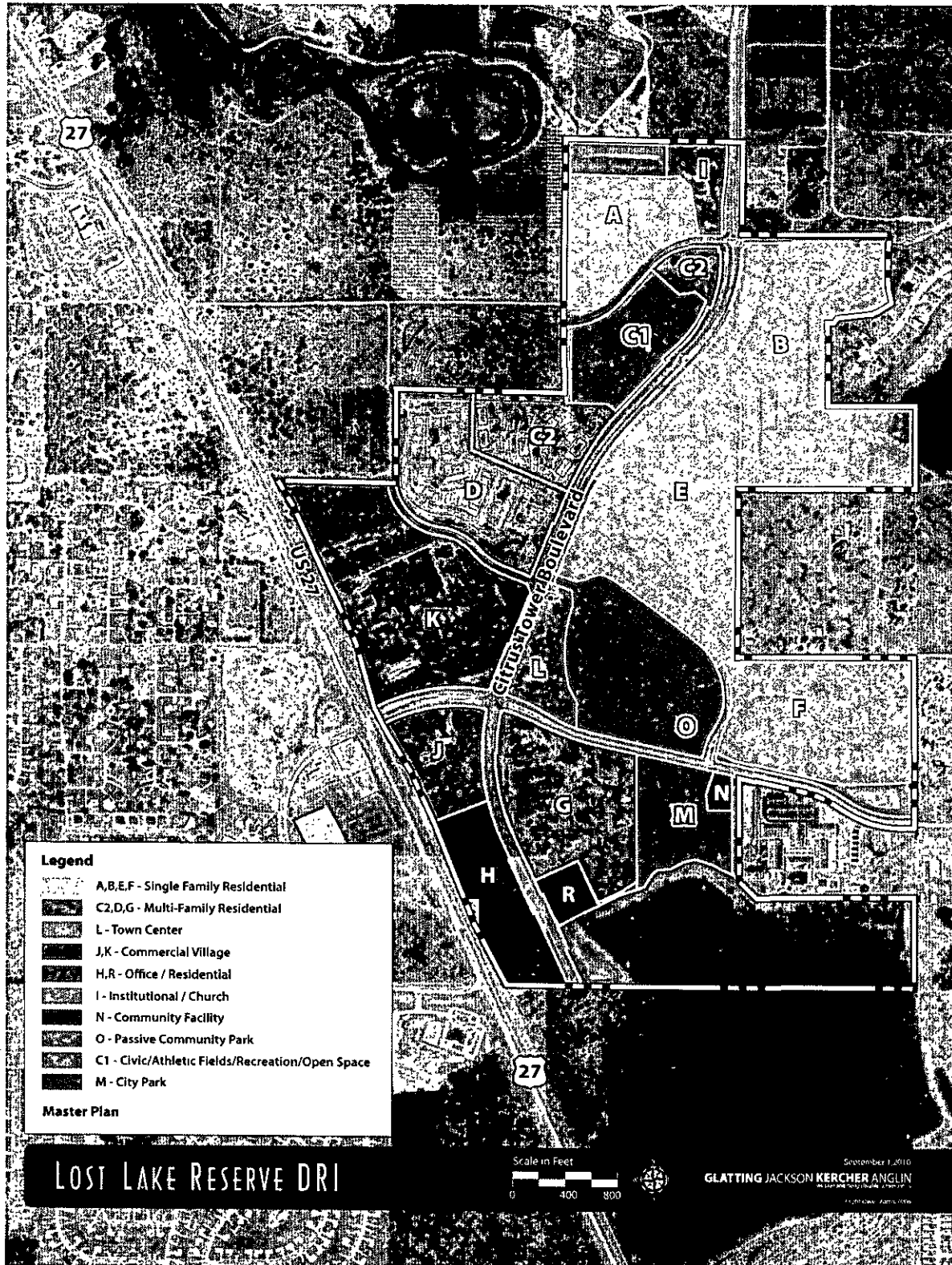
SECTION 12 – Developer Commitments & Design Standards

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

CITY OF CLERMONT
RESOLUTION NO. 2010-24

EXHIBIT "A"

Lost Lake Reserve – Master Plan

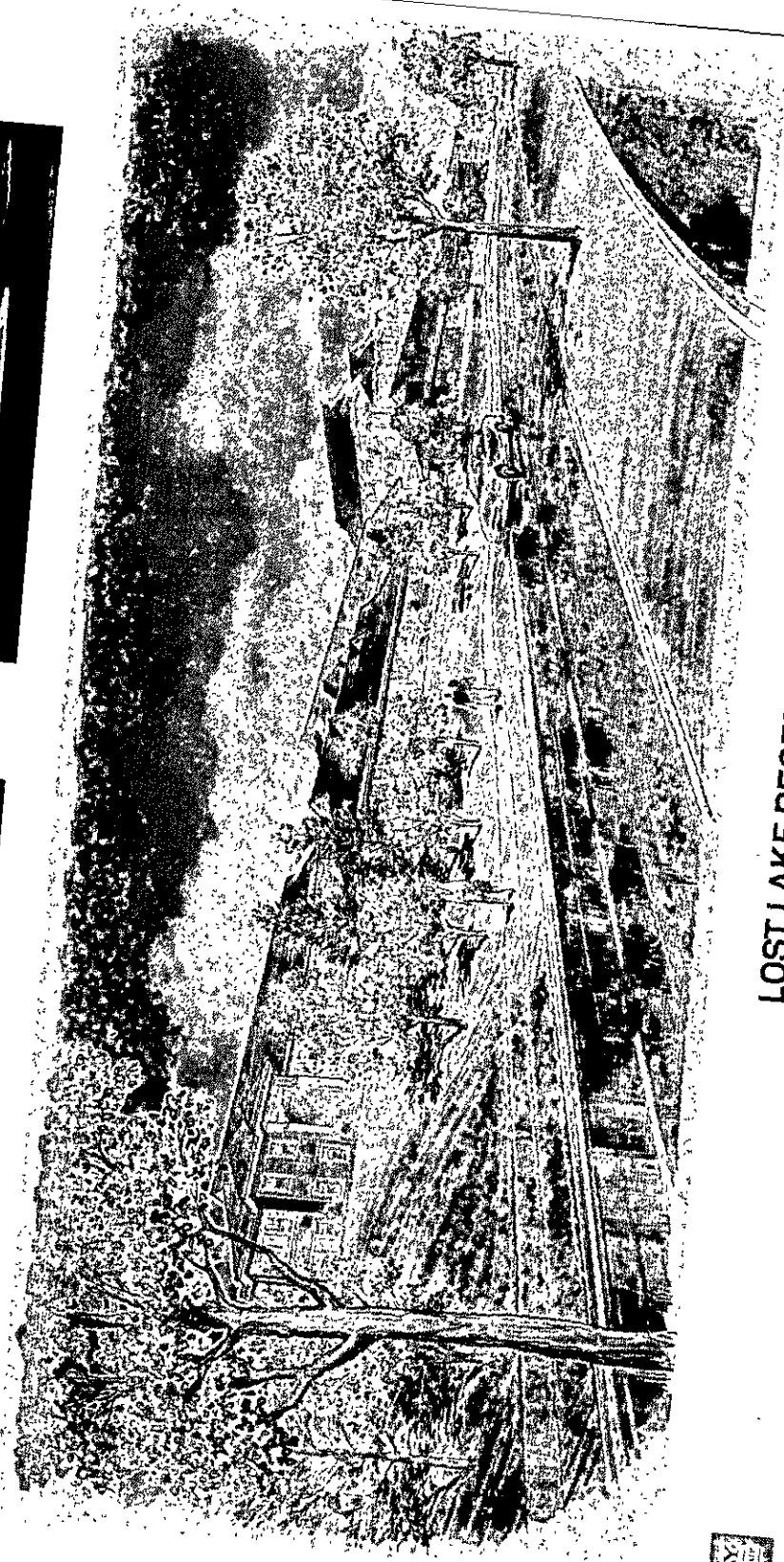
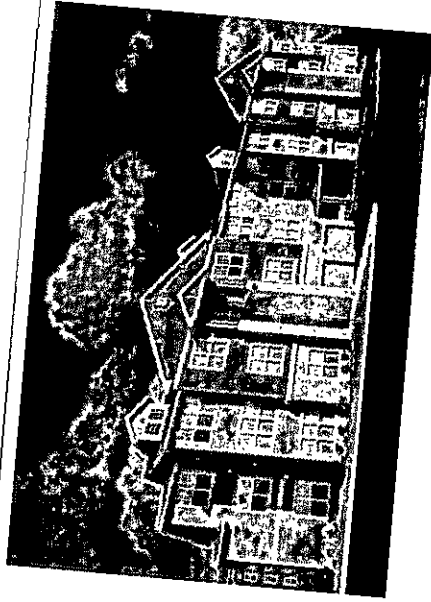
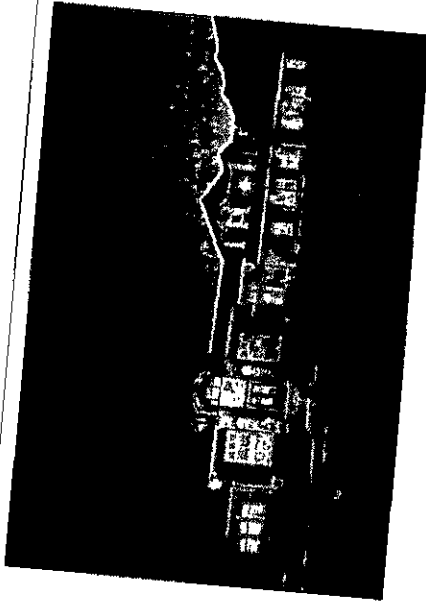


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**Site Plan
EXHIBIT "B"**

AECOM THE ENGINEERING GROUP

CITY OF CLERMONT
RESOLUTION NO. 2010-24

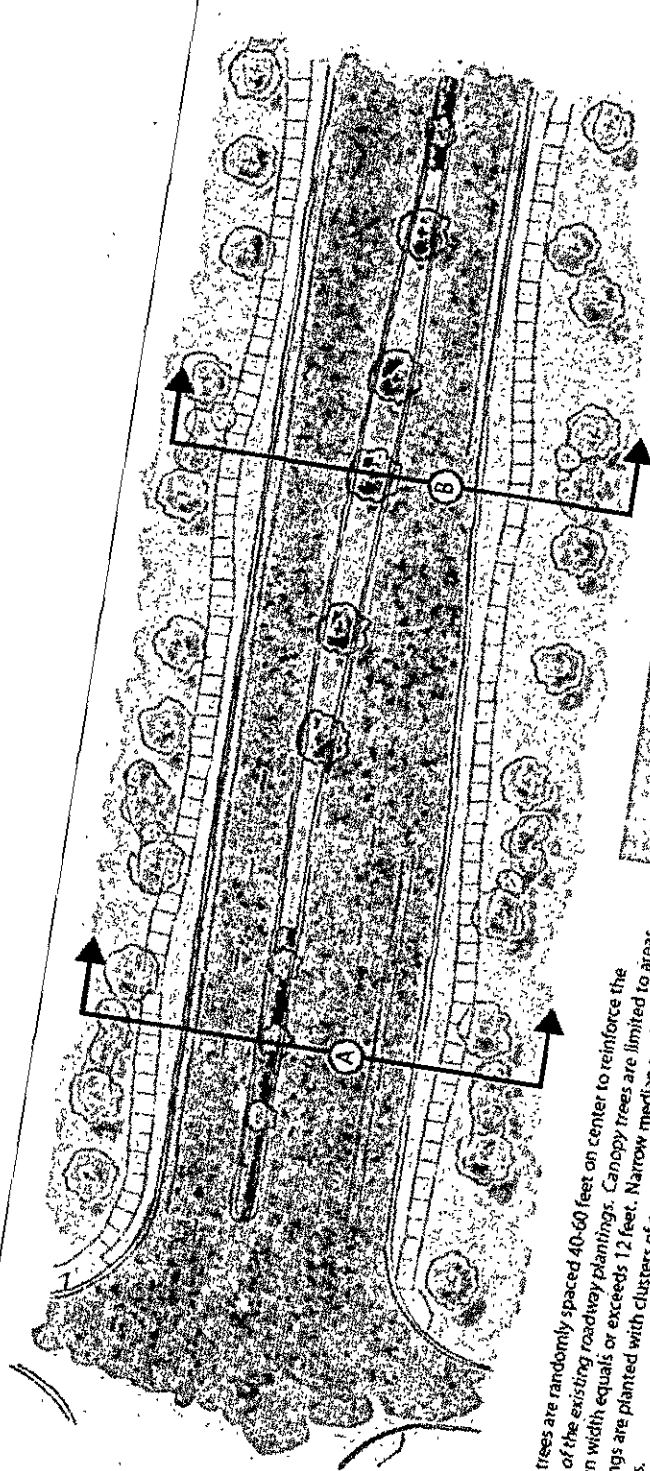


LOST LAKE RESERVE
PARCEL C-1 ILLUSTRATIVE RENDERING
06 March 2010

FORUM AECOM

**CITY OF CLERMONT
RESOLUTION NO. 2010-24**

EXHIBIT "C"



Design-

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

Landscape Palette-

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

Trees-

65-gallon Live Oak
65-gallon Tuscarora

Crape Myrtle in standard (single-trunked) form

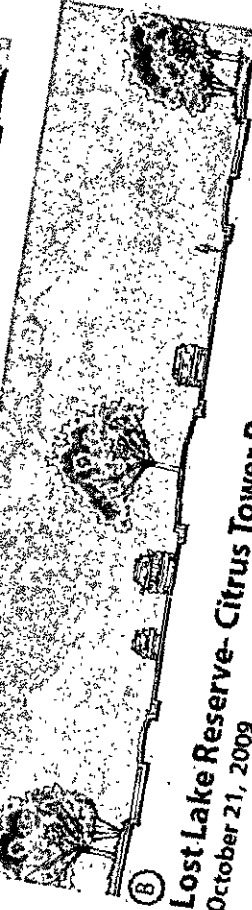
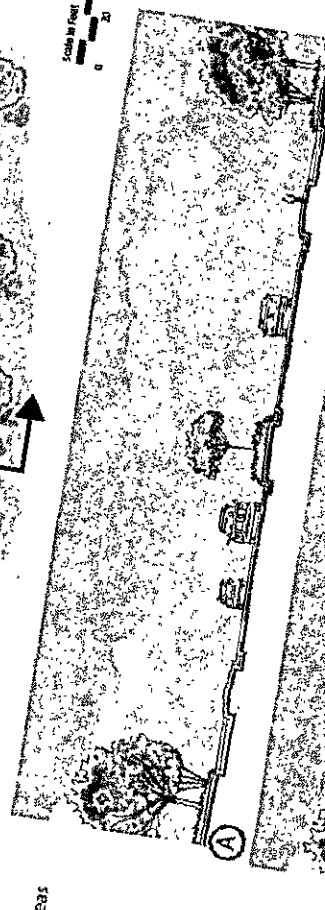
Shrubs/Groundcover-

Stokes Dwarf Yaupon Holly

Blue Pacific Chinese Juniper

Indian Hawthorn

Gold Mound Lantana



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

© GLATTING JACKSON KESCHER ANDERSON



City of Clermont

gem of the hills

CITY OF CLERMONT
RESOLUTION NO. 2010-24

EXHIBIT "D"

Developer Commitments & Design Standards

Lost Lake Reserve - Parcels C1 and C2

3.11.10

Lost Lake Reserve has requested a Conditional Use Permit modification to allow:

1. Park/recreation/athletic field uses on the northern part of Parcel C (Parcel C1), and
2. The ability to build 192 residential apartments on the remaining southern part of Parcel C (Parcel C2).

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

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

Developer Commitments and Design Standards

Overall

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

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

Parcel C1 – Park/Recreation/Athletic Fields

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

CITY OF CLERMONT
RESOLUTION NO. 2010-24

- ii. Require parcel to be operated, managed and maintained by Real Life Church/School or their successors and assigns.
 - iii. Prohibit sale or transfer of land to another party unless it is associated with the Real Life Church or another similar religious organization who will operate a church and school; ownership would instead revert to Lost Lake Reserve, LLC or the City of Clermont.
2. The Conditional Use Permit Zoning Conditions for Parcel C1 shall include the following restrictions:
- a. Perimeter buffering will be handled working with existing grades to construct a 4-6 foot high landscaped berm along the perimeter facing Citrus Tower Boulevard and Steves Road except for that portion near the intersection of Citrus Tower and Steves that would be adjacent to the proposed stormwater retention area.
 - b. On-site drop-off areas and parking for the athletic fields will be provided.
 - c. Exterior lighting will meet City codes and will be designed by a lighting professional to provide proper fixtures, heights, direction and shielding.
 - d. Public address systems, if any, will be designed to direct the sound to the spectators and not toward adjacent residences.
 - e. Hours of operation for the ball fields will be limited to 8AM to 9PM on Monday-Thursday, 8AM to 10PM on Friday and 8AM to 10PM on Saturday and 10AM to 9PM on Sunday.
 - f. Vehicular access will be limited to an entry drive from the existing Church/School entry road, except that a controlled entry point will be allowed on Citrus Tower Boulevard for limited overflow/grassed parking.
 - g. The athletic fields will be laid out and fenced as needed to prevent baseballs from being hit into adjacent roads.

Parcel C2 – Residential

- 1. The parcel will be limited to 192 residential units.
- 2. Uses will be limited to residential uses including apartments not to exceed 12 units per acre.
- 3. The primary access will be provided at the existing approved cut off road, which serves as the main entrance for The Vistas. Secondary access will be provided via The Vistas' circulation system with access out onto the Reverse Frontage road. No new direct access to citrus Tower will be permitted.
- 4. The neighborhood will be served by private roads and will be gated.
- 5. Exterior lighting will meet city codes and will be designed by a lighting professional to provide proper fixtures, heights, direction and shielding.

CITY OF CLERMONT
RESOLUTION NO. 2010-24

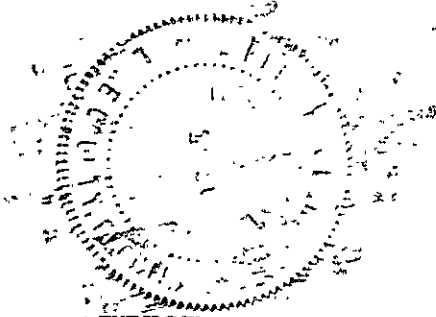
6. A wall similar to the wall on the east side of Citrus Tower will be constructed along the Citrus Tower frontage along with a security fence around the balance of the perimeter of the site.
7. Minimum setbacks from right-of-way of Citrus Tower Boulevard:
 - a. Parking: 50'
 - b. Buildings
 - i. One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

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

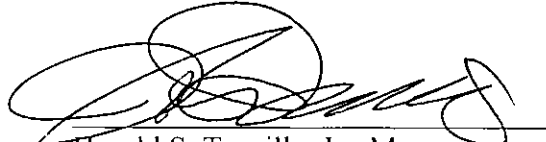
CITY OF CLERMONT
RESOLUTION NO. 2010-24

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 26th day of October, 2010.

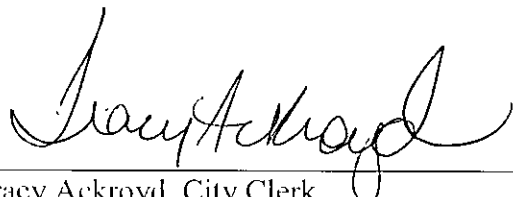
CITY OF CLERMONT



ATTEST:



Harold S. Turville, Jr., Mayor



Tracy Ackroyd, City Clerk

**CITY OF CLERMONT
RESOLUTION NO. 2012-28**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE PERMIT AMENDMENT (RESOLUTION NO. 1508 FOR A CHURCH FACILITY) TO ALLOW FOR ADDITIONAL BUILDINGS OVER 20,000 SQUARE FEET AND TO ALLOW FOR A RECREATION FACILITY/AREA.

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held August 7, 2012 recommended for approval of this Conditional Use Permit amendment (Resolution # 1508 for a church facility) to allow for additional buildings over 20,000 square feet and to allow for a recreation facility/ area; at the following location:

LOCATION:

1501 Steve's Road

The City Council deems it advisable in the interest of the general welfare of the City of Clermont, Lake County, Florida to grant this Conditional Use Permit.

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

This application for a Conditional Use Permit amendment (Resolution # 1508 for a church facility) to allow for additional buildings over 20,000 square feet and to allow for a recreation facility/ area; be granted subject to the following conditions:

CONDITIONAL USE PERMIT CONDITIONS:

Section 1 - General Conditions

1. The conditions as set forth in this Conditional Use Permit shall be legally binding upon any heirs, assigns and successors in title or interest.
2. No further expansion of the use or additions to the facility shall be permitted except as approved by the Site Review Committee. An amendment to the Conditional Use Permit may be required.
3. The Conditional Use Permit must be executed and processed through the office of the City Clerk within 90 days of its date of approval by the City Council or the permit shall become null and void.

CITY OF CLERMONT
RESOLUTION NO. 2012-28

4. The Applicant shall record in the Public Records of Lake County within 90 days of its date of approval by the City Council, a short-form version of this Conditional Use Permit as provided by the City or a form acceptable to the City, to provide notice to all interested parties, the assigns, successors and heirs of the developer/applicant and all future owners of the above-referenced property that the real property described above is subject to the terms and conditions of the Conditional Use Permit.
5. The structure shall be inspected by the Fire Marshall for life safety requirements. All requirements must be met prior to any Certificate of Occupancy being issued.
6. The structure shall be inspected by the City Building Inspector and all building code violations must be corrected prior to a Certificate of Occupancy being issued.
7. Construction and operation of the proposed use shall at all times comply with the regulations of this and other governmental agencies.
8. Prior to the issuance of any permits, the applicant shall be required to submit formal site plans for review and approval by the City of Clermont Site Review Committee. The site plans shall show location of all proposed buildings, structures, picnic areas, and outdoor recreation areas as indicated in the Conditional Use Application. The site plans shall meet all submittal requirements and comply with the conditions of this Resolution, applicable City Codes, Regulations, Ordinances, and provide compliance with the adopted City Comprehensive Plan, as amended.
9. All applicable rules and regulations for development within the City shall be met, including but not limited to, final site plan approval, landscaping, drainage, parking and sign regulations, and all yard setbacks. All required landscaping must be served with a low volume, permanent irrigation system that must be properly maintained. The drainage and storm water retention requirements of the City and the appropriate regulatory agencies shall be met, and approved by the City Engineer.
10. If any of the stated conditions are violated, the applicant understands and agrees that the City Council may revoke this Conditional Use Permit by resolution.
11. This permit shall become null and void if substantial construction work has not begun within three (3) years of the date of issuance of this Conditional Use Permit. "Substantial construction work" means the commencement and continuous prosecution of construction of required improvements ultimately finalized at completion.
12. Operation of the ball fields (as specified in the City of Clermont Resolution No. 2010-24) will be between the hours of 8AM-9PM Mon - Thu, 8AM-10PM Fri - Sat and 10AM-9PM Sun. Conditions in Resolution 2010-24 pertaining to parcel C1 shall remain effective (Exhibit B.)

CITY OF CLERMONT
RESOLUTION NO. 2012-28

13. The property may be used as the Real Life Family Christian Church facility with educational programs including pre-school through 12th grade and recreational sports field area. The site shall be developed in substantial accordance with the site plan designed by Denham Engineering, LLC dated 6-28-12 (Exhibit A.)

Section 2 - Physical Site Development

1. The applicant shall submit a detailed excavation, grading and erosion control plan for the site during the site plan review process which must be approved by the City Site Review Committee prior to initiation of development activity.
2. Noise levels during construction shall not exceed those recommended by the Florida Department of Environmental Protection. Any vibratory compaction shall be limited to the hours of 8:00 A.M. to 6:00 P.M. Monday through Saturday only. Vibrations shall be limited to avoid any damages to neighboring persons or properties. Heavy Equipment and normal work operations will be allowed on the site between the hours of 7:00 A.M. and 7:00 P.M. Monday through Saturday. Heavy Equipment or heavy machinery engines will not be started earlier than 7:00 A.M. on any approved work day.
3. Any excavated material shall be stored in a location approved by the City Engineer.
4. Geotechnical information regarding the soil characteristics of the site shall be submitted to the City as part of the Site Review process.
5. The permittee/developers shall provide both temporary and permanent grassing including fertilizer application on all disturbed areas. Grassing shall be provided in accordance with best management practices (BMP) of the U.S.D.A. Soil Conservation Service.
6. In areas where earth work requires filling/compaction, density tests will be conducted at a maximum of 2 foot intervals in order to prove compaction requirements. All disturbed soils shall be compacted to 95% density of modified proctor.
7. Any areas being modified to a slope of three (3) horizontal to one (1) vertical (3:1), such as water retention areas, shall be sodded. Slopes greater than 3:1 shall be prohibited.
8. Ingress/egress to the site for construction shall be as approved by the City Site Review Committee.
9. The developer/permittee shall be responsible for the cost of all required on-site and off-site infrastructure improvements necessitated by impacts of the project. Connection to available City potable water and sanitary sewer shall be the responsibility of the permittee.

CITY OF CLERMONT
RESOLUTION NO. 2012-28

Section 3 - Transportation Improvements

1. The permittee/developer shall construct a sidewalk adjacent to Steve's Road in accordance with adopted City Code Standards. The required sidewalk shall be provided within one (1) year after the completion the Steve's Road project. Said sidewalk shall be constructed at a length and location as approved by the City Site Review Committee.
2. The permittee/developer shall provide off-street parking and loading spaces in the following manner: (a) The initial church facility shall construct sixty (60) parking spaces of impervious material as required by City Code. (b) 260 spaces may be proved as grass parking area. All grass parking areas shall be maintained and be provided with concrete bumper stops for proper parking space delineation. (c) All said required parking and vehicular use areas shall be landscaped in conformance with adopted City Code.
3. Roadway improvement plans for Steve's Road and the project site, including but not limited to, access drives, accel/decel lanes, turn lanes, traffic signalization devices, and internal signage and traffic movement lanes shall be submitted to and approved, appropriately, by the City Site Review Committee. All transportation improvement related plans shall be submitted and approved prior to commencement of any development activity for any portion of the project. Project specific on-site/off-site transportation improvements consistent with identified project impacts will be the sole responsibility of the developer.
4. Ingress/egress to the site for construction shall be as approved by the City Site Review Committee.

Section 4 - Stormwater Management

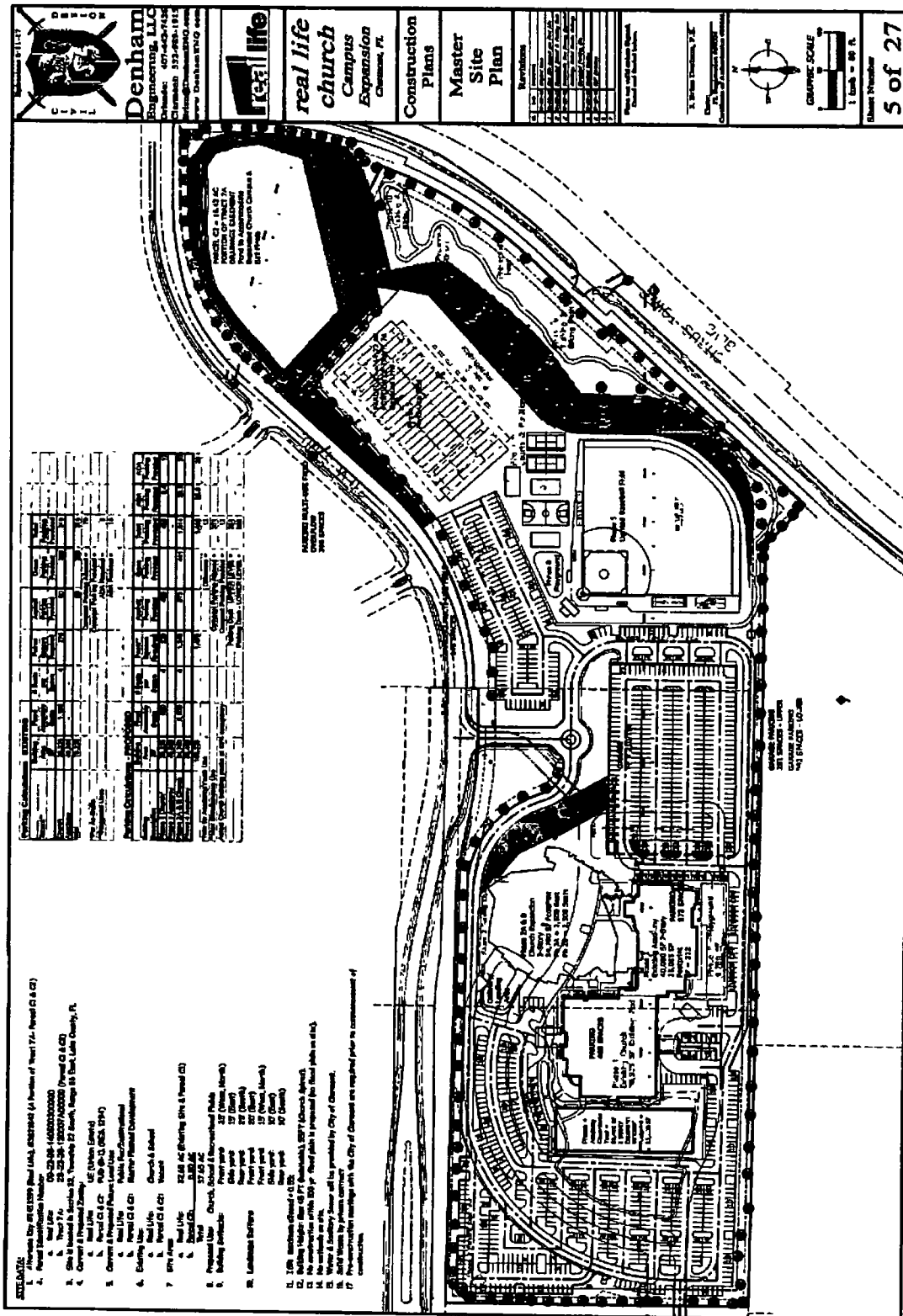
1. Permeability tests must be submitted as part of the site plan review process. Permeability shall be maintained.
2. Verification of the stormwater run-off data, assumptions and calculations shall be provided to, and approved by, the City Engineer prior to any development activity. Positive outfall for stormwater shall be provided as approved by the City Engineer.
3. A St. John's River Water Management District stormwater permit shall be required and filed with the City prior to receipt of a development permit or any development activity on the site.
4. Stormwater retention areas shall be constructed at a maximum relief 3:1 (H:V). The side slopes shall be sodded. All other areas being disturbed shall be stabilized with landscape and sod in accordance with adopted City Code.
5. Final disposition of stormwater outfall shall be as approved by the City Engineer.

CITY OF CLERMONT
RESOLUTION NO. 2012-28

Section 5 -Site Improvements/Landscaping

1. All signage shall conform to adopted City Codes and Standards.
2. A site lighting plan shall be submitted and approved for the property. All lighting shall be designed, installed and directed to fall upon the subject site and not adversely impact abutting properties or Steve's Road traffic.
3. The permittee shall contract solid waste (refuse) service and construct appropriate dumpster facilities in accordance with adopted City Code. All dumpster and other external equipment sites shall be enclosed with masonry structures with wooden gates. All such structures and appurtenances shall be landscaped in accordance with City code. Construction details and location of said structures shall be provided on development plans approved by the City Site Review Committee.

Exhibit "A"



CITY OF CLERMONT
RESOLUTION NO. 2012-28

Exhibit "B"

CITY OF CLERMONT
RESOLUTION NO. 2010-24

EXHIBIT "D"

Developer Commitments & Design Standards

Lost Lake Reserve - Parcels C1 and C2

3.11.10

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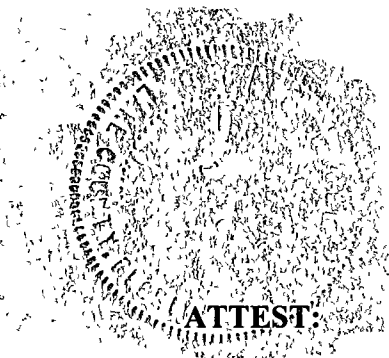
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RESOLUTION NO. 2010-24

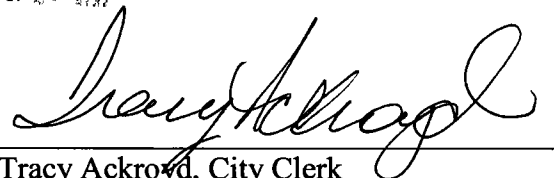
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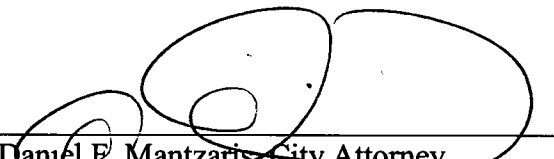
CITY OF CLERMONT


Harold S. Turville, Jr., Mayor

ATTEST:


Tracy Ackroyd, City Clerk

Approved as to form and legality:


Daniel P. Mantzaris, City Attorney

SITE DATA: PHASE 2

- Alternate Key #1453399 (Real Life), #3821842 (A Portion of Tract 7A- Parcel C1 & C2)
- Parcel Identification Number:
 - Real Life: 09-22-26-140500300000
 - Tract 7A: 28-22-26-120007A00000 (Parcel C1 & C2)
- Site is located in Section 32, Township 22 South, Range 26 East, Lake County, FL
- Current & Proposed Zoning:
 - Real Life: UE (Urban Estate)
 - Parcel C1 & C2: PUD (R-1), (RES. 1294)
- Current & Proposed Future Land Use:
 - Real Life: Public Fac./Institutional
 - Parcel C1 & C2: Master Planned Development
- Existing Use:
 - Real Life: Church & School
 - Parcel C1 & C2: Vacant
- Site Area:
 - Real Life: 32.65 AC (Existing Site & Parcel C1)
 - Parcel C2: 5.30 AC
 - Total: 37.65 AC
- Proposed Use: Church, School & Recreational Fields
- Building Setbacks:

Front yard:	35' (West, North)
Side yard:	15' (East)
Rear yard:	25' (South)
Front yard:	20' (East)
Side yard:	15' (West, North)
Side yard:	10' (East)
Rear yard:	10' (South)
- ISR: maximum allowed = 0.55; provided = 0.42 = (674,741 SF Imp./1,593,610 SF Total) = BUILD OUT ALL PHASES
- Building Height: Max: 45 FT (habitable), 55FT (Church Spires).
- No construction within 100 yr. flood plain is proposed (no flood plain on site).
- No wetlands on site.
- Water & Sanitary Sewer will be provided by City of Clermont.
- All On-Site utilities shall be privately owned & maintained.
- Solid Waste by private contract.
- Pre-construction meetings with the City of Clermont are required prior to commencement of construction.
- Project to comply with 2010 FL Accessibility Code.
- All slopes to be sodded.

Parking Calculations - EXISTING

Tenant**	Building Area SF	Fixed Assembly Seats	# Seats per Space	Patron Spaces Required	Asphalt Parking Provided	Grass Parking Provided	Total Parking Provided
Church	32,236	1,100	4	275	80	236	316
Academy	40,000	-	-	-	-	-	-
total	78,236				80	236	316

*Per As-Built
**Staggered Uses

Compact Parking Allowed = 75
Compact Parking Provided = 80
ADA Required = 6
ADA Provided = 1d

Parking Calculations - PROPOSED

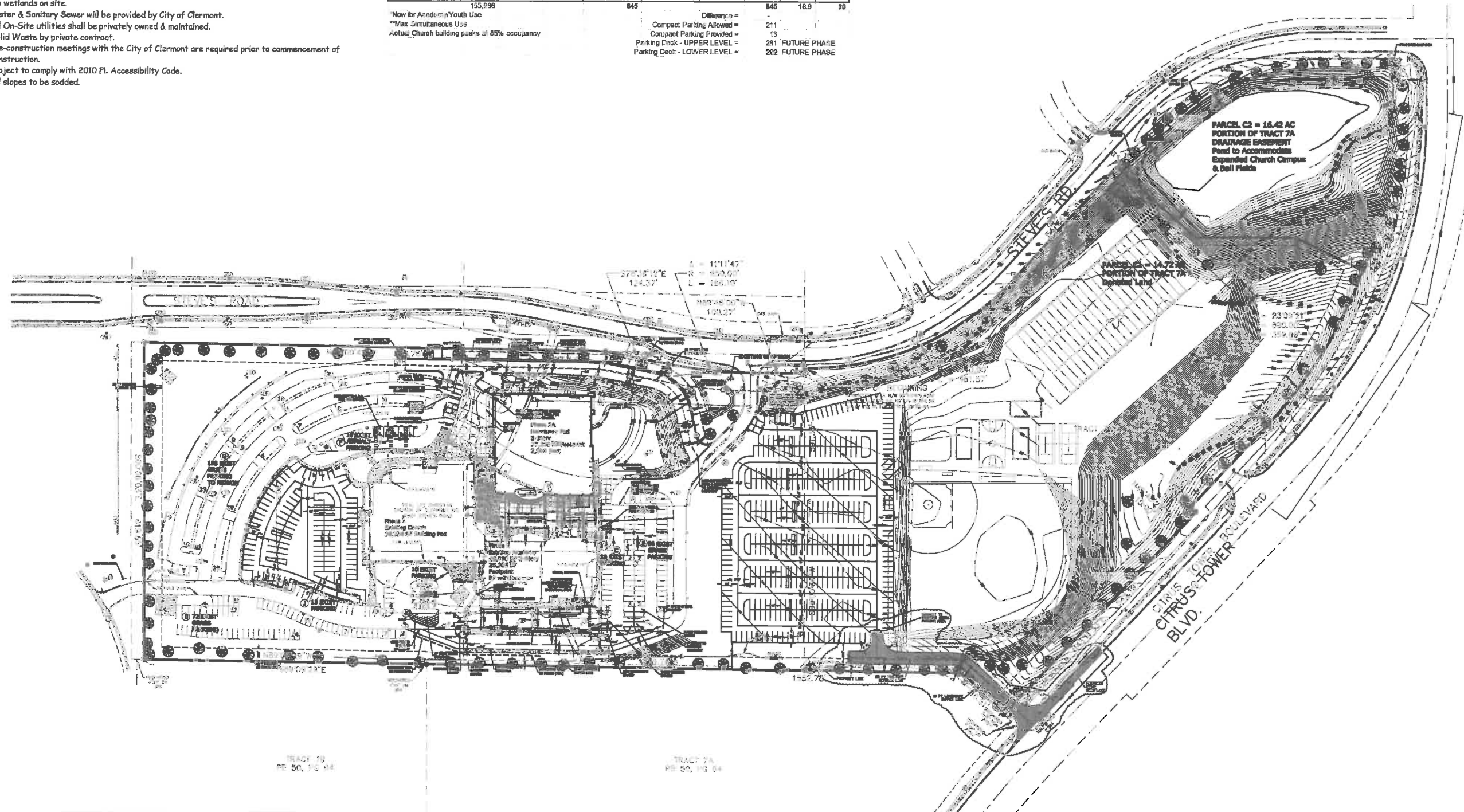
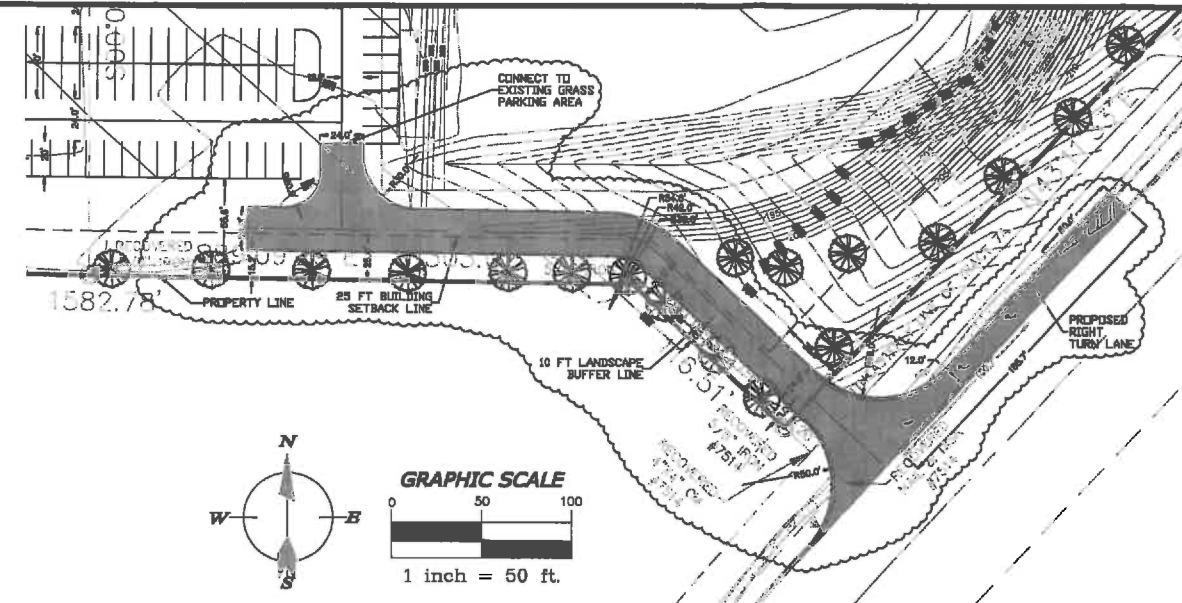
PHASE 2 MINIMUM SCOPE PARKING		PHASE 2 BEFORE 1st HALF OF SANCTUARY	PHASE 2 AFTER 1st HALF OF SANCTUARY
LOT DESIGNATION	DESCRIPTION		
A	E PROP TEMP GRASS	389	389
B	E EXIST GRASS	56	56
C	E EXIST PAVED	18	18
D	N EXIST PAVED	25	5
E	N PROP GRASS SANCT.	153	8
F	W EXIST PAVED	16	16
G	W EXIST GRASS	158	158
H	W EXIST GRASS FIELD	107	100
I	S EXIST GRASS FIELD	72	72
J	S EXIST PAVED	13	13
K	G EXIST PAVED ENTRY	10	10
		1,012	545

PHASE 2 (1st HALF OF SANCTUARY BUILT)

Building Description	Building Area SF	Fixed Assembly Seats	# Seats per Space	Peak** Spaces Required	Asphalt Parking Provided	Grass Parking Provided	Total Parking Provided	ADA Parking Required	ADA Parking Provided
Phase 1 Church	32,236	880	4	220	468	-	-	0.0	10
Phase 1 Academy	40,000	-	-	-	-	-	-	-	-
Phase 2 Sanctuary	27,250	2,501	4	625	573	44	645	16.9	20
Phase 4 Academy	50,400	-	-	-	-	-	-	-	-
	155,986			845			645	16.9	30

*Now for Academic/Youth Use
**Max Simultaneous Use
Actual Church building peaks at 85% occupancy

Difference = 211
Compact Parking Allowed = 13
Compact Parking Provided = 241
Parking Deck - UPPER LEVEL = 222
Parking Deck - LOWER LEVEL = FUTURE PHASE



Ephesians 6:11-17



Denham Engineering, LLC

Orlando: 407-217-5487
Clermont: 352-989-1915
Brian@DenhamENG.com
www.DenhamENG.com



1501 Steve's Road
Clermont, FL 34711
Ph: 352-394-3553
Fx: 352-242-3906

real life church
Phase 2
Clermont, FL

CUP Plans

Master Site Plan

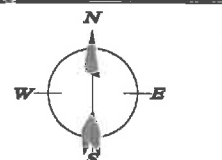
Revisions

NO.	DATE	DESCRIPTION
1	03-31-16	CUP-SE Corner CTR Connection

Plans not valid unless Signed, Dated and Sealed below.

J. Brian Denham, P.E.

Date: 03-31-16
FL Registration #58008
Certificate of Authorization #29666



GRAPHIC SCALE

0 100 200

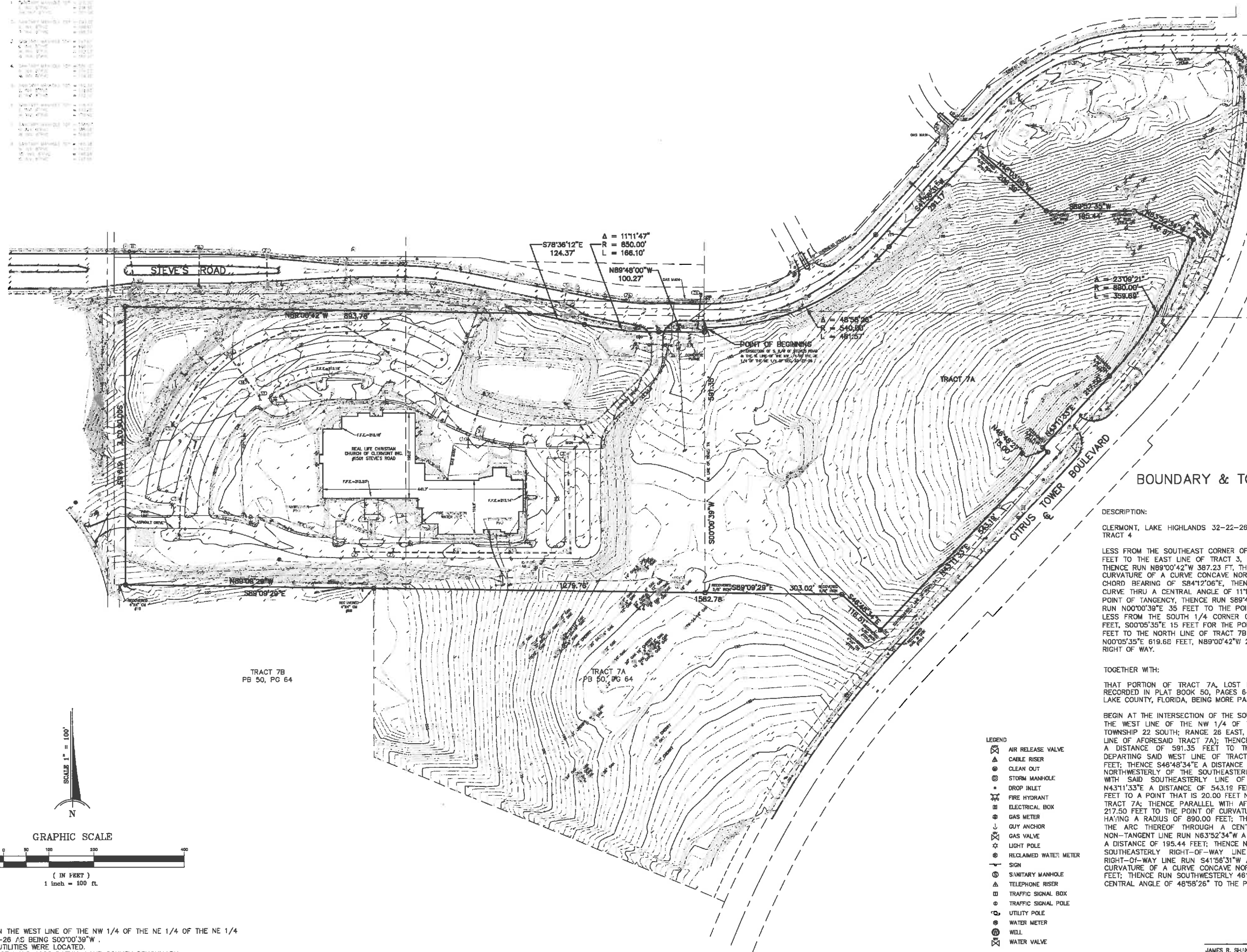
1 inch = 100 ft.

Sheet Number

1 of 1

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3.	0.000	0.000	0.000	0.000	0.000
4.	0.000	0.000	0.000	0.000	0.000
5.	0.000	0.000	0.000	0.000	0.000
6.	0.000	0.000	0.000	0.000	0.000
7.	0.000	0.000	0.000	0.000	0.000
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21.	0.000	0.000	0.000	0.000	0.000
22.	0.000	0.000	0.000	0.000	0.000
23.	0.000	0.000	0.000	0.000	0.000
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26.	0.000	0.000	0.000	0.000	0.000
27.	0.000	0.000	0.000	0.000	0.000
28.	0.000	0.000	0.000	0.000	0.000
29.	0.000	0.000	0.000	0.000	0.000
30.	0.000	0.000	0.000	0.000	0.000
31.	0.000	0.000	0.000	0.000	0.000
32.	0.000	0.000	0.000	0.000	0.000
33.	0.000	0.000	0.000	0.000	0.000
34.	0.000	0.000	0.000	0.000	0.000
35.	0.000	0.000	0.000	0.000	0.000
36.	0.000	0.000	0.000	0.000	0.000
37.	0.000	0.000	0.000	0.000	0.000
38.	0.000	0.000	0.000	0.000	0.000
39.	0.000	0.000	0.000	0.000	0.000
40.	0.000	0.000	0.000	0.000	0.000
41.	0.000	0.000	0.000	0.000	0.000
42.	0.000	0.000	0.000	0.000	0.000
43.	0.000	0.000	0.000	0.000	0.000
44.	0.000	0.000	0.000	0.000	0.000
45.	0.000	0.000	0.000	0.000	0.000
46.	0.000	0.000	0.000	0.000	0.000
47.	0.000	0.000	0.000	0.000	0.000
48.	0.000	0.000	0.000	0.000	0.000
49.	0.000	0.000	0.000	0.000	0.000
50.	0.000	0.000	0.000	0.000	0.000

1. $\frac{1}{2}$ inch = 1 foot
 2. $\frac{1}{4}$ inch = 1 foot
 3. $\frac{1}{8}$ inch = 1 foot
 4. $\frac{1}{16}$ inch = 1 foot
 5. $\frac{1}{32}$ inch = 1 foot
 6. $\frac{1}{64}$ inch = 1 foot
 7. $\frac{1}{128}$ inch = 1 foot
 8. $\frac{1}{256}$ inch = 1 foot
 9. $\frac{1}{512}$ inch = 1 foot
 10. $\frac{1}{1024}$ inch = 1 foot
 11. $\frac{1}{2048}$ inch = 1 foot
 12. $\frac{1}{4096}$ inch = 1 foot
 13. $\frac{1}{8192}$ inch = 1 foot
 14. $\frac{1}{16384}$ inch = 1 foot
 15. $\frac{1}{32768}$ inch = 1 foot
 16. $\frac{1}{65536}$ inch = 1 foot
 17. $\frac{1}{131072}$ inch = 1 foot
 18. $\frac{1}{262144}$ inch = 1 foot
 19. $\frac{1}{524288}$ inch = 1 foot
 20. $\frac{1}{1048576}$ inch = 1 foot
 21. $\frac{1}{2097152}$ inch = 1 foot
 22. $\frac{1}{4194304}$ inch = 1 foot
 23. $\frac{1}{8388608}$ inch = 1 foot
 24. $\frac{1}{16777216}$ inch = 1 foot
 25. $\frac{1}{33554432}$ inch = 1 foot
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 27. $\frac{1}{134217728}$ inch = 1 foot
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 29. $\frac{1}{536870912}$ inch = 1 foot
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 103. $\frac{1}{10141204801825835211973625643008}$ inch = 1 foot
 104. $\frac{1}{20282409603651670423947251286016}$ inch = 1 foot
 105. $\$



DESCRIPTION:

CLERMONT, LAKE HIGHLANDS 32-22-26 TRACTS 3, 4, E 1/2 OF PLATTED RD W OF TRACT 4

LESS FROM THE SOUTHEAST CORNER OF SECTION 29-22-26, RUN N89°00'42"W 1321.05 FEET TO THE EAST LINE OF TRACT 3, S00°00'39"W 15 FEET FOR POINT OF BEGINNING; THENCE RUN N89°00'42"W 387.23 FT, THENCE S78°36'12"E 124.36 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 850 FEET AND A CHORD BEARING OF S84°12'06"E, THENCE RUN EASTERLY ALONG THE ARC OF SAID CURVE THRU A CENTRAL ANGLE OF 11°11'48" FOR A DISTANCE OF 166.11 FEET TO THE POINT OF TANGENCY, THENCE RUN S89°48'00"E 100.27 FEET TO THE EAST LINE; THENCE RUN N00°00'39"E 35 FEET TO THE POINT OF BEGINNING FOR ROAD RIGHT OF WAY & LESS FROM THE SOUTH 1/4 CORNER OF SECTION 29-22-26, RUN S89°00'42"E 15.02 FEET, S00°05'35"E 15 FEET FOR THE POINT OF BEGINNING, CONTINUE S00°05'35"E 619.74 FEET TO THE NORTH LINE OF TRACT 7B LOST LAKES SUBDIVISION, S89°09'40"E 25 FEET; N00°05'35"E 619.68 FEET, N89°00'42"W 25 FEET TO THE POINT OF BEGINNING FOR ROAD RIGHT OF WAY.

TOGETHER WITH:

THAT PORTION OF TRACT 7A, LOST LAKE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 50, PAGES 64 THROUGH 69, INCLUSIVE, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF STEVE'S ROAD WITH THE WEST LINE OF THE NW 1/4 OF THE NE 1/4 OF THE NE 1/4 OF SECTION 32, TOWNSHIP 22 SOUTH; RANGE 26 EAST, LAKE COUNTY, FLORIDA (ALSO BEING THE WEST LINE OF AFORESAID TRACT 7A); THENCE ALONG AFORESAID WEST LINE RUN S00°09'39"W A DISTANCE OF 591.35 FEET TO THE EAST-WEST LINE OF TRACT 7A; THENCE DEPARTING SAID WEST LINE OF TRACT 7A RUN S89°09'29"E A DISTANCE OF 303.02 FEET; THENCE S46°48'34"E A DISTANCE OF 116.51 FEET TO A POINT THAT IS 20.00 FEET NORTHWESTERLY OF THE SOUTHEASTERLY LINE OF TRACT 7A; THENCE RUN PARALLEL WITH SAID SOUTHEASTERLY LINE OF TRACT 7A WITH THE FOLLOWING COURSES: N43°11'33"E A DISTANCE OF 543.19 FEET; THENCE N46°48'27"W A DISTANCE OF 15.00 FEET TO A POINT THAT IS 20.00 FEET NORTHWESTERLY OF THE SOUTHEASTERLY LINE OF TRACT 7A; THENCE PARALLEL WITH AFORESAID LINE RUN N43°11'33"E A DISTANCE OF 217.50 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 890.00 FEET; THENCE RUN NORTHEASTERLY 359.69 FEET ALONG THE ARC THEREOF THROUGH A CENTRAL ANGLE OF 23°09'21"; THENCE ALONG A NON-TANGENT LINE RUN N63°52'34"W A DISTANCE OF 145.87 FEET; THENCE S89°57'35"W A DISTANCE OF 195.44 FEET; THENCE N48°03'05"W A DISTANCE OF 206.39 FEET TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF STEVE'S ROAD; THENCE ALONG SAID RIGHT-OF-WAY LINE RUN S41°56'31"W A DISTANCE OF 291.16 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 540.00 FEET; THENCE RUN SOUTHWESTERLY 461.57 FEET ALONG THE ARC THEREOF THROUGH A CENTRAL ANGLE OF 48°58'26" TO THE POINT OF BEGINNING.

- | LEGEND | |
|--------|-----------------------|
| | AIR RELEASE VALVE |
| | CABLE RISER |
| | CLEAN OUT |
| | STORM MANHOLE |
| | DROP INLET |
| | FIRE HYDRANT |
| | ELECTRICAL BOX |
| | GAS METER |
| | GUY ANCHOR |
| | GAS VALVE |
| | LIGHT POLE |
| | RECLAIMED WATER METER |
| | SIGN |
| | SANITARY MANHOLE |
| | TELEPHONE RISER |
| | TRAFFIC SIGNAL BOX |
| | TRAFFIC SIGNAL POLE |
| | UTILITY POLE |
| | WATER METER |
| | WELL |
| | WATER VALVE |

SHANNON SURVEYING, INC.
499 NORTH S.R. 434 - SUITE 2155
ALTAMONTE SPRINGS, FLORIDA, 32714
(407) 774-8372 LB # 6898

DATE OF SURVEY: 08/14/2012
FIELD BY: J.S. SCALE: 1" = 100'
FILE NUMBER: 2B-22-28 CLEMMONT

JAMES R. SHANNON JR., P.L.S. #4671
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED
SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPING

**City of Clermont
MINUTES
PLANNING AND ZONING COMMISSION
MAY 3, 2016**

Page 10

6. REQUEST FOR CONDITIONAL USE PERMIT

REQUEST: To allow an amendment to a conditional use permit (2012-28) to allow for an additional vehicle access point.

PROJECT: Real Life Christian Center

Planning Manager Henschel presented the staff report as follows:

The applicant is requesting an amendment to the existing Resolution # 2012-28 to allow an additional access point onto their church facility. The large church parcel fronts on approximately 2,700 feet of right away frontage along three rights-of-way with only two access points. One access driveway is located on Cross Ridge Rd., and the other access driveway is located on Steves Road. The original site plan approved with Resolution 2012-28 only allowed these two access points.

With the church growing and having large services, there are times when these access points are very congested, both on site, and within the rights-of-way. The church has identified a way to alleviate much of these traffic concerns by adding a third driveway on Citrus Tower Blvd.

Currently the church has approximately 1,500 feet along Citrus Tower Blvd without any driveways. By allowing one driveway to be located along their southern border, access onto their site will allow a flow-through traffic pattern that will ease the traffic congestion on the other two rights-of-way.

Steve Bush, 11532 Lake Katherine Circle, Clermont, stated that he is the administrative minister of Real Life Church. He stated that the attendance has increased by at least 15%. He stated that the two access points are becoming congested and they propose a new access point to relieve the other entrances. He stated that it will have a right-in and right-out access.

Commissioner Whitehead moved to recommend approval of the conditional use permit; seconded by Commissioner Solis. The vote was unanimous to recommend approval.

Chairman Jones requested staff to research other communities' ordinances for zoning codes to improve Clermont's land use regulations. He stated that he would like to see changes made to help the development of the severely sloped properties and hold a workshop in the future.

There being no further business, the meeting was adjourned at 8:32 pm.

Nick Jones, Chairman

ATTEST:

Rae Chidlow – Planning Specialist



CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
APPLICATION

DATE: Mar 31, 2016

FEE: \$1,000

PROJECT NAME (if applicable): REAL LIFE CHURCH RELIEF ROAD

APPLICANT: DENHAM ENGINEERING, LLC

CONTACT PERSON: BRIAN DENHAM, P.E.

Address: 5212 TIMBERVIEW TERRACE

City: ORLANDO State: FL Zip: 32819

Phone: 352-989-1915 Fax: N/A

E-Mail: BRIAN@DENHAMENG.COM

OWNER: REAL LIFE CHRISTIAN CHURCH OF CLERMONT INC

Address: 1501 STEVES RD

City: CLERMONT State: FL Zip: 34711

Phone: 352-394-3533 Fax: 352-242-3906

Address of Subject Property: 1501 STEVES RD, CLERMONT, FL 34711

General Location: SW CORNER CITRUS TOWER BLVD &
STEVE'S ROAD

Legal Description (include copy of survey): SEE ATTACHED SURVEYS



CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
APPLICATION
Page 2

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

We are proposing a driveway connection to Citrus Tower Blvd. to provide traffic flow relief from the current driveways at Steve's Road and Cross Ridge Road that have become congested even with local Clermont PD providing assistance with traffic movements during busy times. A driveway stub was provided for this property on Citrus Tower Blvd., and the CUP approvals from 2010: Exhibit B, City of Clermont Resolution 2010-24, Exhibit D, Parcel C1 - Park/Recreation/Athletic Fields, 2. F. list...."entry point will be allowed on Citrus Tower Blvd. for limited overflow/grassed parking." (page 8). Our request is for a driveway from our grassed overflow parking area on the south to run east to the SE corner of the property and connect to Citrus Tower Blvd.

J. BRIAN DENHAM, P.E.

Applicant Name (print)

X

Applicant Name (signature)

3-29-16

MARK MONTEMAYOR

Owner Name (print)

X

Owner Name (signature)

***** NOTICE *****

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



2015 Roll Details — Real Estate Account #2822261200-07A-00001

Print this page

Real Estate Account #2822261200-07A-00001

Parcel details

Latest bill

Full bill history

2015	2014	2013	2012
NO TAXES DUE	NO TAXES DUE	NO TAXES DUE	PAID

No taxes due

Owner: REAL LIFE CHRISTIAN CHURCH OF
CLERMONT INC
1501 STEVES RD
CLERMONT, FL 34711
Situe: (unknown)

Account number: 2822261200-07A-00001

Alternate Key: 3884374

Millage code: 000C

Millage rate: 13.6521

Assessed value: 359,307

School assessed value: 359,307

Exemptions

RELIGIOUS: 359,307

Property
Appraiser

- GIS

2015 Annual bill

View

Ad valorem: \$0.00

Non-ad valorem: \$0.00

Total Discountable: 0.00

No Discount NAVA: 0.00

Total tax:

Legal description

CLERMONT, LOST LAKE SUB 29 & 32-22-26 BEG AT THE INTERSECTION OF S R/W LINE OF STEVE'S RD WITH W LINE OF NW 1/4 OF NE 1/4 OF NE 1/4 OF SEC 32, ALSO BEING W LINE OF TRACT 7A, RUN S 0-0-30 W ALONG SAID W LINE A DIST OF 591.35 FT TO EAST-WEST LINE OF TRACT 7A, S 89-03-29 E 303.02 FT, S 46-48-34 E 116.51 FT TO A POINT THAT IS 24 FT NW 1/4 OF SE 1/4 LINE OF TRACT 7A, THENCE RUN PARALLEL WITH SAID SE 1/4 LINE OF TRACT 7A N 43-11-31 E 543.10 FT, N 40-40-27 W 15 FT TO A POINT THAT IS 20 FT NW 1/4 OF SE 1/4 LINE OF TRACT 7A, THENCE PARALLEL WITH AFORESAID LINE RUN N 43-11-31 E 117.50 FT TO THE POINT OF CURVATURE OF A CURVE CONCAVE NW 1/4 & HAVING A RADIUS OF 890 FT, THENCE RUN NW 1/4 359.69 FT

Book, page, item: -

Geo number: 2622261200-07A-00001

Range: 26

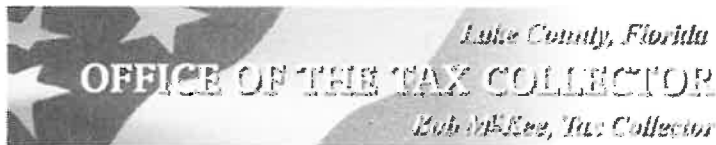
Township: 22

Section: 28

Use code: 70

Total acres: 0.000





2015 Roll Details — Real Estate Account #2922260004-000-01000

[Print this page](#)

Real Estate Account #2922260004-000-01000

[Parcel details](#)
[Latest bill](#)
[Full bill history](#)

2015	2014	2013	2012	2011	2010
NO TAXES DUE	NO TAXES DUE	NO TAXES DUE	NO TAXES DUE	NO TAXES DUE	NO TAXES DUE

No taxes due

Owner: REAL LIFE CHRISTIAN CHURCH OF
CLERMONT INC
1501 STEVES RD
CLERMONT, FL 34711
Situs: (unknown)

Account number: 2922260004-000-01000

Alternate Key: 3878787

Millage code: 000C

Millage rate: 18.6521

Assessed value: 2,400

School assessed value: 2,400

Exemptions:

RELIGIOUS: 2,400

Property
Appraiser - GIS
2015 Annual bill

[View](#)

Ad valorem: \$0.00
Non-ad valorem: \$0.00
Total Discountable: 0.00
No Discount NAVA: 0.00
Total tax:

Legal description

THAT PART OF SW 1/4 OF SE 1/4 LYING S OF STEVE'S RD & LYING N OF CLAY RD PLATTED IN LAKE HIGHLANDS COMPANY,
ALSO DESCRIBED AS: THAT PART OF TRACTS 61 & 62 NOW VACATED OF LAKE HIGHLANDS COMPANY LYING S OF STEVE'S RD & LYING N OF
SLINES OF TRACTS 61 & 62 NOW VACATED OF ABOVE MENTIONED SUBORR 1467 PG 2832

Location

Book, page, item: -

Geo number: 2622260004-000-01000

Range: 26

Township: 22

Section: 29

Use code: 70

Total acres: 0.000



LEGAL NOTICE

Notice is hereby given that the City of Clermont will consider a request for an amendment to a Conditional Use Permit (Resolution 2012-28) to allow for an additional vehicle access point.

LOCATION

1501 Steve's Road

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

This request will be considered by the Planning & Zoning Commission on Tuesday, May 3, 2016 at 6:30pm.

A public meeting to consider the request will be held before the City Council on Tuesday, May 24, 2016 at 6:30pm.

All meetings will be held in City Hall located at 685 West Montrose Street.

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

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

Tracy Ackroyd Howe, MMC
City Clerk

Daily Commercial
April 26 and May 17, 2016



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, May 24, 2016		
Agenda Item Name		
Resolution No. 2016-14 <i>Magic Moments</i> <i>Table to June 28, 2016</i>		
Requested Action		
Recommend to table Resolution 2016-14 to June 28, 2016.		
Staff Report		
<i>Due to an issue with adjacent property owner notifications, staff requests this agenda item to be tabled to the June 28, 2016 Council meeting.</i> The applicant is requesting a conditional use permit (CUP) to allow a daycare facility in the Central Business District (CBD). Childcare centers are designated as a conditional use within the CBD zoning district. The proposed location of 756 West Avenue was previously approved in 2009 for a CUP for a youth counseling center. Magic Moments, the current applicant, is proposing to occupy the 2,100-square-foot building for their Schooler Program (ages 5-12) which is currently operated at 855 West Desoto Street. The 855 West Desoto Street location is also the home of the Veterans of Foreign Wars (VFW) building. The VFW currently has an agreement with Magic Moments to allow this Schooler Program to operate out of their building. The VFW is also growing and would like to occupy more of their building space, thereby displacing the Magic Moments Schooler Program. Magic Moments has identified this new location and building as an ideal location to relocate their Schooler Program of approximately 46 kids. A condition in the CUP will require that the student count be provided to the City upon request to ensure compliance with the cap of 48 students. One improvement with this location will be that the bus pick up and drop off will be handled on site within the parking lot rather than on Desoto Street as is currently done at the VFW building. Hours of operation will remain from 12 p.m. to 6:30 p.m. Monday through Friday during the school year and from 9 a.m. to 6:30 p.m. during summer months.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)			
1.	Resolution	CUP 2016-14 Magic Moments.doc	
2.	Location Map	Location Map.docx	
3.	Conditions	Conditions.doc	
4.	Application	Application.pdf	
5.	Legal ad	2016 Magic Moments CUP legal ad.docx	

**CITY OF CLERMONT
RESOLUTION NO. 2016-14**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A
CONDITIONAL USE PERMIT TO ALLOW FOR A DAYCARE
FACILITY IN THE CENTRAL BUSINESS DISTRICT.**

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held June 13, 2016 approved this Conditional Use Permit to allow a daycare facility in the Central Business District at the following location:

LOCATION
756 West Avenue

The City Council deems it advisable in the interest of the general welfare of the City of Clermont, Lake County, Florida to grant this Conditional Use Permit.

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

This application for a Conditional Use Permit to allow a daycare facility in the Central Business District; be granted subject to the following conditions:

CONDITIONS:

Section 1 - General Conditions

1. The conditions as set forth in this Conditional Use Permit shall be legally binding upon any heirs, assigns and successors in title or interest.
2. No expansion of the use or additions to the facility shall be permitted except as approved by another Conditional Use Permit.
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. The structure shall be inspected by the Fire Marshal for life safety requirements, all requirements must be met prior to any Certificate of Occupancy being issued.
5. The structure shall be inspected by the Building Inspector and all building code violations must be corrected prior to a Certificate of Occupancy being issued.

CITY OF CLERMONT
RESOLUTION NO. 2016-14

6. The final Certificate of Occupancy shall not be issued until each of the stated conditions has been met.
7. If any of the stated conditions are violated, the applicant understands and agrees that the City Council may revoke this Conditional Use Permit by resolution.
8. The Conditional Use Permit must be executed and filed in the Office of the City Clerk within 90 days of its date of grant by the City Council or the Permit shall become null and void.
9. The applicant shall record in the Public Records of Lake County within 90 days of its date of approval by the City Council, a short-form version of this Conditional Use Permit as provided by the City or a form acceptable to the City, to provide notice to all interested parties, the assigns, successors and heirs of the developer/applicant and all future owners of the above-referenced property that the real property described above is subject to the terms and conditions of the Conditional Use Permit.
10. Should a business that sells alcoholic beverages for onsite consumption wish to locate within 500 feet of the school, the school would not contest a Variance Application to allow said use within 500 feet of the school. Also, the school shall not be opposed to any existing business within 500 feet selling alcoholic beverages for onsite consumption.
11. If, at a future date, parking at this site proves inadequate the applicant understands and agrees that the City may require additional parking or rescind this Conditional Use Permit.
12. Should the daycare use become an infringement upon the other businesses within the area, the City reserves the right to reopen the Conditional Use Permit for additional review and conditions.
13. Should the daycare use cease operations for a period greater than 180 days, a new Conditional Use Permit shall be required. A student count shall be provided to the City for inspection when requested for compliance with this condition.

Section 2 – Land Use

1. 756 West Avenue may be used as a daycare facility in addition to any permitted Central Business District uses.
2. The student population shall be a maximum of 48 students, and five staff members; or as required by Florida state staffing requirements.

CITY OF CLERMONT
RESOLUTION NO. 2016-14

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 28th day of June, 2016.

CITY OF CLERMONT

Gail L. Ash, Mayor

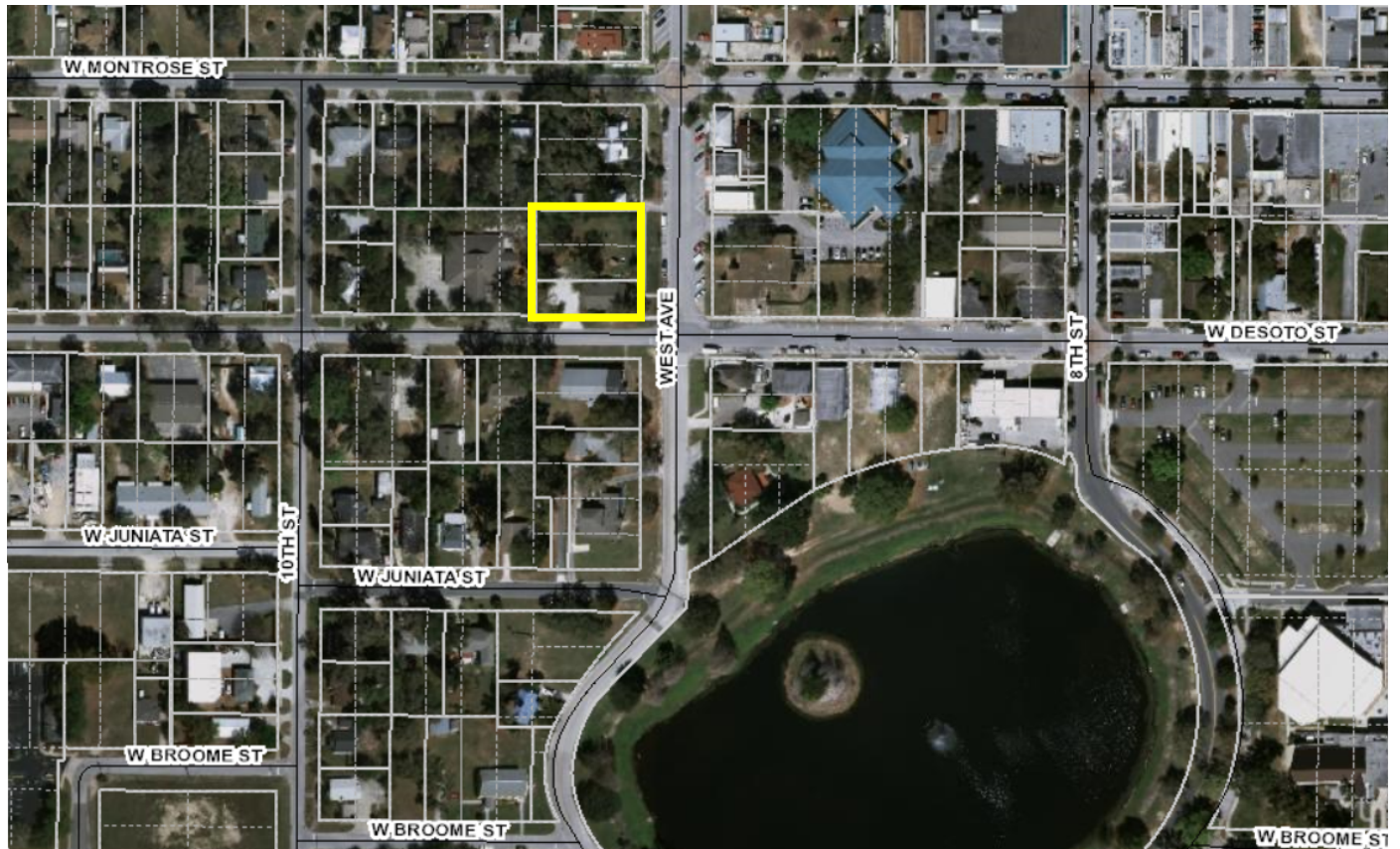
ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Location Map:



Section 1 - General Conditions

1. The conditions as set forth in this Conditional Use Permit shall be legally binding upon any heirs, assigns and successors in title or interest.
2. No expansion of the use or additions to the facility shall be permitted except as approved by another Conditional Use Permit.
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. The structure shall be inspected by the Fire Marshal for life safety requirements, all requirements must be met prior to any Certificate of Occupancy being issued.
5. The structure shall be inspected by the Building Inspector and all building code violations must be corrected prior to a Certificate of Occupancy being issued.
6. The final Certificate of Occupancy shall not be issued until each of the stated conditions has been met.
7. If any of the stated conditions are violated, the applicant understands and agrees that the City Council may revoke this Conditional Use Permit by resolution.
8. The Conditional Use Permit must be executed and filed in the Office of the City Clerk within 90 days of its date of grant by the City Council or the Permit shall become null and void.
9. The applicant shall record in the Public Records of Lake County within 90 days of its date of approval by the City Council, a short-form version of this Conditional Use Permit as provided by the City or a form acceptable to the City, to provide notice to all interested parties, the assigns, successors and heirs of the developer/applicant and all future owners of the above-referenced property that the real property described above is subject to the terms and conditions of the Conditional Use Permit.
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Section 2 – Land Use

1. 756 West Avenue may be used as a daycare facility in addition to any permitted Central Business District uses.
2. The student population shall be a maximum of 48 students, and five staff members; or as required by Florida state staffing requirements.



CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
APPLICATION

DATE: 04/08/2016

FEE: _____

PROJECT NAME (if applicable): _____

APPLICANT: Magic Moments Learning Center, Inc.

CONTACT PERSON: Sam L Allison

Address: P.O.Box 120103

City: Clermont State: FL Zip: 34712

Phone: (352) 255-4326 Fax: _____

E-Mail: sallison1@cfl.rr.com

OWNER: (will be if CUP approved) Magic Moments Learning Center, Inc.

Address: P.O. Box 120103

City: Clermont State: FL Zip: 34712

Phone: (352) 394-0533 Fax: (352) 243-6810

Address of Subject Property: 756 West Ave, Clermont, FL 34711

General Location: Northwest corner of West Ave- DeSoto St
intersection.

Legal Description (include copy of survey): CLERMONT LOT 6 BLK 96 PB 8
PG 17 |ORB 3724 PG 823

Land Use (City verification required): CLUBS, LODGES, UNION HALLS (7700)

Zoning (City verification required): CBD



CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
APPLICATION
Page 2

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

Magic Moments Learning Center, Inc. is proposing to relocate their Schooler Program (ages 5-12) from their current location (the VFW building @ 855 W.DeSoto St.) to the building located at 756 West Ave. While the VFW has been kind enough to allow us to use the upper floor of their building for the last 15 years, their membership has grown to the point that they now wish to use the upper floor, resulting in our program being displaced. We are currently licensed for a capacity of 48 children at the VFW. The 756 West Ave location has the square footage to accommodate a maximum of 48, but the number would probably be closer to 45 or 46, depending upon how we are able to configure the rooms. Maximum number of teachers (employees) for this group would be 5. Initial planning is for parent pickup to be accessed from the east (West Ave) side of the building, with parking on both sides of West Ave. Initial planning is for our buses to drop off in the on-site parking lot on the west side of the building, to keep from having to block traffic while unloading in the street (as we must now at the VFW). Playground areas will be in the lot to the north of the building, as well as the playgrounds at Magic Moments Too.

Sam L Allison

Applicant Name (print)

X 

Applicant Name (signature)

P A L Holdings LLC | LORETTA LACEK MGR

Owner Name (print)

X 

Owner Name (signature)

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

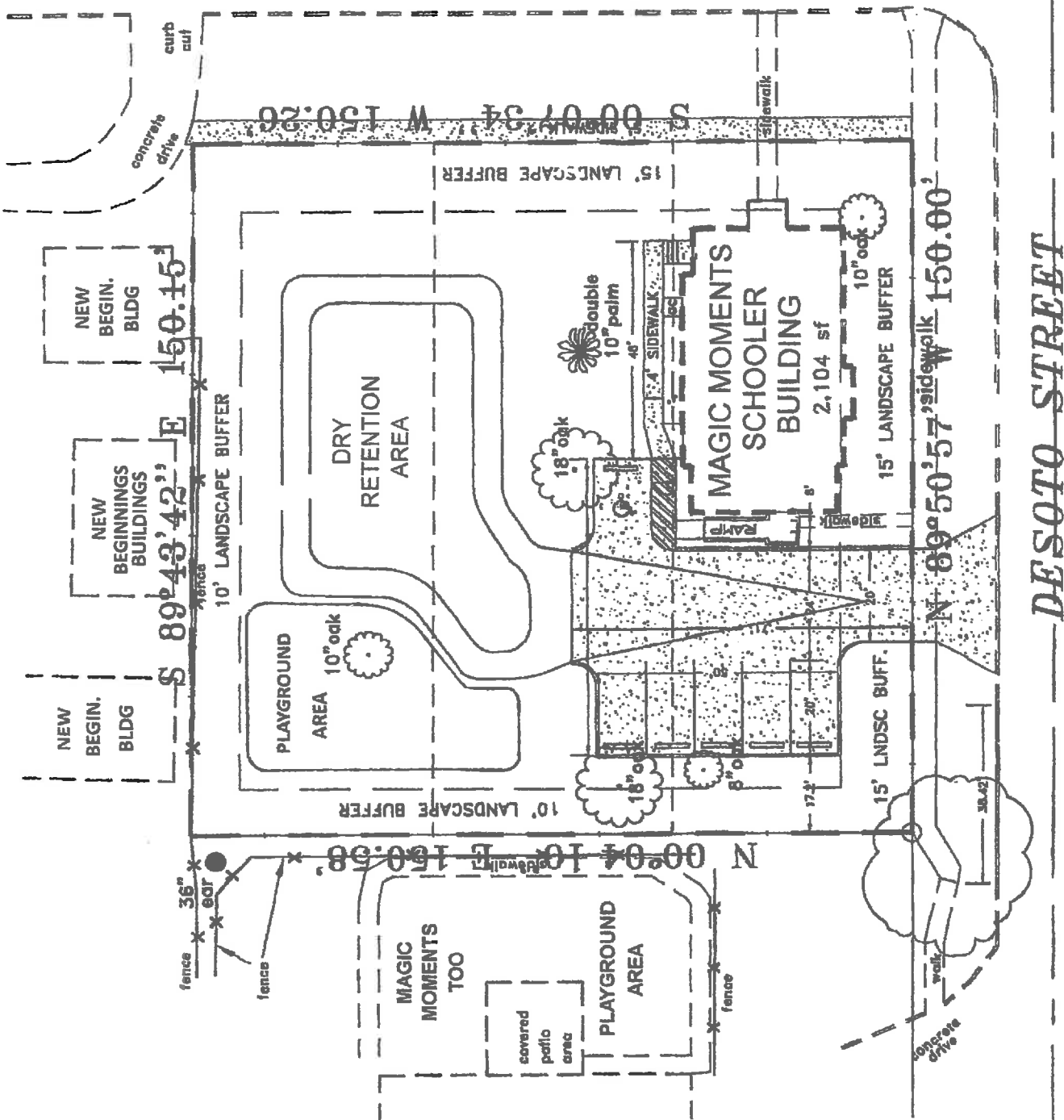
IF THIS APPLICATION IS SUBMITTED INCOMPLETE OR INACCURATE, IT WILL BE SUBJECT TO A DELAY ON PROCESSING AND WILL NOT BE SCHEDULED UNTIL CORRECTIONS ARE MADE.

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



756 West Avenue
Clermont, FL

WEST AVENUE



Site Plan for Proposed Magic Moments Schooler Building

Property Record Card

General Information

Owner Name:	P A L HOLDINGS LLC	Alternate Key:	3872029
Mailing Address:	160 NAUTICA MILE DR CLERMONT, FL 34711 Update Mailing Address	Parcel Number:	24-22-25-010009600600
		Millage Group and City:	00C1 (Clermont)
		Total Millage Rate:	18.65210
		Trash/Recycling/Water/Info:	My Public Services Map
Property Location:	756 WEST AVE CLERMONT FL 34711 Update Property Location	Property Name:	— Submit Property Name
		School Locator:	School and Bus Map
Property Description:	CLERMONT LOT 6 BLK 96 PB 8 PG 17 ORB 3724 PG 823		

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class Value	Land Value
1	CLUBS, LODGES, UNION HALLS (7700)	0	0		7500	SF	\$0.00	\$90,000.00

Commercial Building(s)

Building 1

Commercial	Building Value: \$105,137.00							
Summary	Section(s)							
Year Built: 1920	Section No.	Section Type	Wall Height	No. Stories	Ground Floor Area	Basement	Basement Finished	Map Color
Total Square Footage: 1995								
Full Bathrooms: 0	1	FINISHED LIVING AREA (FLA)	8	1	1995	0%	0%	
Half Bathrooms: 2		Interior Finish			Percent		Sprinkler	A/C
Elevators: 0		(77C)			100.00 %	No		Yes
Elevator Landings: 0								
Escalators: 0								
Residential Units: 0								
Kitchens: 0								
Fireplaces: 0								
Structure Type: Concrete Block or Masonry Walls								
Exterior Walls: 08 : 100.00 %								

LEGAL NOTICE

Notice is hereby given that the City of Clermont will consider a request to allow a daycare facility in the Central Business District.

LOCATION

756 West Avenue

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

This request will be considered by the Planning & Zoning Commission on Tuesday, May 3, 2016 at 6:30pm.

A public meeting to consider the request will be held before the City Council on Tuesday, May 24, 2016 at 6:30pm.

All meetings will be held in City Hall located at 685 West Montrose Street.

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

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

Tracy Ackroyd Howe, MMC
City Clerk

Daily Commercial
April 26 and May 17, 2016



CITY OF CLERMONT

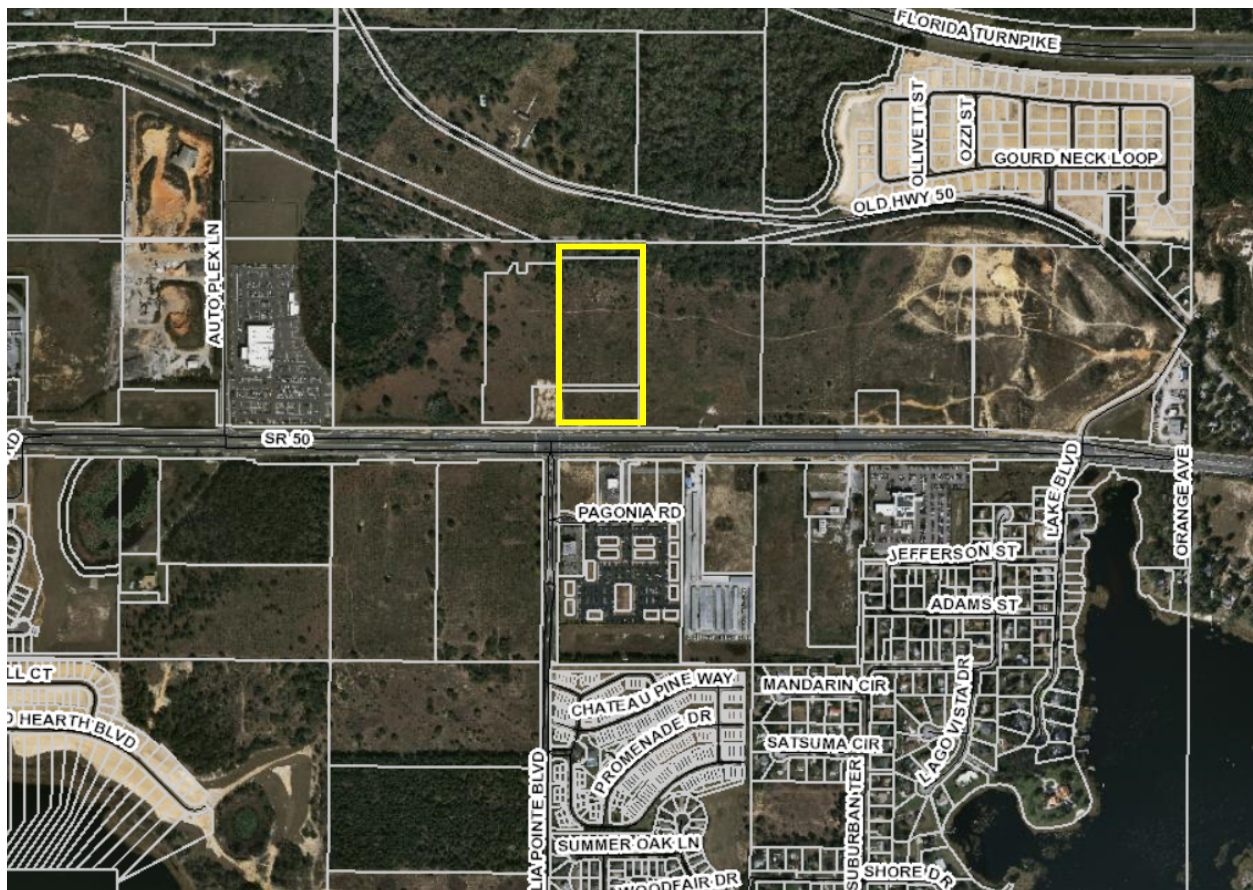
AGENDA ITEM

Page 1 of 1

Meeting Date	
Tuesday, May 24, 2016	
Agenda Item Name	
Variance Request <i>Hyundai of Central Florida</i>	
Requested Action	
Recommend approval of the variance request.	
Staff Report	
The owner is requesting a variance to allow a building façade to exceed 100 feet without a minimum 3-foot architectural offset. The proposed 38,500-square-foot building will be the home of Hyundai of Central Florida. This dealership will be the second of the two dealerships allowed within the Plaza Collina project site. Hyundai Motor America has a program called Global Dealership Space Identity (GDSI) that is designed to crystalize the Hyundai brand around the world. All Hyundai dealers in the United States are required to comply with this corporate image program and implement the branding elements as part of their deal agreement with Hyundai Motor America. The design elements of the GDSI program conflict with the City's architectural design standards in the building façade area. Per the City's architectural standards, buildings greater than 20,000 square feet shall not have an uninterrupted façade length greater than 100 feet without projections or recesses with a minimum of 3 feet. The front of the proposed Hyundai dealership has a façade that is 117 feet long with one horizontal relief. Per City code, a vertical elevation change is also required to break up building mass. As proposed, the uninterrupted building façade will exceed the code maximum by 17 feet. Hyundai Motor America has stated this code would not comply with their GDSI program and conflicts with their branding design which is critical to their image. The City's architectural standards adopted pursuant to Sec. 110-173, establish a variance procedure and authorize the City Council to grant a variance or waiver from the individual requirements if a building is unable to comply with the standards. This is a different standard than the usual variance requests considered by the Council. To grant this variance or waiver, the Council needs only to determine that the specific requirements of the standards cannot be met by the applicant. Given the constraints from the applicant, and the fact that this variance does not have to comply with the typical review criteria, staff is not opposed to the variance request of a building façade of 117 feet without a vertical elevation change.	
Additional Analysis	
Fiscal Impact Summary	

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	
3. Legal ad	VAR legal ad.doc	

Location Map:





CITY OF CLERMONT
VARIANCE
Application

DATE: May 5, 2016

FEE: \$200.⁰⁰

PROJECT NAME (if applicable): HYUNDAI OF CENTRAL FLORIDA

APPLICANT: Hyundai Of Central Florida, LLC

CONTACT PERSON: Gerald L. Mullinax, Managing Member

Address: 1551 E. Semoran Blvd.

City: Apopka State: Florida Zip: 32704

Phone: (407) 889-7600 x 2000 Fax: _____

E-Mail: _____

OWNER: Hyundai Of Central Florida, LLC

Address: 1551 E. Semoran Blvd.

City: Apopka State: Florida Zip: 32704

Phone: (407) 889-7600 x 2000 Fax: _____

Address of Subject Property: Plaza Collina - State Road 50, City of Clermont, FL

General Location: NE Corner of SR 50 & Magnolia Point
Intersection.

Legal Description (include copy of survey): Survey included

Land Use (City verification required): MASTER PLANNED DEVELOPMENT

Zoning (City verification required): P.U.D.



CITY OF CLERMONT
VARIANCE
Application
Page 2

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

City Zoning Ordinance (Land Development Code Section) from which you are requesting relief:
Section 110-173 Architectural standards

What are you proposing to do that would require a variance and why? see attached page

How does the Code create a hardship? see attached page

*** * * * The following justifications must be completed * * * * ***
for any variance requested:

Variance requested – subject and code section: Architectural Standards, Item 5.b 4&5

Sec. 86-174. Review criteria and findings.

When reviewing an application for a variance, the City Council shall not vary the requirements of any provision of this land development code unless it makes a positive finding, based on substantial competent evidence, on each of the following:

- (1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not applicable to other lands, structures or buildings in the same zoning district;

The Hyundai prototype is a global design image, which a facility Owner must agree to provide in order to build the facility. See attached letter for more information.

- (2) The condition giving rise to the requested variance has not been created by any person presently having an interest in the property;

The Hyundai program for this site has a requirement for square footage, which creates the width of the facade based on both internal layout and facade materials. See attached letter for more information.

What are you proposing to do that would require a variance and why? __

The front facade (facing State Route 50) is 117' wide. It has changes in materials, overhangs, and projections from the vertical plane, but it does not have a change in parapet height. Our building design is based on a global Hyundai prototype, which requires a certain configuration of the facade materials. See Letter of Intent for more information.

The rear facade (which does not face a public way) is 109'-8" wide, without a vertical or horizontal change in plane. Because this is the back of the building which does not face a public way, the aesthetics are not enhancing the public's perception of the building. See Letter of Intent for more explanation.

How does the Code create a hardship? __

The Owner of the proposed dealership is contractually bound to Hyundai's design requirements in order to build the store. The owner does not have the ability to modify Hyundai's global design. See Letter of Intent for more information.



CITY OF CLERMONT

VARIANCE

Application

Page 3

3) Literal interpretation and enforcement of the land development code regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the land development code, and would work unnecessary and undue hardship on the applicant;

There are car dealerships along this same road. The Hyundai program for this store has different requirements than the other dealerships, which is limiting our ability to also build a dealership under the same regulations.

(4) The variance request is not based exclusively upon a desire to reduce the cost of developing the site or otherwise economically founded;

The request is being made for aesthetic reasons, not economic.

(5) The variance, if granted, is the minimum variance necessary to make possible the reasonable use of the land, building or structure;

We have made accomodations on all other areas of the facade to meet the requirements, and/or or provide another way to add interest to the facade, so that the variance request is minimized strictly to 2 areas for just that one item of the standards.

(6) Granting of the variance request will not confer on the applicant any special privilege that is denied by the land development code to other lands, buildings or structures in the same zoning district;

The Hyundai prototype is a very unique design, so our building will still be an attractive, dynamic facade, which appears to be the intent of the regulations. The variance is not being requested to avoid the intent of the regulations.

(7) The proposed variance will not substantially diminish property value in, or alter the essential character of, the area surrounding the site; and

The Hyundai prototype is a very unique design, so our building will still be an attractive, dynamic facade, which appears to be the intent of the regulations. The variance is not being requested to avoid the intent of the regulations.



CITY OF CLERMONT
VARIANCE
Application
Page 4

(8) The granting of the variance will be in harmony with the general intent and purpose of this land development code, and will not be injurious to the surrounding properties or detrimental to the public welfare.

The Hyundai prototype is a very unique design, so our building will still be an attractive, dynamic facade, which appears to be the intent of the regulations. The variance is not being requested to avoid the intent of the regulations.

Gerald L. Mullinax, Managing Member
Applicant Name (print)

X *Gerald L. Mullinax*
Applicant Name (signature)

Gerald L. Mullinax, Managing Member
Owner Name (print)

X *Gerald L. Mullinax*
Owner Name (signature)
HYUNDAI OF CENTRAL FLORIDA

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

IF THIS APPLICATION IS SUBMITTED INCOMPLETE OR INACCURATE, IT WILL BE SUBJECT TO A DELAY IN PROCESSING AND WILL NOT BE SCHEDULED UNTIL SUCH CORRECTIONS ARE MADE. APPLICATION FOR VARIANCE DOES NOT GUARANTEE APPROVAL. THE APPLICANT MUST BE PRESENT AT ANY MEETINGS TO JUSTIFY AND SUPPORT THE REQUEST.

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

May 6, 2016

City of Clermont
Development Service Department
685 W. Montrose St.
Clermont, FL 34712-021

Re: Hyundai of Central Florida- variance application

Dear Reviewers:

Thank you for your consideration of our variance application for our proposed Hyundai sales and service facility, to be located at the corner of State Route 50 and Magnolia Pointe Boulevard. We propose the following justification for our variance request, so that we can bring our unique retail establishment to the community:

Hyundai Motor America publishes global guidelines for the design of all facilities worldwide. Their recently published new Image Program features a front façade with large panes of structural glazing, and a unique dark bronze aluminum cladding, which they call the "sky panel." It is a brand identity very different from all other dealerships, and is critical to their image. All dealers must meet the required design with their facility. The roofline (per the global image) is consistently horizontal. It creates a "sky cap" for the glazing.

The Architectural Standards refer to "no uninterrupted horizontal lengths over 100'," so we have provided a projection of 3' in the plane of the sky cap. We have been advised that historically, this has also been interpreted to mean a vertical parapet change, which is prompting the request for a variance. (Our façade is 117' wide at the widest portion facing State Route 50.) This requirement, which will compromise the dealer's commitment to Hyundai, is limiting the ability to provide a car dealership along the same stretch of road as the competitors.

Additionally, the building meets the design intent of the regulations by providing a dynamic, attractive façade built of high quality, durable, and unique materials.

The façade, when viewed in 3 dimensions, will appear to have movement and interest, especially because we have provided more than the required amount of roofline changes on the other facades. We feel that we meet the intent of the design regulations with the front façade.

The rear façade is 109'-8", which is only slightly over the 100' requirement. Because the rear façade does not face a public way, and cannot be accessed by customers, adding an arbitrary projection from the façade will not enhance the aesthetics in any way that will be appreciated by the community.

Please contact me or the Owners if you have any questions about our application.

Sincerely,

Sarah K. Butler, RA, RID
Project Manager
404-538-7607



Hyundai Motor America
3025 Chastain Meadows Parkway, Suite 100
Marietta, Georgia 30066
TEL: 770-739-9400 FAX: 770-944-0610

To Whom It May Concern:

As our new Hyundai dealer in the Clermont, FL market begins development of their sales & service facility, we wanted to share some background information on Hyundai's new global design vision. Announced in early 2015, the Global Dealership Space Identity Program (GDSI) is design to crystalize the Hyundai Brand around the world. As such, all Hyundai dealers in the United States are now required to comply with this corporate image program and implement the branding elements as part of their Dealer Agreement with Hyundai Motor America.

The Chairman of Hyundai Motor Company summarized the new initiatives as follows:

"Hyundai is trusted by consumers throughout the world, due to our continuing efforts to improve our products and enhance our reputation for high quality and workmanship. In a bid to upgrade the value of our brand even further, we have developed a new brand direction called Modern Premium. Modern Premium reflects our promise to lead market trends based on our in-depth understanding of our customers and our sincere interest in their needs and wants, allowing us to exceed their expectations and offer values and experiences that they truly desire.

According to the values of Modern Premium, the design of the new Global Dealership Space Identity (GDSI) is completed. To put it into practice effectively and efficiently, it is imperative that GDSI be applied consistently, so that our customers can experience it at all of our contact points-including our designs, sales, products, and communications."

Key to the new GDSI prototype design are the bronze Shaped Sky fascia panels. Reminiscent of a float cloud, the individual panels form a pattern that emphasizes the lightness and fluidity of the design. Along with the interior tree columns and clear structural glazing, they reinforce Hyundai's commitment to the environment and sustainable design: a balance between technology and nature. These unique elements do not lend themselves to significant changes in vertical height or lateral depth which might which might disrupt the harmony of the pattern.

We look forward to joining the Clermont, FL community as active participants, strong employers and good corporate citizens. And we appreciate your support of our local dealer and his objectives.

Sincerely,

William Schultheiss

Senior Group Manager, Hyundai Southern Region

LEGAL NOTICE

Notice is hereby given that the City Council of the City of Clermont will consider a request for the following Variance: To allow a building façade to exceed 100 feet horizontally without a 3-foot architectural offset, at the following location:

LOCATION

Plaza Collina
17325 E. Highway 50

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

This request will be heard by the City Council at a public hearing to be held on Tuesday, May 24, 2016 at 6:30 P.M. in the Clermont City Hall located at 685 West Montrose Street.

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

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

Tracy Ackroyd Howe
City Clerk, MMC

Daily Commercial
May 17, 2016



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, May 24, 2016		
Agenda Item Name		
Ordinance No. 2016-22 <i>Introduction</i>		
Requested Action		
Recommend introduction of Ordinance 2016-22.		
Staff Report		
The current City of Code of Ordinances does not address the Parks and Recreational facilities within the City. The proposed Chapter 55 provides for definitions, rules and regulations within City parks that will enhance the safety, preservation and enjoyment of City parks for residents. The proposed ordinance addresses the following areas: Hours of Operation; Traffic Control; Pollution and Litter; Removal of Natural Resources; Fireworks; Fires; Camping and Sleeping; Noise and Other Conduct; Commercial Activity and Peddling; Damage to Property; Glass Containers; Paintball Guns; Bathing and Swimming; Hunting and Wildlife Preservation, and Enforcement. In addition, the Ordinance provides the City Manager with the authorization to adopt administrative rules supplemental to the Ordinance that he deems necessary.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Ordinance 2016-22 Park Rec Area Rules.docx		
2. Ad 2016-22 Parks Rec Chpt 55.doc		

CITY OF CLERMONT
ORDINANCE No. 2016-22

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, CREATING CITY CODE CHAPTER 55 “PARK AND RECREATION AREAS”, PROVIDING FOR PURPOSE AND INTENT; DEFINITIONS; ENFORCEMENT; PENALTIES; CONFLICT; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.

WHEREAS, the City is granted the authority, under Section 2(b), Article VIII, of the State Constitution, to exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, the City Council recognizes and finds that the recreational services provided to the public by the City are essential to the quality of life in the City; and

WHEREAS, the City Council further finds that in order to provide these essential recreational services to the public, the City must maintain reasonable rules and regulations regarding the operation of the City parks and other public recreational areas; and

WHEREAS, the goals, policies, and objectives set forth in City’s Comprehensive Plan provide that the City will make available and manage public recreational areas within the jurisdictional limits of the City; and

WHEREAS, in furtherance of the City’s Comprehensive Plan, the City owns and operates numerous parks and other public recreational areas within the jurisdictional limits of the City of Clermont; and

WHEREAS, the City Council finds that it is in the best interests of the City to adopt certain rules and regulations applicable to City parks and other public recreational areas by Ordinance to enhance the City’s enforcement capabilities in order to protect the parks and recreational areas from abuse; to provide for recreational use of those areas; to control and regulate traffic and maintain general order therein; and to further the safety, health, comfort, and welfare of all persons while within the limits of the City parks and other public recreational areas; and

WHEREAS, it is the intent and purpose of this Ordinance to discourage the misuse of City Parks and other public recreational areas including, but not limited to, loitering, littering, vandalism, and other nuisances, and to provide for the orderly and safe operation and use of the City Parks and other public recreational areas by park patrons; and

WHEREAS, the City Council of the City of Clermont, hereby finds this Ordinance to be in the best interests of the public health, safety and welfare of the citizens of Clermont.

CITY OF CLERMONT
ORDINANCE No. 2016-22

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

Section 1.

The above-stated Whereas Clauses are hereby adopted by the Council as findings in support of the provisions herein.

Section 2.

Chapter 55, “Park and Recreation Areas” of the Code of the City of Clermont, Florida, is hereby created to read as follows:

CHAPTER 55

PARK AND RECREATION AREAS

Section 55-111. Purpose and intent.

The purpose and intent of this Article is to establish minimum rules and regulations to promote the safe and orderly use of, and to discourage and prevent the misuse of, City park and recreation areas for the benefit of the general public.

Section 55-112. Definitions.

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

- (a) “City Park” means land owned or maintained by the City of Clermont and which is designated as a public park or public recreation area by the City’s Comprehensive Plan (Recreation and Open Space Element), by a resolution adopted by the City Council, or by dedication that has been accepted by the City Council. Included in the definition of the term “City Park” are the City’s special use facilities (for example, Arts and Recreation Center) and all natural resources, wildlife, facilities, improvements, waters and materials in, on or under the lands so designated, Properties in any system of trails owned by the City are intended to be designated as a City park.

CITY OF CLERMONT
ORDINANCE No. 2016-22

Section 55-113. Hours of operation and general use.

- (a) All City parks shall be closed during the evening time period from dusk (sunset) to dawn (sunrise) unless otherwise posted. Signs stating Park Hours shall be posted prominently in each City park.
- (b) Programs or events sponsored or approved by the City, or for which the City has issued a permit, shall be permitted to use the City park during such program or event for the period of time approved by the City.
- (c) The City Council by resolution or the City Manager by administrative rule may adopt more restrictive or extended hours for any particular City park on a case-by-case basis of legitimate circumstances warranting hours of operation different than those set forth in subparagraph (a) of this Section.
- (d) The City Council or the City Manager may close any City park as deemed appropriate in the event of an emergency or an imminent threat to public health, safety or welfare.
- (e) Persons using any City park do so at their own risk.
- (f) Adults are responsible for children that they bring to a City park or who are otherwise under their care, custody or control.

Section 55-114. Traffic control.

- (a) The State Uniform Traffic Control Laws, Chapter 316, Florida Statutes, are incorporated by reference and made part of this Article and shall apply to the operation of all motor vehicles, as defined in Chapter 316, on streets and roads in all City park(s), unless modified herein. Law enforcement officers and City employees are hereby authorized to direct traffic whenever necessary within the City park(s).
- (b) It is unlawful to operate, drive or park any motor vehicle or other vehicle upon any road, driveway, path, trail, parking area, or other area within a City park except when the area has been marked, permitted or approved for such activity or activities either by permanent signage or marking or when permitted by the City in the course of a public event or activity.
- (c) It is unlawful to cause any vehicle for hire to stand upon any part of a City park for the purpose of soliciting passengers.

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- (d) Pursuant to Section 316.008(1)e, Florida Statutes, which authorizes the City to establish speed limits on City streets in public parks, it is unlawful to drive a vehicle at a rate of speed exceeding ten miles per hour in any City park unless the City has posted a greater speed limit.
- (e) It is unlawful to enter or exit from any City park in any vehicle except at entrances and exits designated for such purpose by the City.
- (f) It is unlawful to leave a vehicle standing or parked in established parking areas or elsewhere in a City park during hours when the City park is closed.

Section 55-115. Pollution and litter.

- (a) It is unlawful to throw or place or cause to be thrown or placed, any litter, dirt, filth, or foreign matter in to the water of any lake, pond, canal, pool, river, creek, inlet, tank or reservoir in any City park or on the grounds of any City park.
- (b) It is unlawful to cause any pollutant, as defined in Section 206.9925 or Section 376.031, Florida Statutes, as may be amended, to be placed in or to otherwise pollute the lands or waters of a City park.

Section 55-116. Removal of natural resources.

- (a) It is unlawful to remove any beach sand, whether submerged or not, any soil, rock, stones, plants, trees, shrubs, wood, flora, fauna or their materials from any City park unless issued a general or specific permit to do so by the City.
- (b) It is unlawful to cause or make any excavation by tools, equipment, blasting or other means or agency at a City park unless issued a general or specific permit to do so by the City.
- (c) Subsections (a) and (b) does not apply to City workers or authorized contractors performing maintenance and upkeep of the City parks at the direction and consent of the City.

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Section 55-117. Fireworks; destructive devices; weapons; other potentially dangerous uses.

- (a) It is unlawful to carry, fire or discharge any explosive, or weapon as those terms are defined in Section 790.001, Florida Statutes, as amended, or any fireworks, as defined in Section 791.01, Florida Statutes, as amended, of any description in a City park. However, the City Council hereby expressly recognizes the state law preemption of firearms and ammunition pursuant to Section 790.33, Florida Statutes, as amended, and therefore, this Section shall not apply in any respects to firearms and ammunition.
- (b) The City may authorize fireworks displays for which the City has issued a permit, during such program or event for the period of time approved by the City.
- (c) It is unlawful to carry, fire or use rockets and radio controlled planes, boats, cars and helicopters at a City park unless such uses are specifically authorized or permitted by the City.

Section 55-118. Fires.

It is unlawful to ignite, set or maintain any fire in a City park unless such fire is within an area designated by the City for fires by signage and postings displayed at the City park unless specifically authorize or permitted by the City. Included in this prohibition are activities such as the use of portable cooking equipment of whatever type of nature.

Section 55-119. Camping and sleeping.

It is unlawful to sleep, camp, lodge or park a vehicle overnight in a City park unless the City has designated certain areas for these purposes, but then only to the extent permitted and authorized by the City. Any such activity authorized by the City shall not interfere with the general public's use and enjoyment of the City park and the intended purpose of the City park.

Section 55-120. Noise and other conduct.

- (a) It is unlawful to play any musical instrument or audio amplification system or engage in any disorderly conduct or behavior tending to breach the public peace or in violation of the City's noise ordinance, in any City park.
- (b) It is unlawful to use abusive, threatening, offensive, profane, obscene or foul language or engage in any disorderly conduct or behavior tending to breach the public peace in any City park.

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- (c) It is unlawful to use golf clubs within a City park unless as part of a specific program or activity which has been permitted and approved by the City.
- (d) It is unlawful to take into, carry through, or put into any City park, and rubbish, refuse, garbage or other waste ("waste"). Such waste shall be deposited in receptacles so provided by the City. Where receptacles are not provided, all such waste shall be carried away from the City park by the person responsible for its presence and properly disposed of elsewhere.

Section 55-121. Commercial activity and peddling.

It is unlawful to engage in any commercial activity for any consideration within a City park without being authorized or permitted by the City.

- (a) Any individual, group or organization conducting a program within any City park shall enter into an agreement with the City or rent the City Park prior to the use of the requested City Park.
- (b) Programs that are open to the public at no charge must request usage through the Parks and Recreation Department, complete a Public Rental Application, shall provide a copy of liability insurance with limits determined by the City and complete a background check. In addition, any waiver that is provided to participants shall be supplied to the City.
- (c) Any commercial use of City Parks requires the operator to enter into a contractual agreement with the City. Examples of commercial use includes anyone who offers instruction, education, care or supervision and charges a fee, and for-profit corporations using City parks as a means to generate profit.

Section 55-122. Injuring, interfering with, etc., buildings and other property.

It is unlawful to mark, deface, disfigure, injure, tamper with, displace or remove any building, bridge, table, bench, fireplace, railing, paving material, waterline or other public utility or part of appurtenance thereof, sign, notice, or placard monument, stake, post, or other structure, equipment or any facilities, property or appurtenances whatsoever, whether temporary or permanent, located at a City park.

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Section 55-123. Interference with park operations.

It is unlawful to interfere with the operations of a City park by gathering in groups that are not engaged in bona fide recreation activities consistent with the facilities of the City park and any permit issued by the City.

Section 55-124. Glass Containers.

The use of glass containers of any kind in a recreation area of a City park including, but not limited to, playing fields, splash pad areas, pool areas, children's playground areas, and trails is prohibited unless such use is in an area where the use of glass containers has been authorized by the City.

Section 55-125. Airsoft and Paintball Guns; BB Guns

The use of airsoft (plastic pellets) guns, paintball guns, paintball markers, and paintball equipment within City parks is prohibited unless the City has specifically designated an area for the use of this equipment. Paintball equipment includes, but is not limited to: paint balls, paint gun refillable gas tanks, paint gun propellant canisters, and targets. Nothing contained in this section is intended to regulate or apply to firearms and ammunition which are preempted by state law.

Section 55-126. Bathing, Swimming; Scuba Diving.

No person shall swim, bathe or wade or scuba dive in any waters or waterways within a City park except in such waters and at such places and times authorized and posted by the City.

Section 55-127. Promulgation of supplemental rules.

- (a) The City Manager is hereby authorized to adopt administrative rules supplemental to, and consistent with, the provisions of this Article that he or she deems necessary and appropriate to implement the provisions of this Article relative to the use of City parks and the violation of such rules shall constitute a violation of this Article.
- (b) The provisions of this Article and the administrative rules adopted by the City Manager shall be maintained on file at City Hall and at the Parks and Recreation Department office for public inspection and copying.

CITY OF CLERMONT
ORDINANCE No. 2016-22

- (c) A general condition of each permit to use a City park is that the permittee shall abide by and adhere to the provisions of this Article and the rules promulgated by the City, except as may be otherwise specifically permitted by the City by means of a permit issued for a specific event or activity.
- (d) The City Manager or authorized designee shall regularly review, or cause to be reviewed, the use of and conditions within each City park in order to reasonably mitigate against potential public liability relating to City parks.

Section 55-128. Hunting/wildlife preservation and conservation.

- (a) It is unlawful to harass, hunt, catch, harm, kill, trap, shoot, shine lights at or throw missiles at any animal, of any type of species, in any City park. Exception to the forgoing is made in that snakes known to be deadly poisonous may be killed on sight in self-defense.
- (b) It is unlawful to introduce into or leave any wild animal in a City park.
- (c) It is unlawful for a person to remove or have in his or her possession any wild animal, of any type or species, or the eggs or nest of young reptile or bird which is or was located in a City park.
- (d) The City may issue permits to allow activities and actions that are otherwise contrary to the provisions of this section if the City determines that the activities and actions will be accomplished for management, scientific or husbandry purposes and are consistent with the public interest.

Section 55-129. Enforcement; Penalties.

City Law Enforcement and Code Enforcement officers, the Parks and Recreation Director or authorized designee, and the City Manager or authorized designee shall be responsible for enforcing the provisions of this Article, and shall have the authority to order any person or persons acting in violation of this Article to leave the City park. It is unlawful for a person to remain in the City parks when the person is asked to leave the City park by a City official pursuant to this Section.

Section 3. Codification.

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

CITY OF CLERMONT
ORDINANCE No. 2016-22

Section 4. **Severability.**

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, it is the intent of the Council that the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

Section 5. **Conflict.**

All ordinances or parts of ordinances, all City Code sections or parts of City Code sections, and all resolutions or parts of resolutions in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 6. **Effective Date.**

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

CITY OF CLERMONT
ORDINANCE No. 2016-22

PASSED AND ADOPTED by the City Council of the City of Clermont, this 14th day of June, 2016.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

LEGAL NOTICE

Notice is hereby given that the City of Clermont will consider the enactment of the following proposed ordinance. All interested parties will be given an opportunity to express their views on this matter.

ORDINANCE NO. 2016-22

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, CREATING CITY CODE CHAPTER 55 "PARK AND RECREATION AREAS", PROVIDING FOR PURPOSE AND INTENT; DEFINITIONS; ENFORCEMENT; PENALTIES; CONFLICT; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.

A meeting to consider the Ordinance will be held before the City Council on Tuesday, June 14, 2016 at 6:30pm for final enactment.

The meeting will be held in Clermont City Hall located at 685 West Montrose Street, Clermont, FL 34711.

This ordinance is available for public inspection in the office of the City Clerk, 685 West Montrose Street, Monday through Friday between the hours of 8:00am and 5:00pm.

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.

Tracy Ackroyd Howe, MMC
City Clerk

Daily Commercial
May 31, 2016