



**CITY OF CLERMONT
COUNCIL MEETING AGENDA
6:30 PM, Tuesday, April 11, 2017**

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

PROCLAMATIONS

Altrusa Month

Water Conservation Month

PRESENTATIONS

Quilts to Books

South Lake Hospital Community Health Needs Assessment

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 - Meeting Minutes

Consider approval of the February 28, 2017 Regular Council Meeting minutes.

Item No. 2 - Plat Approval

Consider approval of the Harvest Landing Phase 2B plat.

Item No. 3 - Plat Approval

Consider approval of the Innovation at Hidden Lake plat.

Item No. 4 - Surplus Request

Consider approval to declare end of life inventory as surplus from Environmental Services Department and dispose of in accordance with Purchasing policy.

Item No. 5 - Event and Road Closure Request

Consider request to allow the Clermont Downtown Partnership to host their annual "Harvest Festival" on October 28, 2017 in Historic Downtown Clermont.

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Item No. 6 - Special Event Signage Request

Consider request to allow The Caribbean American Association of Lake County to temporarily erect signage for the promotion of their annual "Clermont Jerk Festival".

Item No. 7 - Interlocal Agreement
Revised Contribution

Consider request to revise the interlocal agreement with Lake County for the relocation of the City's water main on John's Lake Road. The City's contribution increased from \$177,000 to \$316,991.92. The revised contribution amount is included in the Fiscal Year 2017 approved budget.

Item No. 8 - Resolution No. 2017-13
Budget Amendment

Consider approval of resolution to amend the Fiscal Year 2017 budget.

UNFINISHED BUSINESS

Item No. 9 - Ordinance No. 2017-08 *Final*
Firefighters Pension Plan Amendment

Consider ordinance to amend the Firefighters Pension Plan.

Item No. 10 - Ordinance No. 2017-09 *Final*
Police Officers Pension Plan Amendment

Consider ordinance to amend the Police Officers Pension Plan.

Item No. 11 - Ordinance No. 2016-38 *Final*
South Lake Medical Arts Center/Lofts

Consider approval of the adoption of the large-scale comprehensive plan amendment to change the future land use from Office to Residential/Office for property located at the southwest corner of Oakley Seaver Drive and Citrus Tower Boulevard.

Item No. 12 - Ordinance No. 2017-10 *Final*
Lake Shore Drive

Consider ordinance to vacate the right-of-way behind Lots 11 through 18, Block 117.

Item No. 13 - Variance Request
College Station

Consider variance requests to allow a reduction of parking spaces, a reduction of landscape buffer, 20% of parking to be compact parking, and a reduced perimeter landscape buffer for a proposed commercial development located at the southwest corner of Hancock Road and State Road 50.

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Item No. 14 - Ordinance No. 2017-15 *Final*
Anderson Hill Annexation

Consider ordinance to annex a parcel of land located at the northwest corner of U.S. Highway 27 and Anderson Hill Road.

Item No. 15 - Ordinance No. 2017-16 *Final*
Anderson Hill Small-Scale Comprehensive Plan Amendment

Consider ordinance to change the future land use from Lake County Urban Low Density to City of Clermont Commercial for property located at the northwest corner of U.S. Highway 27 and Anderson Hill Road.

Item No. 16 - Ordinance No. 2017-17 *Final*
Anderson Hill Rezoning

Consider ordinance to change the zoning from UE Urban Estate to C-2 General Commercial for property located at the northwest corner of U.S. Highway 27 and Anderson Hill Road.

Item No. 17 - Resolution No. 2017-04
Anderson Hill Conditional Use Permit

Consider a conditional use permit to allow a structure more than 20,000 square feet in the C-2 General Commercial zoning district for property located at the northwest corner of U.S. Highway 27 and Anderson Hill Road.

Item No. 18 - Resolution No. 2017-14
Bees Auto, Inc./Weatherbee Conditional Use Permit

Consider approval of Conditional Use Permit to allow an automotive service center in the Central Business District located at 898 West Montrose Street.

NEW BUSINESS

Item No. 19 - Variance Requests
Bees Auto, Inc./Weatherbee

Consider variance requests to allow less than a 15 foot landscaper buffer adjacent to a right-of-way, allow less than a 10 foot landscaper buffer adjacent to an adjoining property line, and allow grass parking for property located at 898 West Montrose Street.

**CITY OF CLERMONT
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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.



WHEREAS, Altrusa International, Inc. is a global non-profit organization leading local communities to be better through leadership, partnership, and services; and

WHEREAS, Altrusa International, Inc.; organized on April 11, 1917, is a community service organization that values diversity and contributes to the good of the community; and

WHEREAS, Altrusa International of Lake County, Inc. was chartered in 1983 to improve the quality of life in the community through service projects, to show positive membership growth, and to increase public awareness of Altrusa in Lake County; and

WHEREAS, Altrusa International of Lake County, Inc. members have provided thousands of service hours to the community, while Altrusa International volunteers have provided more than a million hours of service to other communities around the world; and

WHEREAS, Altrusa International of Lake County, Inc., has provided thousands of dollars in scholarships to Lake County women who are pursuing an education to increase earning potential; and

WHEREAS, Altrusa International, Inc. is observing its Centennial Celebration of April 11, 2017;

NOW, THEREFORE, I, Gail L. Ash, Mayor of the City of Clermont, Florida, hereby proclaim the month of April 2017 as

Altrusa Centennial Month

in the City of Clermont, and the City Council hereby extends greetings and best wishes to all current and former members of Altrusa observing the Centennial.

IN WITNESS WHEREOF, I, Gail L. Ash, Mayor of the City of Clermont, have hereunto set my hand and caused the Seal of the City of Clermont to be affixed this 11th day of April, two thousand seventeen.

Gail L. Ash, Mayor

ATTEST:

Denise Noak, CMC
Acting City Clerk



WHEREAS, water is a basic and essential need of every living creature; and

WHEREAS, the State of Florida, Water Management Districts and the City of Clermont are working together to increase awareness about the importance of water conservation; and

WHEREAS, the City of Clermont and the State of Florida has designated April; typically a dry month when water demands are most acute, Florida's Water Conservation Month, to educate citizens about how they can help save Florida's precious water resources; and

WHEREAS, the City of Clermont has always encouraged and supported water conservation through various educational programs and special events; and

WHEREAS, every business, industry, school and citizen can make a difference when it comes to conserving water; and

WHEREAS, every business, industry, school and citizen can help by saving water and thus promote a healthy economy and community; and

NOW, THEREFORE, be it resolved by virtue of the authority vested in me as Mayor of the City of Clermont, I do hereby proclaim the month of April as

Water Conservation Month

The City of Clermont, Florida is calling upon each citizen and business to help protect our precious resource by practicing water saving measures and becoming more aware of the need to save water.

IN WITNESS WHEREOF, I, Gail L. Ash, Mayor of the City of Clermont, have hereunto set my hand and caused the Seal of the City of Clermont to be affixed this 11th day of April, two thousand seventeen.

Gail L. Ash, Mayor

ATTEST:

Denise Noak, CMC
Acting City Clerk

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
February 28, 2017

The Clermont City Council met in a regular meeting on Tuesday, February 28, 2017 in the Clermont City Council Chambers. Mayor Ash called the meeting to order at 6:30pm with the following Council Members present: Council Members Mullins, Bates, Goodgame, and Travis. Other City officials present were: City Manager Gray, City Attorney Mantzaris, and Deputy City Clerk Noak.

INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Carlos Aviles gave the invocation followed by the Pledge of Allegiance.

PRESENTATIONS

Orlando Economic Development Council

Economic Development/CRA Director Schmidt introduced Liefke Meyers, Vice President of Investor Relations with the Orlando Economic Development Council.

Ms. Meyers presented the Orlando Economic Development Council business brand “Orlando. You Don’t Know the Half Of It”. The Orlando Economic Development Council promotes Orange, Seminole, Lake, and Osceola County, and the City of Orlando. The Orlando Economic Development Council travels across the United States to attract businesses to the region by promoting the assets of the region. Ms. Meyers provided examples of Clermont’s assets, which included the City’s proximity to the Health and Wellness Way, Minneola Turnpike Interchange, Christopher C. Ford Commerce Park, Wolf Branch Innovative District, 470 Commerce Center, and the National Training Center.

City Manager Gray spoke of his experience working with the Orlando Economic Development Council.

Kasey Kesselring; Montverde Academy, commented on the need for economic initiatives in Lake County.

Council Member Mullins suggested promoting the skilled labor available in Clermont.

Water Plant Excellence Award

Environmental Services Assistant Director Reed and Mayor Ash presented the award from Department of Environmental Protection to Duane Land, Rick Laney, Alfred Pagan, Lori Pearson, and Jay Buttram.

Mayor Ash commented the City continuously wins awards due to the hard work of City staff.

PUBLIC COMMENTS

Suzi Gibson reported the Metropolitan Planning Organization Citizen Advisory Committee received information on the 10 worst intersections in Lake County and two of the intersections were in Clermont, State Road 50 and Hancock Road, and State Road 50 and Citrus Tower Boulevard. Ms. Gibson commented the City should consider addressing the issue.

Alison Strange; PFX Athletics, mentioned the Spring Games participants began to check in on Friday. Ms. Strange distributed tickets to the Spring Games to the Council and the audience.

City Manager Gray thanked Ms. Strange for making the improvements to Hancock Park, which were not budgeted in the current fiscal year.

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Council Member Mullins asked if there was a website to follow the Spring Games. Ms. Strange commented the website was thespringgames.com.

Sterling Fry presented photographs of the signs he removed from the rights-of-way in Clermont. Mr. Fry requested the City hold a workshop to address the issue. City Manager Gray will follow up with Mr. Fry.

REPORTS

City Manager Gray announced the PFX Spring Games will be held over the next five weeks, Pig on the Pond will be held on Friday, March 3, 2017 through Sunday, March 5, 2017, and Movie in the Park will be held at Waterfront Park on March 10, 2017 at 6pm. City Manager Gray thanked Council Member Travis for meeting with Mr. Weatherbee regarding the signs on his property at 899 West Montrose Street. The signs have been removed and Mr. Weatherbee will be applying for a Conditional Use Permit for his proposed business. The public restrooms across from City Hall Park will be completed in the near future.

City Attorney Mantzaris – No report.

Council Member Bates – No report.

Council Member Goodgame stated he attended the Hospice function at Cherry Lake on Saturday, February 25, 2017.

Council Member Mullins reported First Friday Music on Montrose was endorsed by Orlando Economic Development Council. The Vintage Market and Garden Show will be held on May 11, 2017.

Council Member Travis stated she attended the Metropolitan Planning Organization meeting for Council Member Goodgame. The March 9, 2017 Metropolitan Planning Organization meeting will be held in the Council Chambers at Clermont City Hall.

Mayor Ash reported she held Coffee with the Mayor at Livi & Tate, attended the Black Achievers Awards Banquet, Congressman Ross's Townhall Meeting at the Clermont City Center, a meeting on homelessness, the South Lake Hospital ground breaking ceremony, the grand opening of the Faith Neighborhood Center in Groveland, an African American History Month program, and the Lake Apopka Natural Gas Board Meeting.

CONSENT AGENDA

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

Item No. 1 – Orlando Economic Development Council

Consider approval to join the Orlando Economic Development Council as a small government member in the budgeted amount of \$3,000 for the annual investor membership.

Item No. 2 – Meeting Minutes

Consider approval of the February 14, 2017 Regular Council Meeting minutes.

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February 28, 2017

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| Item No. 3 – Special Event Request | Consider request to grant 10 open-air events with a temporary structure for 2017 at the Stormy Hill Harley-Davidson located at 2480 South Highway 27. |
| Item No. 4 – Bid Award | Consider request for Proposal award to RC Development Group, Inc. to remove current fuel tank, furnish and install a new 10,000-gallon commercial fuel tank in the total budgeted amount of \$167,950.00. |
| Item No. 5 – Scope of Services | Consider proposal for the East Water Reclamation Facility Expansion Filter project in the budgeted amount of \$163,102.00 as part of the plant expansion. |
| Item No. 6 – Surplus Property | Consider approval to declare end of life inventory as surplus from various departments and dispose of in accordance with the Purchasing Policy. |
| Item No. 7 – Addendum to Utility Rate Study Agreement | Consider approval of addendum with Public Resources Management Group for additional services in the budgeted amount of \$14,962.00. |
| Item No. 8 – Resolution No. 2017-10 | Consider approval of a trust agreement authorizing participation in the Florida Education Investment Trust Fund. |
| Item No. 9 – Resolution No. 2017-11 | Consider amendment proposed by the Town of Howey-in-the-Hills to the Interlocal Service Boundary Agreement between Lake County, City of Clermont, and five other Lake County municipalities. |
| Item No. 10 – Resolution No. 2017-12 | Consider amendment proposed by the City of Groveland to the Interlocal Service Boundary Agreement between Lake County, City of Clermont, and five other Lake County municipalities. |

Council Member Goodgame moved for approval of the Consent Agenda; seconded by Council Member Mullins. The motion passed with all members present voting aye.

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UNFINISHED BUSINESS

Item No. 11 – Ordinance No. 2016-47, *Final – The Vue*

Deputy City Clerk Noak read Ordinance 2016-47 aloud by title only.

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.

Planning Manager Henschel presented the request of AC-Fulcrum to amend the Planned Unit Development zoning originally granted in June 2016 for property located south of Highway 50, west of Miss Florida Avenue, and north and south of Hooks Street. The original approval was for 10.5 acres of C-2 General Commercial along Highway 50 and up to 342 multi-family units on the south side of the project fronting Hooks Street. The applicant discovered the originally approved waivers do not allow the project to be constructed as proposed.

Planning Manager Henschel provided an overview of the requested variances. The applicant is requesting a 5-foot break between the retaining walls, a cut and fill for 28 feet of cut and 28 feet of fill, and a sign variance for up to 18 feet in height. The request to allow automotive services and day care uses were withdrawn. The existing Planned Unit Development ordinance remains in effect.

Staff acknowledged a portion of the project was identified in the “Strategic Economic Development Plan” citing topography as a challenge with over 100 feet of elevation change. Staff could not support the proposed excessive topography changes, reduced landscape buffer between the retaining walls, taller monument signs, and the added automotive uses as requested by the applicant.

Jonathon Moore; Applicant, addressed comments from a Council workshop and stated the berm could not be removed due to underground utility structures. The height of the monument signs was researched, and the westbound traffic would see the 15-foot tall signs; however, the signs would not be visible by the eastbound traffic.

Mayor Ash opened the public hearing. There were no public comments. Mayor Ash closed the public hearing.

Council Member Bates was in favor of the request.

Council Member Mullins asked of the number of signs for the variance request. Mr. Moore stated there would be one sign per property.

Mayor Ash expressed concern of the signs causing drivers to become distracted.

Council Member Mullins suggested two 18-foot tall signs.

Council Member Goodgame and Bates were in agreement with Council Member Mullins.

Council Member Goodgame asked if elevators were included in the plans for the three story apartment buildings. Mr. Moore stated consideration of elevators was a premature decision.

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Mayor Ash and Council Member Bates spoke in opposition of requiring elevators.

Council Member Mullins inquired of the entrance into the parking lot. Bob Ziegenfuss; Z Development Services, stated utility relocations would be required in the area of the entrances.

Council Member Travis went on record as to her previous vote in opposition of the apartments.

Council Member Bates asked of the status of the storage units. City Manager Gray stated storage units were allowed; however, the units cannot be on Highway 50 and must be approved under an architectural review process.

Council Member Mullins moved to adopt Ordinance 2016-47 with a change to the sign height to allow only two 18-foot tall shopping center signs; seconded by Council Member Bates. The motion failed 3 to 2 with Mayor Ash, Council Member Goodgame, and Council Member Travis voting in opposition.

Items 12 and 13 were presented collectively and voted on separately.

Item No. 12 – Ordinance No. 2016-40, *Final – Density Amendment*

Deputy City Clerk Noak read Resolution 2016-40 aloud by title only.

An Ordinance of the City Council of the City of Clermont, Lake County, Florida, amending the Comprehensive Plan of the City of Clermont, Florida, pursuant to the Local Government Comprehensive Planning Act, Chapter 163, Part II, Florida Statutes by adopting text changes to the Future Land Use Element of the Comprehensive Plan to amend the maximum density for the Downtown Mixed Use Future Land Use category; setting forth the authority for adoption of the Comprehensive Plan amendments; setting forth the purpose and intent of the Comprehensive Plan Amendments; establishing the legal status of the Comprehensive Plan Amendments; providing for severability, conflict and an effective date.

Item No. 13 – Ordinance No. 2017-22, *Final – Density Bonus Criteria*

Deputy City Clerk Noak read Ordinance 2017-22 aloud by title only.

An Ordinance of the City Council of the City of Clermont, Lake County, Florida, amending the Land Development Code of the City of Clermont by adding Section 122-249, Density Bonus Criteria; setting forth standards and regulations for the criteria for the Density Bonus; and providing for conflict, severability, codification and an effective date.

Development Services Director Hollerand presented the change to the Future Land Use Element of the Comprehensive Plan Amendment to increase the residential density of the Downtown Mixed Use future land use classification from 12 units per acre to up to 40 units per acre.

Development Services Director reviewed the criteria for receiving bonus density consideration, which included fee simple ownership and quality building materials. The criteria for a higher density includes mandatory pedestrian improvements, trail connections, and urban design and or architecture.

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Eight additional criteria for consideration of densities above 25 units per acre and up to the maximum 40 units per acre include streetscape elements, transit facilities, parking structures, public parking, environmental sustainability, public open space, public art and or cultural facilities, and enhanced landscaping. The code outlines a compatibility review process to assess whether the project has the potential to negatively impact adjacent properties, and describes the required Community Benefit Agreement for final Council consideration.

Staff recommended approval of Comprehensive Plan Amendment and the Density Bonus Criteria.

Richard Levey; Levey Consulting, presented the three steps involved in the process. The density bonus is not an entitlement and there are mandatory requirements to be met when exceeding the density of 12 units per acre. The criteria to exceed 25 units per acre have eight additional requirements. The Land Development Code provides for a compatibility review process completed by staff, and a Community Benefit Agreement for final Council consideration.

Mayor Ash opened the public hearing. There were no public comments. Mayor Ash closed the public hearing.

Council Member Mullins moved for adoption of Ordinance 2016-40; seconded by Council Member Goodgame. The motion passed 5 to 0 on a roll call vote.

Council Member Mullins moved for adoption of Ordinance 2017-22; seconded by Council Member Goodgame. The motion passed 5 to 0 on a roll call vote.

Item No. 14 – Ordinance No. 2017-10 *Final, Lake Shore Drive right-of-way closing*

Mayor Ash announced the applicant requested to table to the March 28, 2017 Council meeting.

Deputy City Clerk Noak read Ordinance 2017-10 aloud by title only.

An Ordinance of the City Council of the City of Clermont, Lake County, Florida, closing and permanently abandoning the 40 foot right-of-way of Lake Shore Drive lying north of lots 11 thru 18, block 117, as recorded in the plat of Johnson's Replat Plat Book 8 Page 71 Public Records of Lake County, Florida; repealing all ordinances in conflict herewith, providing for severability, publication, recording, and for an effective date.

Council Member Mullins moved to table Ordinance 2017-10 to March 28, 2017; seconded by Council Member Goodgame. The motion passed with all members present voting aye.

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Items 15 and 16 were heard collectively and voted on separately.

Item No. 15 – Ordinance No. 2017-11 *Final, West Lake Small Scale Comprehensive Plan Amendment*

Deputy City Clerk Noak read Ordinance 2017-11 aloud by title only.

An Ordinance of the City Council of the City of Clermont, Lake County, Florida, adopting the Small Scale Comprehensive Plan Amendment for the City of Clermont, Florida, pursuant to the Local Government Comprehensive Planning Act, Chapter 163, Part II, Florida Statutes; setting forth the authority for adoption of the Small Scale Comprehensive Plan Amendment; setting forth the purpose and intent of the Small Scale Comprehensive Plan Amendment; providing for the adoption of the Small Scale Comprehensive Plan Amendment; establishing the legal status of the Small Scale Comprehensive Plan Amendment; providing a severability clause and providing an effective date.

Item No. 16 – Ordinance No. 2017-12 *Final, West Lake Rezoning*

Deputy City Clerk Noak read Ordinance 2017-12 aloud by title only.

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.

Senior Planner Kruse presented the administrative request to amend the Small Scale Comprehensive Plan changing the future land use from Medium Density Residential to the Downtown Mixed Use designation. The Downtown Mixed Use designation adjoins the property on three sides, is part of the Victory Pointe project, and will promote the expansion of the Downtown Mixed Use future land use.

Senior Planner Kruse presented the administrative request to change the zoning from the R-3 Residential/Professional District to CBD Central Business District. The property is approximately one acre in size and the City is in the process of developing the property into the regional stormwater pond and park, Victory Pointe. The Central Business District zoning adjoins the property on three sides, and the rezoning promotes the expansion of the Central Business District.

Staff recommended approval of Ordinance 2017-11 and Ordinance 2017-12.

Mayor Ash opened the public hearing. There were no public comments. Mayor Ash closed the public hearing.

Council Member Mullins moved for approval of Ordinance 2017-11; seconded by Council Member Goodgame. The motion passed 5 to 0 on a roll call vote.

Council Member Mullins moved for approval of Ordinance 2017-12; seconded by Council Member Goodgame. The motion passed 5 to 0 on a roll call vote.

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Items 17 and 18 were heard collectively and voted on separately.

Item No. 17 – Ordinance No. 2017-13 *Final, Victory Pointe LLC Small Scale Comprehensive Plan Amendment*

Deputy City Clerk Noak read Ordinance 2017-13 aloud by title only.

An Ordinance of the City Council of the City of Clermont, Lake County, Florida, adopting the Small Scale Comprehensive Plan Amendment for the City of Clermont, Florida, pursuant to the Local Government Comprehensive Planning Act, Chapter 163, Part II, Florida Statutes; setting forth the authority for adoption of the Small Scale Comprehensive Plan Amendment; setting forth the purpose and intent of the Small Scale Comprehensive Plan Amendment; providing for the adoption of the Small Scale Comprehensive Plan Amendment; establishing the legal status of the Small Scale Comprehensive Plan Amendment; providing a severability clause and providing an effective date.

Item No. 18 – Ordinance No. 2017-14 *Final, Victory Pointe, LLC Rezoning*

Deputy City Clerk Noak read Ordinance 2017-14 aloud by title only.

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

Senior Planner Kruse presented the request for a Small Scale Comprehensive Plan Amendment to change the future land use from Medium Density Residential to Downtown Mixed Use. The property adjoins the City's West Lake property and is adjacent to the City's regional stormwater pond and park, Victory Pointe.

Senior Planner Kruse presented the request to rezone the property adjacent to the City's regional stormwater pond and park, Victory Pointe. The property is approximately a half acre in size and is currently vacant. The applicant is requesting a change from the R-3 Residential/Professional District to CBD Central Business District. The Central Business District adjoins the property on the north side and will promote the expansion of the Central Business District.

Mark Graff; Applicant, was present.

Mayor Ash opened the public hearing. There were no public comments. Mayor Ash closed the public hearing.

Council Member Goodgame moved for approval of Ordinance 2017-13; seconded by Council Member Mullins. The motion passed 5 to 0 on a roll call vote.

Council Member Goodgame moved for approval of Ordinance 2017-14; seconded by Council Member Mullins. The motion passed 5 to 0 on a roll call vote.

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Item No. 19 – Ordinance No. 2017-21 *Final, The Shops at WaterBrooke Rezoning*

Mayor Ash announced the applicant requested to table to the March 28, 2017 Council meeting.

Deputy City Clerk Noak read Ordinance 2017-21 aloud by title only.

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.

Council Member Mullins moved to table Ordinance 2017-21 to March 28, 2017; seconded by Council Member Goodgame. The motion passed with all members present voting aye.

NEW BUSINESS

Item No. 20 – Variance Request *Woodwinds*

Planning Manager Henschel presented the variance request for a reduction of the required payment for replacement trees and to allow for 3-inch caliper replacement trees instead of the required 6-inch caliper trees. The applicant is proposing a multi-family development on a heavily wooded parcel located on Grand Highway, north of North Ridge Boulevard. The majority of the trees will be required to be removed the total estimated cost is \$324,827.00. The applicant has proposed to pay 10 percent of the total, which is \$32,482.70.

Attorney Jimmy Crawford; representing New Beginnings, stated the project has cost the applicant 1.5 million in impact fees, and \$175,000.00 in skink mitigation, in addition to annual property taxes. The applicant is unable to pay the mitigation cost and is requesting approval to pay \$32,482.70.

Mayor Ash opened the public hearing.

Mike Silowach; 210 Pleasant Hill Drive, spoke in opposition of the request.

Mayor Ash closed the public hearing.

Council Member Mullins asked of filling in a void area within the perimeter of the property with 6-inch caliper trees. Shawn Wilson; Blue Sky Communities, stated the void area could hold several 6-inch caliper trees. Attorney Crawford indicated the applicant would add the additional 6-inch caliper trees.

Council Member Bates inquired of the basis for the mitigation cost of 10 percent. Attorney Crawford stated the 10 percent was offered based on previous code violation settlements agreed to by the City Council.

Council Member Goodgame suggested basing the mitigation cost on the cost to purchase 325 trees.

City Attorney Mantzaris cautioned Council the mitigation cost was not a fine or a penalty, the mitigation cost was an option available to any property owner. The premises behind the tree replacement fund is to provide money for City to use to beautify other areas in the City.

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Council Member Bates moved for approval of the variance request; seconded by Council Member Mullins.

Mayor Ash inquired of the number of inches of trees which had been removed. Planning Manager Henschel stated 4,626 inches of trees were removed, and 975 inches of trees were replanted on the site. The mitigation amount is 3,651 inches.

Council Member Mullins called for the question.

Council Member Mullins stated the motion should be amended to grant the variance request with the requirement the applicant must plant the amount of 6-inch caliper trees necessary to fill the void area within the perimeter of the property.

Council Member Bates agreed to amend the motion as stated by Council Member Mullins. The motion passed with all members present voting aye.

ADJOURN: With no further comments, this meeting was adjourned at 9:00pm.

APPROVED:

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk



CITY OF CLERMONT

AGENDA ITEM

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Meeting Date		
Tuesday, April 11, 2017		
Agenda Item Name		
Plat Approval		
Requested Action		
Recommend approval of the Harvest Landing Phase 2B 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. Harvest Landing Phase 2B Plat	HARVEST LANDING - PHASE 2B Plat.pdf	

HARVEST LANDING - PHASE 2B
REPLATTING TRACT B AND A PORTION OF TRACT A, HARVEST LANDING, AS RECORDED IN PLAT BOOK 66, PAGES 27 THROUGH 30,
PUBLIC RECORDS OF LAKE COUNTY, FLORIDA
LOCATED IN SECTION 29, TOWNSHIP 22 SOUTH, RANGE 26 EAST
CITY OF CLERMONT, LAKE COUNTY, FLORIDA

Legal Description

PARCEL 1

A portion of Tract "A", HARVEST LANDING, according to the plat thereof, as recorded in Plat Book 66, Pages 27 through 30, Public Records of Lake County, Florida, described as follows:

BEGIN at the northwest corner of Tract I, HARVEST LANDING – PHASE 2A, according to the plat thereof, as recorded in Plat Book 68, Pages 8 and 9, Public Records of Lake County, Florida; said corner lying on the easterly line of Tract H, HARVEST LANDING; thence run along the boundary lines of said Tract H the following six (6) courses and distances: run N 00°25'16" W, a distance of 98.31 feet to a point of curvature of a curve, concave southeasterly, having a radius of 25.00 feet and a central angle of 85°25'16"; thence run northeasterly, along the arc of said curve, a distance of 37.27 feet to the point of tangency thereof; thence run N 85°00'00" E, a distance of 335.51 feet to a point of curvature of a curve, concave southerly, having a radius of 1,550.00 feet and a central angle of 21°23'48"; thence run easterly, along the arc of said curve, a distance of 578.84 feet to the point of tangency thereof; thence run S 73°36'12" E, a distance of 75.12 feet to a point of curvature of a curve, concave southwesterly, having a radius of 25.00 feet and a central angle of 73°25'42"; thence run southeasterly, along the arc of said curve, a distance of 32.04 feet to the point of tangency thereof; thence run S 00°10'30" E, a distance of 107.60 feet to a point on the northerly line of said Tract I; thence run westerly along said northerly line, the following courses and distances: run N 73°36'12" W, a distance of 129.77 feet to a point of curvature of a curve, concave southerly, having a radius of 1,429.00 feet and a central angle of 21°23'48"; thence run westerly, along the arc of said curve, a distance of 533.65 feet to the point of tangency thereof; thence run S 85°00'00" W, a distance of 368.28 feet to the POINT OF BEGINNING.

Containing 2.86 acres, more or less.

PARCEL 2

Tract "B", HARVEST LANDING, according to the plat thereof, as recorded in Plat Book 66, Pages 27 through 30, Public Records of Lake County, Florida, being more fully described as follows:

BEGIN at the northwest corner of Lot 59, HARVEST LANDING; thence run along the perimeter boundary lines of said Tract B, the following courses and distances: run N 00°10'30" W, a distance of 208.24 feet to a point of curvature of a curve, concave southwesterly, having a radius of 85.00 feet and a central angle of 73°25'42"; thence run northwesterly, along the arc of said curve, a distance of 108.93 feet to the point of tangency thereof; thence run N 73°36'12" W, a distance of 75.12 feet to a point of curvature of a curve, concave southerly, having a radius of 1,610.00 feet and a central angle of 10°42'50"; thence run westerly, along the arc of said curve, a distance of 301.06 feet to a point on said curve; thence run N 05°40'58" E, a distance of 121.00 feet to a point of curvature of a non-tangent curve, concave southerly, having a radius of 1,731.00 feet; thence, on a chord bearing of S 78°57'37" E and a chord distance of 323.21 feet, run easterly along the arc of said curve, a distance of 323.68 feet, through a central angle of 10°42'50" to the point of tangency thereof; thence run S 73°36'12" E, a distance of 227.70 feet; thence run S 00°10'30" E, a distance of 362.16 feet to a point on the aforesaid north line of Lot 59; thence run S 89°49'30" W, along the north line thereof, a distance of 120.00 feet to the POINT OF BEGINNING.

Containing 2.27 acres, more or less.

Surveyor's Notes:

1. Bearings are based on an assumed bearing of N 00°05'04" W along the west line of HARVEST LANDING as recorded in Plat Book 66, Pages 27 through 30, Public Records of Lake County, Florida.

2. No part of the lands described hereon are dedicated to the City of Clermont, Florida, or the general public, unless expressly stated herein.

3. The following tracts and easements comprise the common areas as more particularly defined in and by this plat of HARVEST LANDING – PHASE 2B and are hereby dedicated to and are to be maintained by the Harvest Landing Homeowners Association, Inc.:

Tract A (Recreation)
Retaining Wall, Landscape and Drainage Easements within Lots 77 and 93.
Wall, Fence, Maintenance and Drainage Easements as shown along the rear of Lots 77 through 93

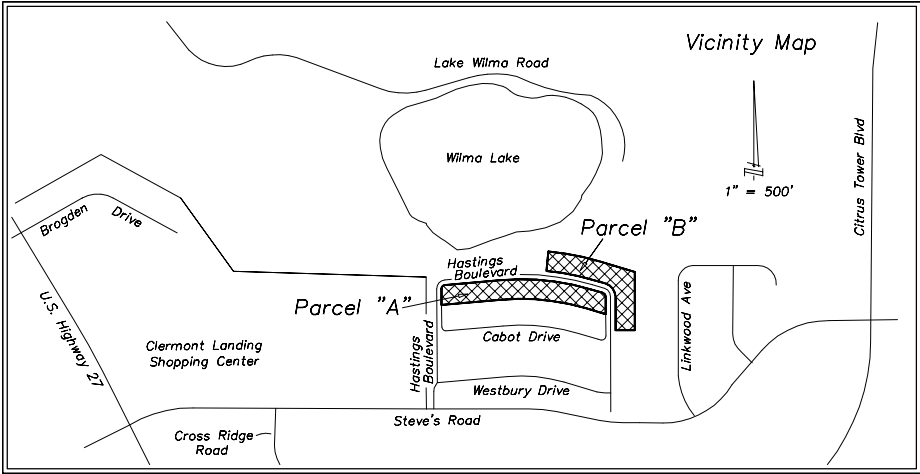
4. All platted Utility Easements shall also be easements for the construction, installation, maintenance, and operation of cable television services; provided, however, no such construction, installation, maintenance, and operation of cable television services shall interfere with the facilities and services of an electric, telephone, gas or other public utility. In the event a cable television company damages the facilities of a public utility, it shall be solely responsible for the damages. This section shall not apply to those private easements granted to or obtained by a particular electric, telephone, gas or other public utility. Such construction, installation, maintenance, and operation shall comply with the National Electrical Safety Code as adopted by the Florida Public Service Commission. (State Statute 177.091 (28)).

5. Unless otherwise shown on the plat, there is a 10.00 foot wide Utility Easement contiguous to all rights-of-way and a 7.50 foot wide Drainage and Utility Easement along all side Lot lines. There is a 7.50 foot wide Wall, Fence, Maintenance, Drainage and Utility Easement along the rear of Lots 77 through 93 unless otherwise shown. There is a Retaining Wall and Landscape, Drainage and Utility Easement within Lots 77 and 93.

6. Lot corners will be set in accordance with Chapter 177.091 (9), Florida Statutes, and the City of Clermont Land Development Regulations. Beazer Homes Corp. has released Ganung–Belton Associates, Inc. from setting the internal subdivision corners and will acquire the services of an additional surveying firm to complete the task.

7. Lot lines are radial unless noted as (NR) denoting non--radial lot line.

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 SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT, WHETHER GRAPHIC OR DIGITAL. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.



CERTIFICATE OF CLERK
I HEREBY CERTIFY, That I have examined the foregoing plat and find that 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

NOT REQUIRED

PLAT BOOK	PAGE
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HARVEST LANDING – PHASE 2B DEDICATION

KNOW ALL MEN BY THESE PRESENTS, That the undersigned named below, being the owner in fee simple of the lands described in the foregoing caption to this plat, hereby dedicates said lands and plat for the uses and purposes herein expressed, subject to the general notes contained herein.

1. TO HARVEST LANDING HOMEOWNERS ASSOCIATION, INC.:
Tract A is dedicated as a Recreation tract.
A Drainage Easement is hereby granted over those areas designated as Drainage Easements shown or noted hereon.
2. TO THE CITY OF CLERMONT: A Utility Easement is hereby granted over, across and upon those areas designated as Utility Easements shown hereon.
3. TO PROVIDERS OF ELECTRIC, TELEPHONE, CABLE TELEVISION SERVICES: A Utility Easement is hereby granted over, across, and upon those areas designated as Utility Easements as shown hereon.

IN WITNESS WHEREOF, said owner has caused these presents to be signed by THE authorized signatory named below this ____ day of _____, 2017.

BEAZER HOMES, LLC
a Delaware limited liability company
By: _____
Name: _____
Title: _____

Signed and Sealed in the presence of:

witness

witness

(print name)

(print name)

STATE OF _____ COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____, 2017, by _____, _____ of BEAZER HOMES, LLC, a Delaware limited liability company, on behalf of the company. He [is personally known to me] [has produced _____ as identification].

Notary Public _____
Print Name _____
My Commission No. _____
My Commission Expires _____

STATEMENT OF REVIEWER

Pursuant to Section 177.081, Florida Statutes, I have reviewed this plat for conformity to Chapter 177, Part 1, Florida Statutes, and find that said plat complies with the technical requirements of that Chapter; provided, however, that my review does not include field verification of any of the coordinates, points or measurements shown on this plat.

Signature

Date
Professional Surveyor and Mapper No. _____

CERTIFICATE OF APPROVAL BY MUNICIPALITY

THIS IS TO CERTIFY, that this plat was reviewed in accordance with Section 177.081, Florida Statutes and presented to the CITY COUNCIL of Clermont, Lake County, Florida, and approved by said CITY COUNCIL of Clermont for the record on the ____ day of _____, 2016, 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

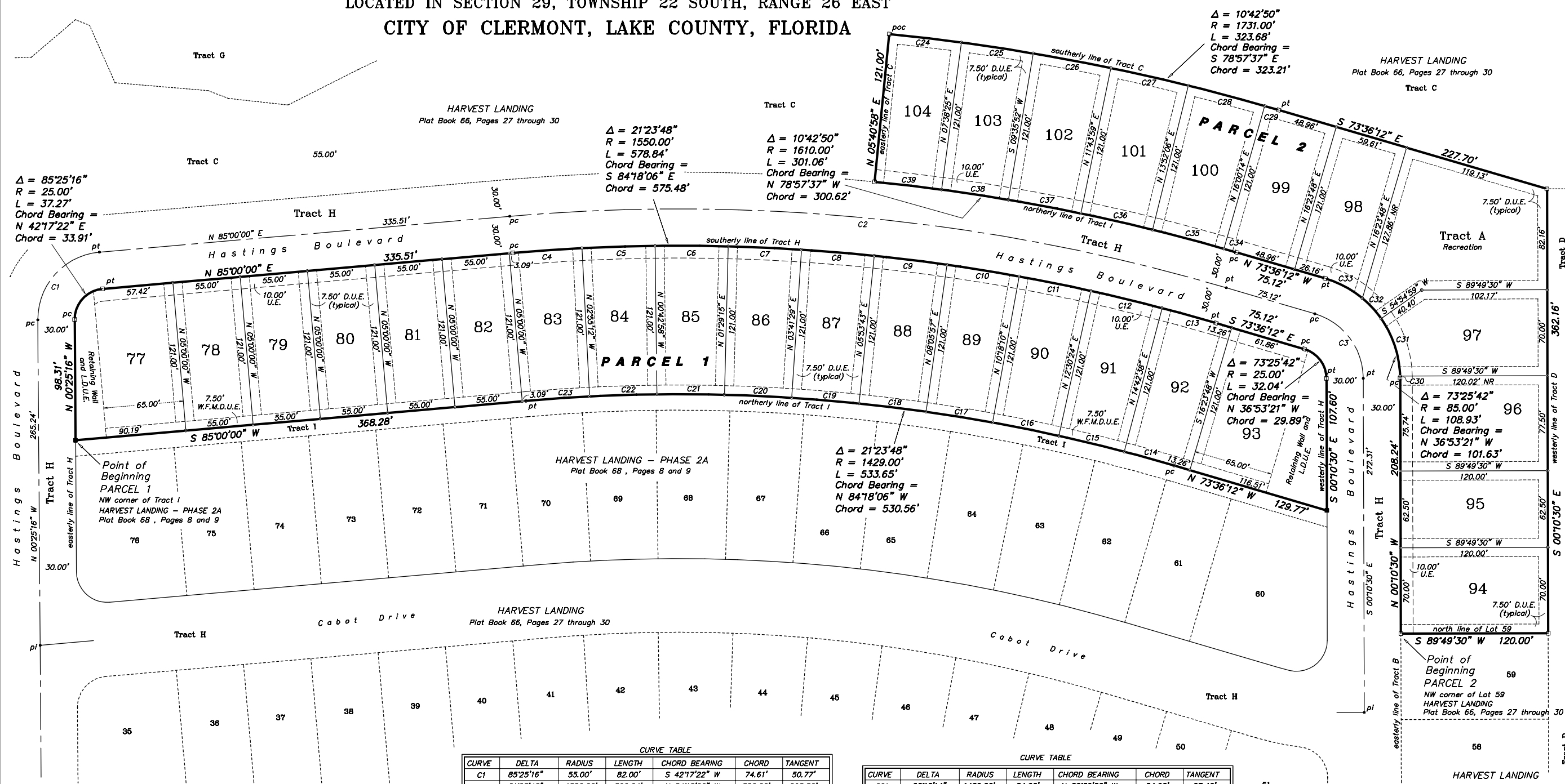
CERTIFICATE OF SURVEYOR

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, being a Professional Surveyor and Mapper, fully licensed to practice in the State of Florida, does hereby certify that the plat was prepared under his direction and supervision and it complies with all the survey requirements of Chapter 177, Part 1, Platting, Florida Statutes.

Surveyor's Signature _____ Date: _____
R. CLAYTON GANUNG LS 4236
Surveyor's Name _____ Surveyor's Registration Number
GANUNG–BELTON ASSOCIATES, INC. LB 7194
Legal Entity's Name _____ Legal Entity's Cert. Of Auth. No.
1275 E. ROBINSON ST., ORLANDO, FLA., 32801
Legal Entity's Address _____

HARVEST LANDING - PHASE 2B

REPLATTING TRACT B AND A PORTION OF TRACT A, HARVEST LANDING, AS RECORDED IN PLAT BOOK 66, PAGES 27 THROUGH 30,
PUBLIC RECORDS OF LAKE COUNTY, FLORIDA
LOCATED IN SECTION 29, TOWNSHIP 22 SOUTH, RANGE 26 EAST
CITY OF CLERMONT, LAKE COUNTY, FLORIDA

**Legend**

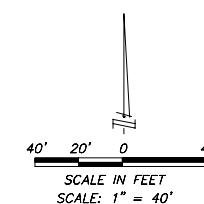
- L — arc length
- △ — central angle
- R — radius or radial
- pt — point of tangency
- pc — point of curvature
- pi — point of intersection
- pcc — point of compound curvature
- pac — point on curve
- LB — Licensed Business
- LS — Licensed Surveyor
- NR — non-radial
- U.E. — Utility Easement
- L.D.U.E. — Landscape, Drainage and Utility Easement
- D.U.E. — Drainage and Utility Easement
- W.F.M.D.U.E. — Wall, Fence, Maintenance, Drainage and Utility Easement
- Individual Lot and Tract corners to be set by others (see Note 6)
- indicates permanent control point (PCP) found nail and disc (PRM LB 7194)
- indicates permanent reference monument (PRM) set nail and disc (PRM LB 7194)
- indicates permanent reference monument (PRM) set 4"x4" concrete monument (PRM LB 7194)
- indicates permanent reference monument (PRM) found 4"x4" concrete monument (PRM LB 7194)

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD	TANGENT
C1	85°25'16"	55.00'	82.00'	S 42°17'22" W	74.61'	50.77'
C2	21°23'48"	1580.00'	590.04'	N 84°18'06" W	586.62'	298.50'
C3	73°25'42"	55.00'	70.49'	N 36°53'21" W	65.76'	41.02'
C4	2°04'48"	1550.00'	56.27'	S 86°02'24" W	56.27'	28.14'
C5	02°12'14"	1550.00'	59.62'	S 88°10'55" W	59.62'	29.81'
C6	02°12'14"	1550.00'	59.62'	N 89°36'52" W	59.62'	29.81'
C7	02°12'14"	1550.00'	59.62'	N 87°24'38" W	59.62'	29.81'
C8	02°12'14"	1550.00'	59.62'	N 85°12'24" W	59.62'	29.81'
C9	02°12'14"	1550.00'	59.62'	N 83°00'10" W	59.62'	29.81'
C10	02°12'14"	1550.00'	59.62'	N 80°47'57" W	59.62'	29.81'
C11	02°12'14"	1550.00'	59.62'	N 78°35'43" W	59.62'	29.81'
C12	02°12'14"	1550.00'	59.62'	N 76°23'29" W	59.62'	29.81'
C13	01°41'10"	1550.00'	45.61'	N 74°26'47" W	45.61'	22.81'
C14	01°41'11"	1429.00'	42.06'	N 74°26'47" W	42.05'	21.03'
C15	02°12'14"	1429.00'	54.96'	N 76°23'29" W	54.96'	27.49'
C16	02°12'14"	1429.00'	54.96'	N 78°35'43" W	54.96'	27.49'
C17	02°12'14"	1429.00'	54.96'	N 80°47'57" W	54.96'	27.49'
C18	02°12'14"	1429.00'	54.96'	N 83°00'10" W	54.96'	27.49'
C19	02°12'14"	1429.00'	54.96'	N 85°12'24" W	54.96'	27.49'
C20	02°12'14"	1429.00'	54.96'	N 87°24'38" W	54.96'	27.49'

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD	TANGENT
C21	02°12'14"	1429.00'	54.96'	N 89°36'52" W	54.96'	27.49'
C22	02°12'14"	1429.00'	54.96'	S 88°10'55" W	54.96'	27.49'
C23	02°04'48"	1429.00'	51.88'	S 86°02'24" W	51.88'	25.94'
C24	01°57'27"	1731.00'	59.14'	N 83°20'18" W	59.13'	29.57'
C25	01°57'27"	1731.00'	59.14'	N 81°22'52" W	59.13'	29.57'
C26	02°08'07"	1731.00'	64.51'	N 79°20'05" W	64.51'	32.26'
C27	02°08'07"	1731.00'	64.51'	N 77°11'57" W	64.51'	32.26'
C28	02°08'07"	1731.00'	64.51'	N 75°03'50" W	64.51'	32.26'
C29	00°23'35"	1731.00'	11.87'	N 73°47'59" W	11.87'	5.94'
C30	01°11'12"	85.00'	1.76'	N 00°46'06" W	1.76'	0.88'
C31	33°43'19"	85.00'	50.03'	N 18°13'21" W	49.31'	25.76'
C32	15°20'39"	85.00'	22.76'	N 42°45'20" W	22.70'	11.45'
C33	23°10'32"	85.00'	34.38'	N 62°00'56" W	34.15'	17.43'
C34	00°23'34"	1610.00'	11.04'	N 73°47'59" W	11.04'	5.52'
C35	02°08'07"	1610.00'	60.00'	N 75°03'50" W	60.00'	30.01'
C36	02°08'07"	1610.00'	60.00'	N 77°11'57" W	60.00'	30.01'
C37	02°08'07"	1610.00'	60.00'	N 79°20'05" W	60.00'	30.01'
C38	01°57'27"	1610.00'	55.00'	N 81°22'52" W	55.00'	27.50'
C39	01°57'27"	1610.00'	55.00'	N 83°20'18" W	55.00'	27.50'





CITY OF CLERMONT

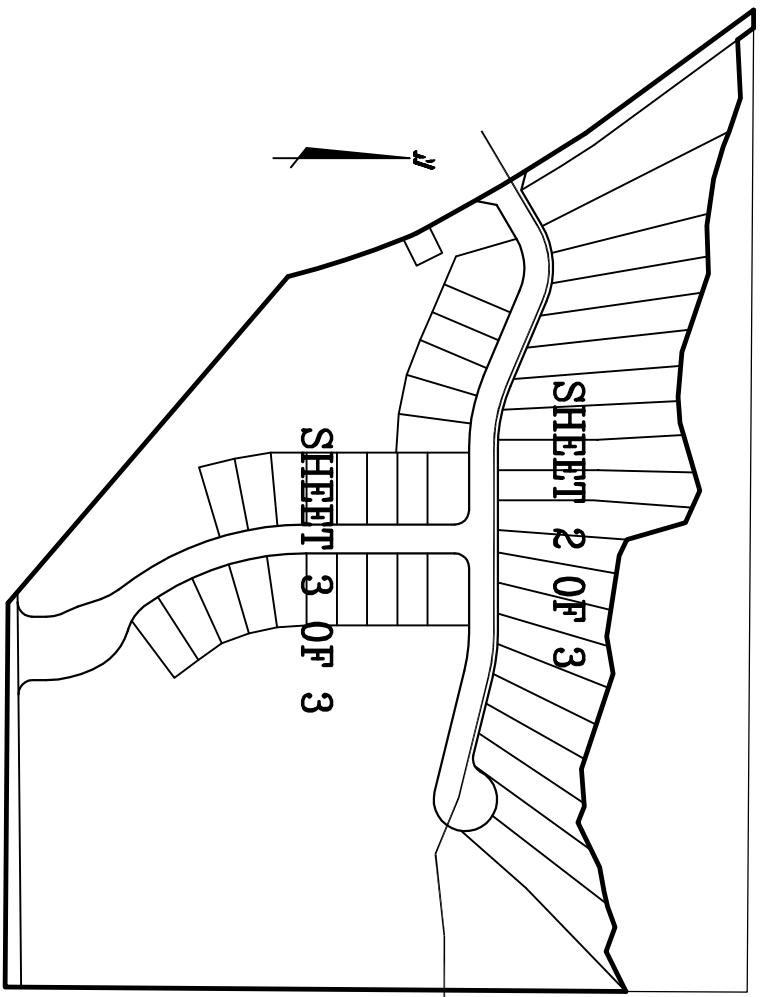
AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, April 11, 2017		
Agenda Item Name		
Plat Approval		
Requested Action		
Recommend approval of the Innovation at Hidden Lake 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 Final approved Innovation at Hidden Lake FP(full set).pdf		

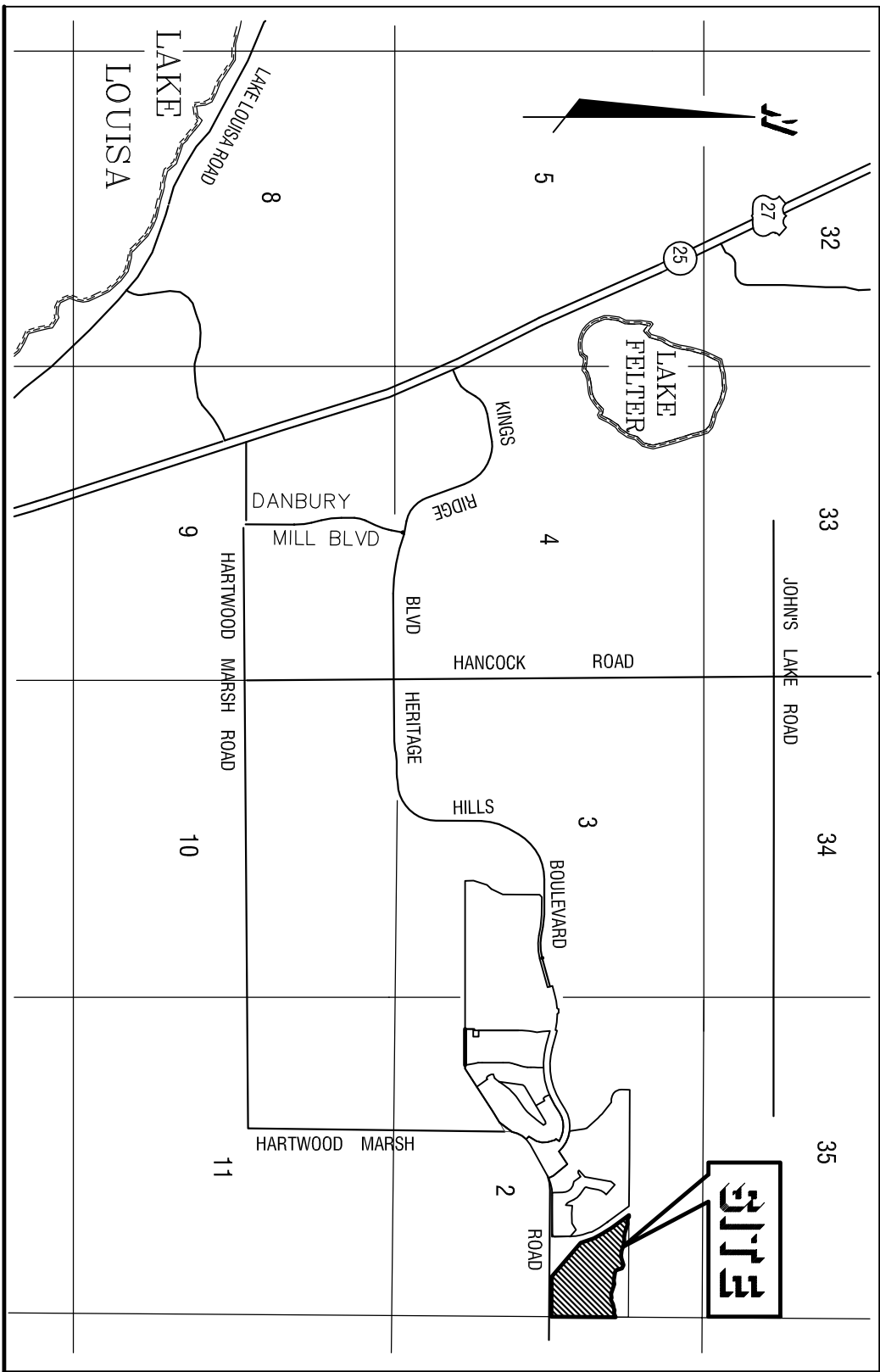
INNOVATION AT HIDDEN LAKE
LYING IN SECTION 2, TOWNSHIP 23 SOUTH, RANGE 26 EAST,
CITY OF CLERMONT, LAKE COUNTY, FLORIDA.

SHEET 1 OF 3



NOTES:

- BEARINGS SHOWN HEREON ARE FLORIDA STATE PLANE COORDINATE EAST ZONE BASED ON LENGEMANN L-NET GLOBAL NAVIGATION SATELLITE SYSTEM (GNSS) NETWORK, THAT IS CRITIFIED BY WATMAN GROUP, INCORPORATED, AND IS BASED ON NORTH AMERICAN DATUM OF 1983, 2007 ADJUSTMENT (SPCS83-2007) THIS SURVEY WAS CHECKED TO NGS STATION 1K 174* AND REFERENCED TO THE NORTH LINE OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 2, TOWNSHIP 23 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, AS BEING SOUTH 89°37'36" EAST.
- ALL PLATTED UTILITY EASEMENTS SHALL PROVIDE THAT SUCH EASEMENTS SHALL ALSO BE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES. PROVIDED, HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. IN THE EVENT A CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES. THIS SECTION SHALL NOT APPLY TO THOSE PRIVATE EASEMENTS GRANTED TO OR OBTAINED BY A PARTICULAR ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY, SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION SHALL COMPLY WITH THE NATIONAL ELECTRICAL SAFETY CODE AS ADOPTED BY THE FLORIDA PUBLIC SERVICE COMMISSION.
- STATE PLANE COORDINATES SHOWN HEREON AND THEIR COMPUTED VALUES SHALL BE SUBORDINATED TO THE MONUMENTS, BEARINGS AND DISTANCES SHOWN ON THIS PLAT.
- ALL LOT LINES ARE NON-RADIAL, UNLESS NOTED. RADIAL LINES ARE NOTED BY (R).
- TRACTS "A", AND "B" SHALL BE OWNED AND MAINTAINED BY INNOVATION AT HIDDEN LAKE HOMEOWNERS ASSOCIATION, INC. FOR THE PURPOSE OF SIGNAGE, RETAINING WALL, DRAINAGE, UTILITIES AND LANDSCAPING.
- TRACT "C" SHALL BE OWNED AND MAINTAINED BY THE CITY OF CLERMONT FOR THE PURPOSE OF A SANITARY SEWER LIFT STATION.
- TRACT "D" SHALL BE OWNED AND MAINTAINED BY LAKE COUNTY, FLORIDA, FOR THE PURPOSE OF ADDITIONAL RIGHT OF WAY FOR HARTWOOD MARSH ROAD.
- TRACT "E" SHALL BE OWNED AND MAINTAINED BY INNOVATION AT HIDDEN LAKE HOMEOWNERS ASSOCIATION, INC. FOR THE PURPOSE OF LANDSCAPING AND SIGNAGE.
- TRACT "F" SHALL BE OWNED AND MAINTAINED BY INNOVATION AT HIDDEN LAKE HOMEOWNERS ASSOCIATION, INC. FOR THE PURPOSE OF A COMMUNITY PARK.
- TRACT "G" CONSISTS OF ALL THE INTERNAL ROADWAYS SHOWN HEREON AND SHALL BE OWNED AND MAINTAINED BY INNOVATION AT HIDDEN LAKE HOMEOWNERS ASSOCIATION, INC. FOR THE PURPOSE OF LANDSCAPE, DRAINAGE, UTILITIES AND ROAD RIGHTS OF WAY. IT IS SPECIFICALLY UNDERSTOOD THAT NO OBLIGATION IS IMPOSED UPON THE CITY OF CLERMONT, NOR SHALL ANY REQUEST EVER BE ENTERTAINED BY THE CITY TO MAINTAIN OR IMPROVE TRACT "G".
- A CONSERVATION EASEMENT WITHIN TRACT "G" IS DEPOSITED TO AND MAINTAINED BY INNOVATION AT HIDDEN LAKE HOMEOWNERS ASSOCIATION, INC. SUBJECT TO A CONSERVATION EASEMENT AND RELATED INSTRUMENTS RECORDED IN OFFICIAL RECORDS BOOK 2315, PAGE 1566, RECORDS OF LAKE COUNTY, FLORIDA.
- LANDS DESCRIBED HEREON ARE SUBJECT TO AND/OR ARE THE BENEFICIARY OF THE FOLLOWING LISTED INSTRUMENTS RECORDED IN THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA:
 - DEVELOPER AGREEMENT FOR RECLAMATION ACTIVITIES RELATED TO THE CENTER LAKE SAND MINE RECORDED IN OFFICIAL RECORDS BOOK 2315, PAGE 1566.
 - EASEMENT IN FAVOR OF FLORIDA POWER CORPORATION RECORDED IN OFFICIAL RECORDS BOOK 394, PAGE 73 (DOES NOT AFFECT PROPERTY).
 - EASEMENT IN FAVOR OF FLORIDA POWER CORPORATION RECORDED IN OFFICIAL RECORDS BOOK 534, PAGE 289 (DOES NOT AFFECT PROPERTY).
 - CITY OF CLERMONT MISCELLANEOUS ORDINANCE NO. 459-M FOR ANNEXATION RECORDED IN OFFICIAL RECORDS BOOK 4473, PAGE 2357.



DESCRIPTION

THAT PORTION OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2464, PAGES 589 THROUGH 601 PUBLIC RECORDS OF LAKE COUNTY, FLORIDA AND LYING IN SECTION 2, TOWNSHIP 23 SOUTH, RANGE 26 EAST, CITY OF CLERMONT, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A 4" X 4" CONCRETE MONUMENT STAMPED P.R.M. LB 7514 AT THE NORTHWEST CORNER OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SAID SECTION 2 AS SHOWN ON THE PLAT OF HERITAGE HILLS PHASE 6A AS RECORDED IN PLAT BOOK 66, PAGES 21 THROUGH 24, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN ON A BEARING RELATED TO FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, S89°37'38"E ALONG THE NORTH LINE OF SAID SOUTH 1/2 OF THE NORTHEAST 1/4, FOR 942.99 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S89°37'38"E ALONG SAID NORTH LINE FOR 31.41 FEET; THENCE DEPARTING SAID NORTH LINE, S56°15'27"E FOR 34.19 FEET TO THE NORTH LINE OF PROPOSED JOHNS LAKE CONSERVATION EASEMENT; THENCE ALONG SAID NORTH LINE OF JOHNS LAKE CONSERVATION EASEMENT THE FOLLOWING TWENTY-FIVE (25) COURSES: N87°17'25"E FOR 101.71 FEET; THENCE S71°39'50"E FOR 60.52 FEET; THENCE S67°58'49"E FOR 28.66 FEET; THENCE S87°47'10"E FOR 82.45 FEET; THENCE N8°06'28"E FOR 83.30 FEET; THENCE S71°14'15"E FOR 143.84 FEET; THENCE S57°51'35"E FOR 77.70 FEET; THENCE N8°10'14"E FOR 45.46 FEET; THENCE N7°32'36"E FOR 122.84 FEET; THENCE S85°37'38"E FOR 60.92 FEET; THENCE S16°03'44"E FOR 105.63 FEET; THENCE S84°39'30"E FOR 30.97 FEET; THENCE S81°06'40"E FOR 142.22 FEET; THENCE N8°01'48"E FOR 65.28 FEET; THENCE S71°40'04"E FOR 174.53 FEET; THENCE N8°25'24"E FOR 65.37 FEET; THENCE S67°33'50"E FOR 30.13 FEET; THENCE N6°10'41"E FOR 86.29 FEET; THENCE N79°14'17"E FOR 43.51 FEET; THENCE N76°47'59"E FOR 26.61 FEET; THENCE N70°25'06"E FOR 37.40 FEET; THENCE S70°03'09"E FOR 44.75 FEET; THENCE N67°38'15"E FOR 77.54 FEET TO THE EAST LINE OF SAID NORTHEAST 1/4 OF SECTION 2; THENCE S00°25'46"W ALONG SAID EAST LINE FOR 107.93 FEET TO THE NORTHERLY RIGHT OF WAY LINE FOR HARTWOOD MARSH ROAD (AN 80.00 FOOT WIDE RIGHT OF WAY) AS RECORDED IN OFFICIAL RECORDS BOOK 1289, PAGES 1991 AND 1992, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE N89°32'50"W ALONG SAID NORTHERLY RIGHT OF WAY LINE FOR 66°17 FEET TO THE NORTHEASTERLY LINE OF THAT CERTAIN 170.00 FOOT WIDE FLORIDA POWER CORPORATION EASEMENT (NO DOCUMENTATION AVAILABLE); THENCE DEPARTING SAID NORTHERLY RIGHT OF WAY LINE, N49°22'10"W ALONG SAID NORTHEASTERLY EASEMENT LINE FOR 746.55 FEET TO THE NORTHEASTERLY LINE OF SAID SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 2; THENCE CONTINUE SAID NORTHEASTERLY LINE NORTHEASTERLY LINE RUN NORTHERLY ALONG THE ARC OF SAID CURVE FROM A RADIAL LINE WHICH BEARS N75°44'17"E THROUGH A CENTRAL ANGLE OF 07°53'30" FOR A DISTANCE OF 225.25 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 100.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 05°50'52" FOR A DISTANCE OF 10.21 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 4056.38 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 04°46'02" FOR A DISTANCE OF 337.50 FEET TO A POINT OF NON TANGENT; THENCE N46°15'27"W FOR 365.31 FEET TO THE POINT OF BEGINNING.

CONTAINING 30.85 ACRES MORE OR LESS.

VICINITY MAP
NOT TO SCALE

NOTICE: AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE PLAT. THE PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE PLAT. THE SUBDIVISION LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED 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.

PLAT BOOK PAGE

DEDICATION
INNOVATION AT HIDDEN LAKE

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.

- TO INNOVATION AT HIDDEN LAKE HOMEOWNERS ASSOCIATION, INC.: Tracts "A", "B", "C", "D", "E", "F", and "G" are hereby dedicated to INNOVATION AT HIDDEN LAKE HOMEOWNERS ASSOCIATION, INC. for the purpose of LANDSCAPING, DRAINAGE, UTILITIES AND ROAD RIGHTS OF WAY. IT IS SPECIFICALLY UNDERSTOOD THAT NO OBLIGATION IS IMPOSED UPON THE CITY OF CLERMONT, NOR SHALL ANY REQUEST EVER BE ENTERTAINED BY THE CITY TO MAINTAIN OR IMPROVE TRACT "G".
- TO LOT OWNERS OF INNOVATION AT HIDDEN LAKE: A perpetual ingress and egress easement is hereby granted over, across and upon Tract "G" for the purpose of accessing said utility easements. Tract "C" is hereby dedicated exclusively for sanitary sewer lift station.
- TO PROVIDERS OF ELECTRIC, TELEPHONE, CABLE TELEVISION SERVICES: A utility easement is hereby granted over, across and upon Tract "G" and those areas designated as utility easements shown herein, including the right of ingress and egress over and across Tract "C" for the purpose of accessing said utility easements. Tract "C" is hereby dedicated exclusively for sanitary sewer lift station.
- TO THE CITY OF CLERMONT: A utility easement is hereby granted over, across and upon Tract "G" and those areas designated as utility easements shown herein, including the right of ingress and egress over and across Tract "C" for the purpose of accessing said utility easements. Tract "C" is hereby dedicated exclusively for sanitary sewer lift station.
- TO LAKE COUNTY: Tract "D" is hereby dedicated to the public for additional right of way purposes.

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:

1. SIGNATURE _____ OWNER: LENNAR HOMES LLC
a Florida corporation
PRINTED NAME _____
2. SIGNATURE _____ BROOK NICHOLAS, VICE PRESIDENT
PRINTED NAME _____
STATE OF _____ COUNTY OF _____
The foregoing Dedication was acknowledged before me this _____ day of _____ 20____, by _____ Lennar Homes LLC
as Vice-President
He is personally known to me or (has produced _____
as identification) and (did) (did not) take an oath.
Signature of Acknowledger _____
Printed name of Acknowledger _____
My commission expires: _____ (SEAL OR STAMP)

CERTIFICATE OF APPROVAL OF MUNICIPALITY
THIS IS TO CERTIFY, that this plat was reviewed in accordance with Section 177.061, Florida Statutes and presented to the CITY COUNCIL of Clermont, Lake County, Florida, and approved by said CITY COUNCIL, on _____ 20____, provided that this plat is recorded in the office of the Clerk of the 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
PRINT NAME _____ PRINT NAME _____
REVIEWER STATEMENT

Pursuant to Section 177.061, Florida Statutes, I have reviewed this plat for conformity to Chapter 177, Part 1, Florida Statutes, and find that said plat complies with the technical requirements of that Chapter; provided, however, that my review does not include field verification of any of _____
CPH, Inc. — 500 West Fulton Street, Sanford, FL 32771
For the firm: (407) 322-6841 Licensed Business No. 7143
Date _____
RANDALL L. ROBERTS, VICE PRESIDENT
PROFESSIONAL SURVEYOR AND MAPPER No. 3144 _____

CERTIFICATE OF SURETYOR

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, being a duly qualified Surveyor and duly licensed and practicing under State direction and supervision, and that this plat complies with all the requirements of Chapter 177, Part 1, Florida Statutes, and that this plat complies with all the requirements of Chapter 177, Part 1, Florida Statutes.
Booth Ern Strouphan Holt, Inc. — 902 North Sinclair Avenue
Towers, FL 32778 Licensed Business No. 7514

JENNINGS E. GREEN Dated _____
PROFESSIONAL LAND SURVEYOR #4486 _____



INNOVATION AT HIDDEN LAKE

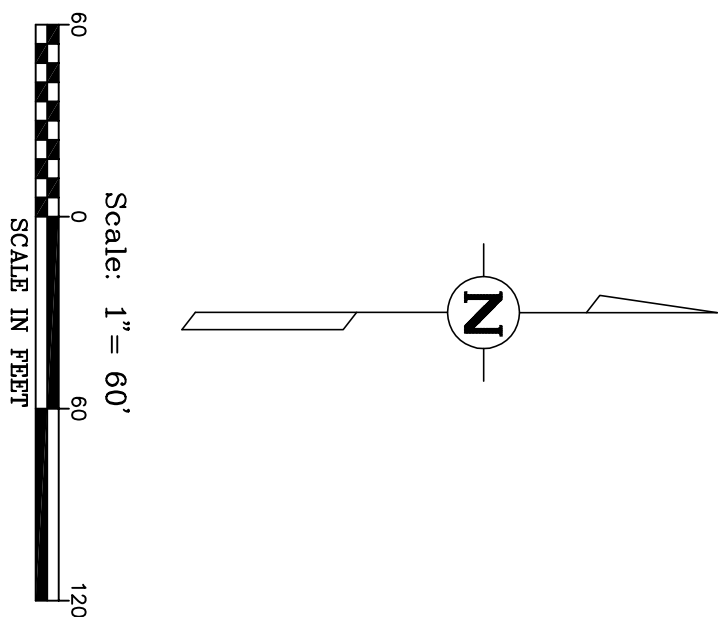
LYING IN SECTION 2, TOWNSHIP 23 SOUTH, RANGE 26 EAST, CITY OF CLERMONT, LAKE COUNTY, FLORIDA.

SHEET 2 OF 3

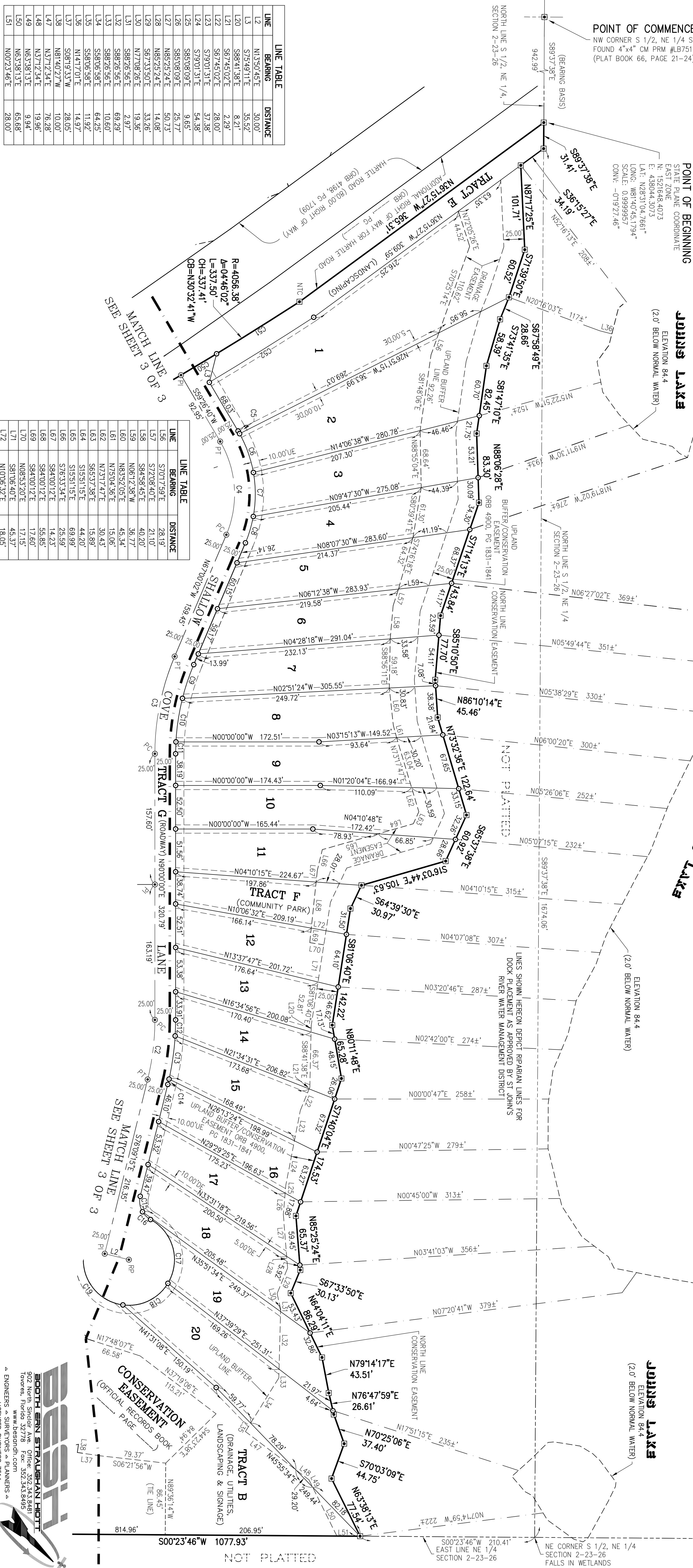
PLAT BOOK

PAGE

- LEGEND**
- PERMANENT REFERENCE MONUMENT - SET 4"x 4" CONCRETE MONUMENT WITH DISC STAMPED "BESH PRM LB#7514" UNLESS OTHERWISE NOTED
 - PERMANENT REFERENCE MONUMENT - FOUND 4"x 4" CONCRETE MONUMENT WITH DISC STAMPED "PRM LB#7514" UNLESS OTHERWISE NOTED
 - PERMANENT CONTROL POINT - SET NAIL & DISK STAMPED "BESH POP LB#7514" UNLESS OTHERWISE NOTED
 - INDIVIDUAL LOT & TRACT CORNERS TO BE SET BY OTHERS (SEE NOTE 3, SHEET 1)
 - CONCRETE MONUMENT
 - LICENSED BUSINESS
 - CHORD DISTANCE (DELTA ANGLE)
 - CHORD BEARING
 - POINT OF CURVATURE
 - POINT OF COMPOUND CURVATURE
 - POINT OF INTERSECTION
 - POINT OF TANGENCY
 - POINT OF BEGINNING
 - CHORD LINE
 - RADIUS
 - LENGTH
 - DRAINAGE EASEMENT
 - UTILITY EASEMENT
 - REFERENCE TO CURVE TABLE
 - REFERENCE TO LINE TABLE
 - OFFICIAL RECORDS BOOK
 - NON TANGENT CURVE
 - NTC
- SECTION 2-23-26 = SECTION 2, TOWNSHIP 23 SOUTH, RANGE 26 EAST



CURVE TABLE				
CURVE	CENTRAL ANGLE	RADIUS	ARC LENGTH	CHORD
C2	135°45'	300.00'	12.50'	72.32'
C3	225°38'	300.00'	120.42'	119.62'
C4	53°33'18"	125.00'	116.84'	112.63'
C5	01°27'55"	150.00'	3.84'	56.01°38'W
C6	19°01'37"	150.00'	49.81'	S7°02°24'W
C7	20°21'47"	150.00'	53.31'	N89°52°54'W
C8	12°41'59"	150.00'	33.25'	N7°22'02"W
C9	08°56'21"	275.00'	42.86'	S7°28'13"E
C10	11°04'39"	275.00'	53.17'	S8°28'43"E
C11	02°58'57"	325.00'	14.32'	S88°17'45"W
C12	03°24'29"	325.00'	19.33'	N88°17'45"W
C13	09°16'23"	325.00'	52.60'	N8°57'19"W
C14	01°09'53"	325.00'	6.61'	N76°44'11"W
C15	4°17'48"	25.00'	19.33'	N8°41'51"E
C16	31°13'53"	25.00'	13.62'	N4°56'10"E
C17	92°50'51"	25.00'	89.13'	S7°44'50"W
C18	66°20'43"	55.00'	63.69'	N25°39'23"W
C19	96°19'46"	55.00'	92.47'	N55°40'52"E
C20	00°42'23"	4056.38'	50.00'	N3°05'43"W
C51	01°40'00"	4056.38'	117.99'	N3°05'42"W
C52	02°04'54"	4081.38'	148.28'	N31°56'50"W



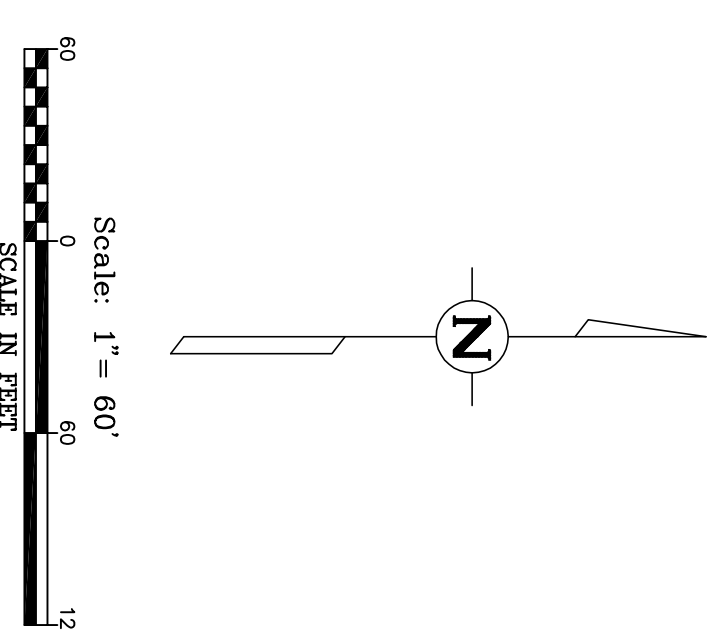
BESH
BOOTH ERN STUBBINS HICHT
902 North Shores 778 Office 352-253-6691
1500 W. 11th St. Suite 1000
www.beshandco.com
ENGINEERS & SURVEYORS & PLANNERS
LICENSED BUSINESS 7514

INNOVATION AT HIDDEN LAKE LYING IN SECTION 2, TOWNSHIP 23 SOUTH, RANGE 26 EAST, CITY OF CLERMONT, LAKE COUNTY, FLORIDA.

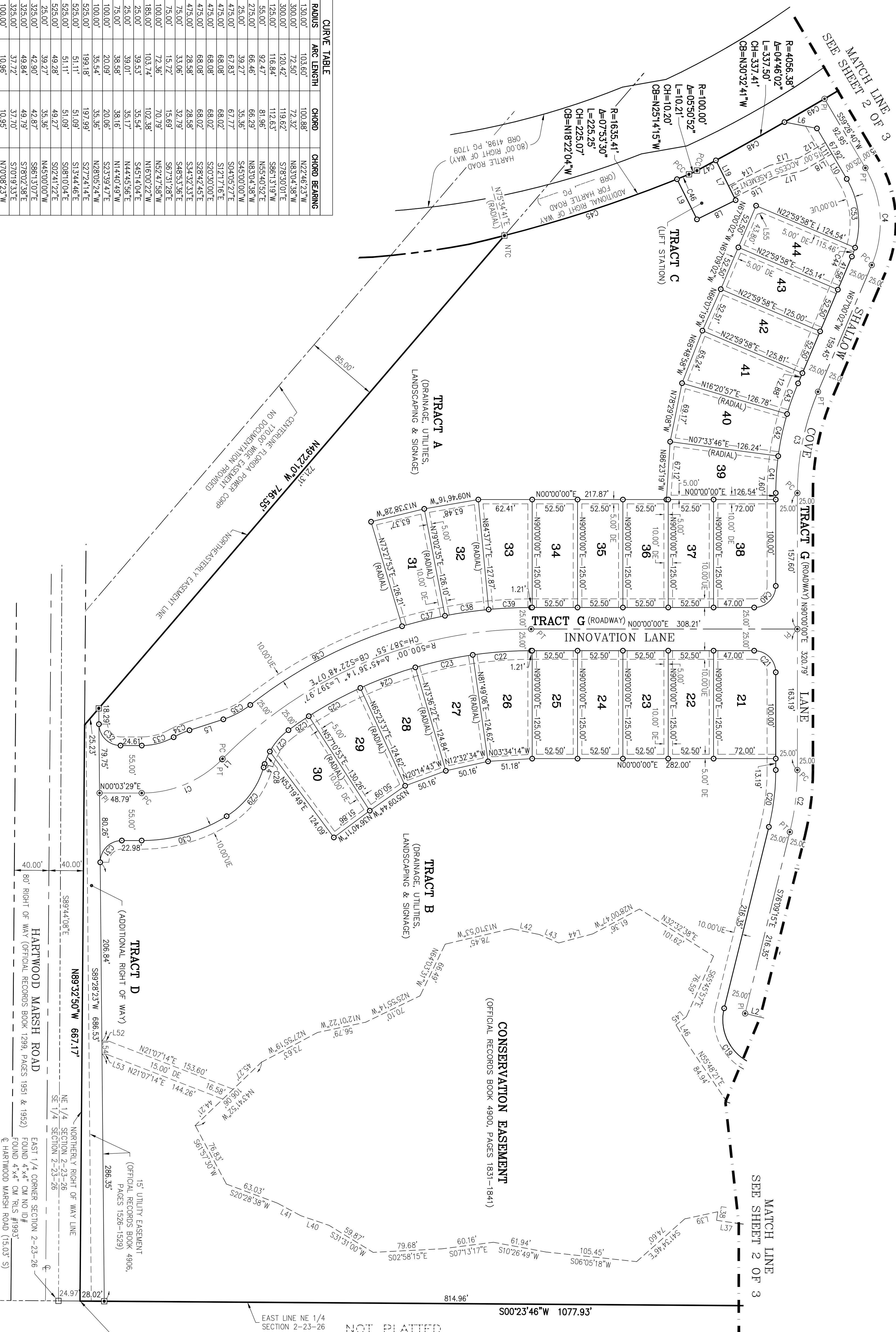
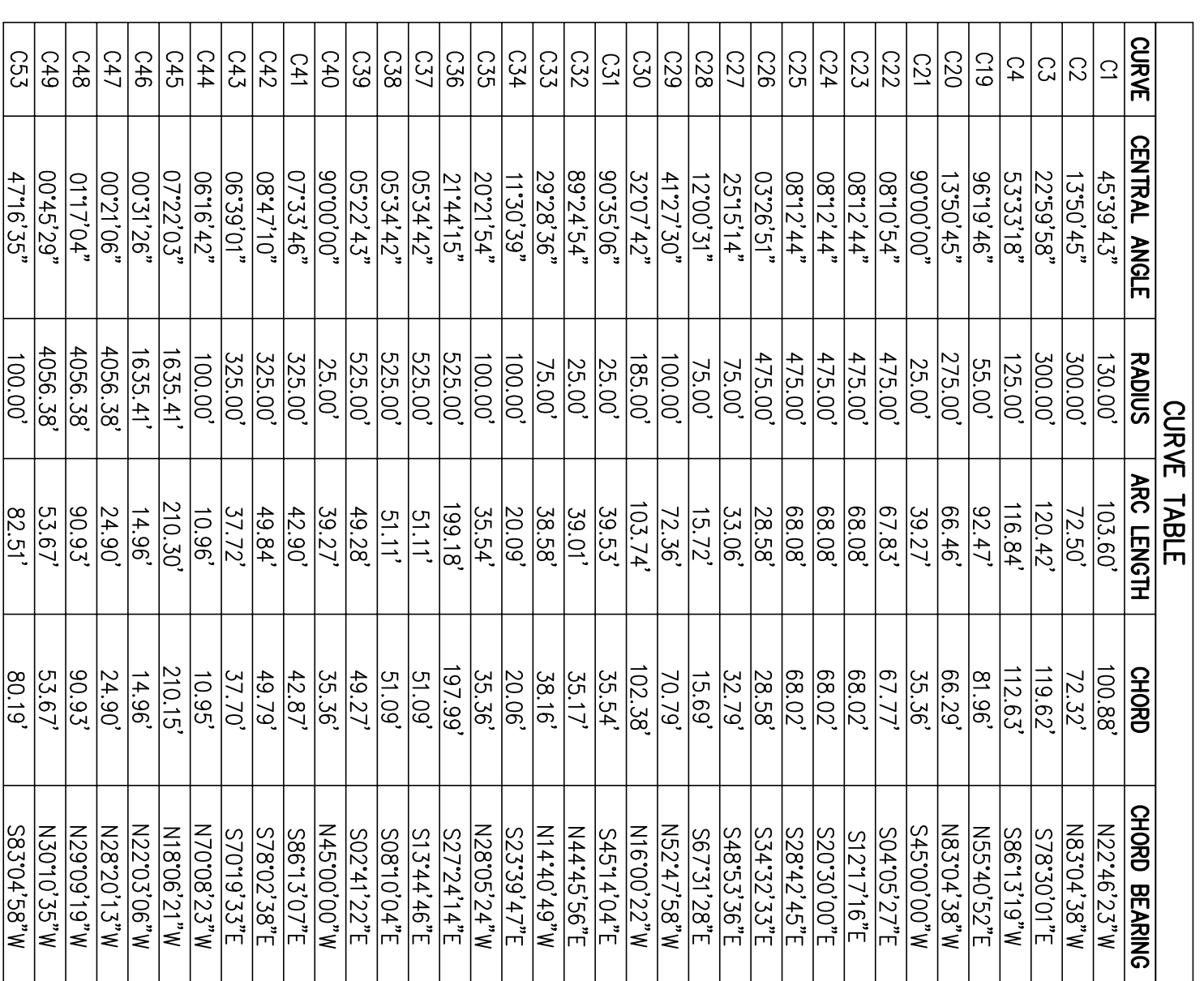
SHEET 3 OF 3

PLAT BOOK

PAGE



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N45.3614°W	0.86
L2	N13.50.45°E	3.00
L4	N73.51.43°W	41.90
L5	N175.4°28'W	41.16
L6	N105.9620°E	38.30
L7	N63.5716°E	51.44
L8	S26.22244°E	50.00
L9	S63.5716°W	51.92
L10	S59.26.40'W	33.92
L11	S59.26.40'W	35.07
L12	S30.33.20°E	35.77
L13	S13.53.22°E	34.42
L14	S26.22244°E	53.37
L15	N63.5716°E	15.00
L16	N26.22244°W	51.23
L17	N13.53.22°W	34.97
L18	N30.33.20°W	37.97
L19	N63.5716°E	32.94
L37	S08.01.33°E	28.05
L38	N81.40.27°W	10.00
L39	S12.10.43°E	39.09
L40	S16.51.46°W	34.61
L41	S28.16.04°W	30.70
L42	N11.39.28°E	33.29
L43	N23.53.07°E	24.43
L44	N14.50.40°W	40.84
L45	S35.56.28°E	22.46
L46	S59.06.24°E	25.40
L52	N02.49.17°E	8.78
L53	N02.49.17°E	5.36
L54	S98.28.23°W	15.04
L55	N16.22.13°W	8.53



STATE PLANE COORDINATE
EAST ZONE
N: 1520349.0051
E: 439740.8318
LAT: N28°30'51.9959"
LONG: W81°40'26.0833"
SCALE: 0.99999949
CONV: -0°19'18.21"



902 North Sinclair Ave. Office: 352
Tavares, Florida 32778 Fax: 352
www.besandh.com
△ ENGINEERS △ SURVEYORS △ PLANNING
LICENSED BUSINESS 751



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, April 11, 2017		
Agenda Item Name		
Surplus Request		
Requested Action		
Recommend approved of surplus from the Environmental Services Department.		
Staff Report		
The Purchasing Department, on behalf of the Environmental Services recommends approval of the above action. The following inventory have reached their end of life service and approval to surplus these items is being requested. Environmental Services Department Qty: Property Description (1) 2000 Dodge Ram Truck Vehicle No. 5213 - 96,150 miles (1) 2001 Dodge Ram Truck Vehicle No. 4204 - 135,125 miles (1) 2001 Dodge Ram Truck Vehicle No. 5227 - 97,400 miles (1) 2006 Ford Ranger Truck Vehicle No. 5236 - 75,900 miles (1) 2007 Ford Ranger Truck Vehicle No. 5237- 88,50 miles (1) 2008 Ford Ranger Truck Vehicle No. 5248 - 124,000 miles (1) 2008 Ford Ranger Truck Vehicle No. 5249 - 115,600 miles (4) Hydrants Salvageable surplus property will be sold through GovDeals.com, an electronic auction website for government property. Non-salvageable property will be disposed of appropriately.		
Additional Analysis		
Fiscal Impact Summary		
Surplus property is anticipated to be sold for approximately \$12,400.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Environmental Services Property Disposal Forms	Environmental Services Property Disposal Forms.pdf	
2. Environmental Services Property Disposal Forms_Hydrants	Environmental Services Property Disposal Form_Hydrants.pdf	

PROPERTY DISPOSAL FORM

Department: Environmental Services

Property Tag #: _____

Contact Person: Heather Wooding

Phone: 352-241-0178

Year / Make / Model: 2001 Dodge Ram

Vehicle No. 4204

Miles / Hours: 135,125

Serial / VIN: 3B7KC26W61M531189

Description of Property 2001 Dodge Ram Truck

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

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

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

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

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

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

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

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

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

☒ **OTHER:** Surplus

Director Signature: _____

Date: 3/13/2017

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

Date Approved by City Council: _____

Agenda Item: _____

Method of Disposal: _____

Date Disposed: _____

Purchasing Director: _____

Date: _____

Munis Asset Number: _____

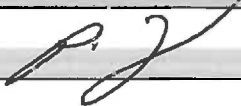
PROPERTY DISPOSAL FORM

Department: Environmental Services Property Tag #:
Contact Person: Heather Wooding Phone: 352-241-0178
Year / Make / Model: Vehicle No. 5213
Miles / Hours: 96,150 Serial / VIN: 1B7HF16Y6YS626382
Description of Property Dodge Ram Truck

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

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

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

Director Signature: 

Date: 3/13/2017

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

Date Approved by City Council:

Agenda Item:

Method of Disposal:

Date Disposed:

Purchasing Director:

Date:

Munis Asset Number:

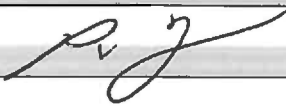
PROPERTY DISPOSAL FORM

Department: Environmental Services Property Tag #:
Contact Person: Heather Wooding Phone: 352-241-0178
Year / Make / Model: 2001 Dodge Ram Vehicle No. 5227
Miles / Hours: 97,400 Serial / VIN: 3B6KC26W21M531419
Description of Property 2001 Dodge Ram Truck

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

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

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

Director Signature: 

Date: 3/13/2017

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

Date Approved by City Council:

Agenda Item:

Method of Disposal:

Date Disposed:

Purchasing Director:

Date:

Munis Asset Number:

PROPERTY DISPOSAL FORM

Department: Environmental Services Property Tag #:
Contact Person: Heather Wooding Phone: 352-241-0178
Year / Make / Model: 2006 Ford Ranger Vehicle No. 5236
Miles / Hours: 75,900 Serial / VIN: 1FTYR10D56PA49194
Description of Property 2006 Ford Ranger Truck

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

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

- ☐ **CANNIBALIZED:** The equipment is in non-repairable condition but components parts of the equipment may be used to repair or replace parts on other pieces of equipment.
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- ☐ **SCRAP:** Any metallic material that can be dissolved to produce new metals.
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- ☒ **OTHER:** Surplus

Director Signature: 

Date: 3/13/2017

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

Date Approved by City Council:

Agenda Item:

Method of Disposal:

Date Disposed:

Purchasing Director:

Date:

Munis Asset Number:

PROPERTY DISPOSAL FORM

Department: Environmental Services Property Tag #:
Contact Person: Heather Wooding Phone: 352-241-0178
Year / Make / Model: 2007 Ford Ranger Vehicle No. 5237
Miles / Hours: 88,500 Serial / VIN: 1FTYR10D36PA49193
Description of Property 2007 Ford Ranger Truck

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

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

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

Director Signature: 

Date: 3/13/2017

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

Date Approved by City Council:

Agenda Item:

Method of Disposal:

Date Disposed:

Purchasing Director:

Date:

Munis Asset Number:

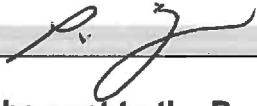
PROPERTY DISPOSAL FORM

Department: Environmental Services Property Tag #:
Contact Person: Heather Wooding Phone: 352-241-0178
Year / Make / Model: 2008 Ford Ranger Vehicle No. 5248
Miles / Hours: 124,000 Serial / VIN: 1FTYR10U37PA67484
Description of Property 2008 Ford Ranger Truck

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

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

- ☐ **CANNIBALIZED:** The equipment is in non-repairable condition but components parts of the equipment may be used to repair or replace parts on other pieces of equipment.
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- ☐ **ABANDONED:** Property which has been left behind by owner or unclaimed and recovered by the Police Department (abandoned property does not require City Council approval).
- ☒ **OTHER:** Surplus

Director Signature: 

Date: 3/13/2017

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

Date Approved by City Council:

Agenda Item:

Method of Disposal:

Date Disposed:

Purchasing Director:

Date:

Munis Asset Number:

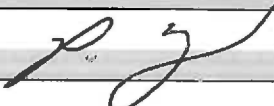
PROPERTY DISPOSAL FORM

Department: Environmental Services Property Tag #:
Contact Person: Heather Wooding Phone: 352-241-0178
Year / Make / Model: 2008 Ford Ranger Vehicle No. 5249
Miles / Hours: 115,600 Serial / VIN: 1FTYR10U08PA08930
Description of Property 2008 Ford Ranger Truck

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

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

- ☐ **CANNIBALIZED:** The equipment is in non-repairable condition but components parts of the equipment may be used to repair or replace parts on other pieces of equipment.
- ☐ **LOST / STOLEN:** Accidental loss or damage - disposition is unknown (Police report must be attached to this form).
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- ☐ **ABANDONED:** Property which has been left behind by owner or unclaimed and recovered by the Police Department (abandoned property does not require City Council approval).
- ☒ **OTHER:** Surplus

Director Signature: 

Date: 3/13/2017

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

Date Approved by City Council:

Agenda Item:

Method of Disposal:

Date Disposed:

Purchasing Director:

Date:

Munis Asset Number:

PROPERTY DISPOSAL FORM

Department: Environmental Services

Property Tag #:

Contact Person: Heather Wooding

Phone:

Year / Make / Model: 1-Mueller and 3-American

Vehicle No.

Miles / Hours:

Serial / VIN: N/A

Description of Property 4 hydrants

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

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

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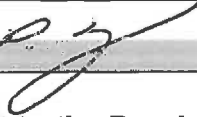
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☐ **ABANDONED:** Property which has been left behind by owner or unclaimed and recovered by the Police Department (abandoned property does not require City Council approval).

☒ **OTHER:** 4 hydrants that were replaced during the water line replacement due to age and parts not available for repairs

Director Signature: 

Date: 3/23/2017

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

Date Approved by City Council:

Agenda Item:

Method of Disposal:

Date Disposed:

Purchasing Director:

Date:

Munis Asset Number:



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, April 11, 2017		
Agenda Item Name		
Event and Road Closure Request		
Requested Action		
Recommend approval of the Clermont Downtown Partnership's annual Harvest Festival with road closures and hayride.		
Staff Report		
The Clermont Downtown Partnership (CDP) requests to host their annual "Harvest Festival" in Historic Downtown Clermont on October 28, 2017. The CDP is requesting road closures on Saturday, October 28, 2017 beginning at 7am and ending at 6pm. Road closures would include: -Montrose Street from Lake Avenue to the driveway of the former Police Station -7th Street between Desoto Street and the entrance of the City Hall parking lot -8th Street from Montrose Street to Minneola Avenue -A small portion of the public parking lot between the South Lake Animal League and the Moonlight Players Attached is a map detailing the road closures. The organization has agreed to comply with all personnel requirements from the City of Clermont. The CDP is also requesting that a hayride be approved for this event. The organization conducting the hayride will follow all traffic rules and regulations.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Harvest Festival Council Packet Harvest Festival Council Packet.pdf		



**SPECIAL EVENT
PERMIT
APPLICATION**

Attn: Chris or Maritza



SPECIAL EVENTS PERMIT APPLICATION

PLEASE TYPE OR PRINT CLEARLY

Today's Date

1/4/17

Name of Event

Clermont Harvest Festival

Date(s) of Event

10/28/17

Estimated Attendance: 3,500 plus

Event Start Time:

10 AM

Event End Time:

6 PM

Before Event Setup Time:

7 AM

After Event Cleanup Time:

9 PM

Name of Organization/Applicant

Clermont Downtown Partnership

The refundable deposit will be made payable and mailed to the name and address of the applicant listed

Check Type of Organization

☐ Resident

☐ Non Resident

☒ Non-Profit

☐ Business

Non-Profit documentation must be provided with application.

Tax Exempt

☒ Yes

☐ No

If yes, provide Tax Exempt #

If Yes, you must provide your Tax Exempt Certificate with application.

Federal ID # or Driver's License #

Event Contact

Erika Shanoff

Email

erikastearoom@gmail.com

Day Phone

908-670-2305

Cell Phone

732-616-5779

Address

787 W. Montrose St

City

Clermont

State

FL

Zip

34711

Secondary Contact

Ron Smart

Phone #

405-204-0839

Briefly Describe Event:

vendors in 10x10 canopy tents w/ handmade/homemade arts/crafts, jewelry, cottage industry food trucks, temporary food vendors, selling gifts, kids games, etc.

Location of Event on City Property:

☐ A

☐ B

☐ C

☒ D

☐ Map 1

☐ Map 2

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

Other Location:

see attached detailed map

PLEASE COMPLETE THE FOLLOWING QUESTIONNAIRE AND RETURN WITH YOUR APPLICATION

Alcohol Served: ☐ Yes ☒ No

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 ☐ No Size of Tent* 10x10, etc.

*Tents larger than 900 sq ft will require an additional permit

Electrical Use: ☒ Yes ☐ No Describe the need: bumpouts in landscape

Additional permits may be required based on use

Electrical Power Provided: ☐ Generator ☐ Temporary Power Drop ☐ Property Power

Gas Fueled Equipment: ☒ Yes ☐ No Describe Use: food trucks, temp food

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

Fuel Source ☒ Propane ☐ Natural Gas ☐ Diesel Fuel ☐ Gasoline

Cooking Equipment Use: ☒ Yes ☐ No

If Yes, subject to approval as required by the Florida DBPR, Division of Hotels and Restaurants. Contact number 1-850-487-1395

Cooking Types: ☒ Fryers ☒ Propane Grill ☐ Charcoal Grill ☒ Concession Trailer ☒ Food Trucks

Insurance may be required by provider

Rides: ☒ Yes ☐ No

Ride Types: ☐ Mechanical ☐ Bounce Houses ☒ Animals

Insurance may be required by provider

Pyrotechnic/Fireworks Displays: ☐ Yes ☒ No

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 ☐ No

Written submission for road closure is required and will require city council approval

Fire or Law Enforcement Stand-by Requested: ☐ Yes ☒ No city assigned officer

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

DJ, Band, Music or Sound Amplification Devices: ☒ Yes ☐ No

Describe: DJ in center of street

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.

Banners or Attention Getting Devices: ☒ Yes ☐ No

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.

Banner at 8th & Hwy 50

SPECIAL EVENTS COST ESTIMATOR

NAME OF EVENT: Clermont Harvest Festival
 DATE OF EVENT: 10/28/17
 EVENT CONTACT: Erika Shanoff, Clermont Downtown Partnership
 REFUND MAILING ADDRESS: 787 W. Montrose St.
Street Address
Clermont FL 34711
City ST Zip
 CELL PHONE: 908-670-2305

Payment Deadline:

Application Fee and deposit are due upon submission. Final payment is due 14 days prior to event date.

Final payment not received by the due date will be assessed a 10% late payment fee per week on balance due.

	NON-PROFIT/ RESIDENT RATE	BUSINESS/ NON-RESIDENT RATE	SPECIAL INSTRUCTION	FEE
Application Fee	\$10	\$10	Non-Refundable	\$10
CITY PROPERTY:				
HIGHLANDER BUILDING AND PAVILION ~ AREA A (BLUE)				
Deposit	\$250	\$250	Refundable	
Hourly Fee	\$70	\$110	Per Hour (2 Hour Minimum)	
Daily Fee	\$700	\$1100		
PARK AREA ~ AREA B (RED)				
Deposit	\$150	\$150	Refundable	
Hourly Fee	\$25	\$50	Per Hour (2 Hour Minimum)	
Daily Fee	\$200	\$300		
WATERFRONT ~ AREA C (YELLOW)				
Deposit	\$350	\$350	Refundable	
Hourly Fee	\$100	\$190	Per Hour (2 Hour Minimum)	
Daily Fee	\$1000	\$1900		
CITY HALL PARK - DOWNTOWN ~ AREA D (GREEN)				
Deposit	\$150	\$150	Refundable	
Hourly Fee	\$25	\$50	Per Hour (2 Hour Minimum)	
Daily Fee	\$200	\$300		
- ADDITIONAL FEES ~ TO BE DETERMINED BY CITY STAFF				
Additional City Staff	\$25	\$25	Per Person, Per Hour	
Public Works Event Staff	\$25	\$25	2 hr min, per staff	
Police Officer	\$30	\$30	4 hr min, Per Officer	
Fire/ EMS	\$60	\$60	4 hr min, 2 staff min	
Fire Boat in the Water	\$100	\$100	Per Hour	
				7% Sales Tax
				GRAND TOTAL

Please waive all fees associated with this event as described including Public Works/Police/Fire and so forth, application fee, area use fee, etc.

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.

Erika Shanoff
Applicant's Signature

Erika Shanoff
Printed Name

CDP Board Member
Title

1/6/17
Date

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

Department / Division Routing:

- | | | |
|----------------------|----------------------------------|----------------------------|
| a) Police Department | b) Development Services Dept | c) Public Works Department |
| d) Fire Department | e) 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.

Hayride Directions for Harvest Festival

1. Left out of back of parking lot and down West Mineolla.
2. Make a right onto West Avenue and stop at Historic Village.
3. Right on West Osceola Street.
4. Left on East Avenue.
5. Left onto Palm Street.
6. Left onto 2nd Street.
7. Right onto Orange Ave.
8. Left on 3rd Street.
9. Right on Mineolla Avenue and straight to parking lot.



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, April 11, 2017		
Agenda Item Name		
Special Event Signage Request		
Requested Action		
Recommend approval for the Caribbean American Association of Lake County to temporarily erect signage for the promotion of their annual "Clermont Jerk Festival".		
Staff Report		
The Caribbean American Association of Lake County (CAALC) is requesting to erect temporary signage for the promotion of the annual "Clermont Jerk Festival" on June 10, 2017 at Waterfront Park. The organization would like to place signage on City property at the following locations with the following details. -East Avenue and North Palm Street Signage will be erected on June 1, 2017 and removed on June 11, 2017. Dimensions of the banner will be 3'x8' and a proof of the artwork is attached. -Cut Road at Clermont Water Tower Signage will be erected on May 20, 2017 and removed on June 11, 2017. Dimensions of the banner will be 4'x4' and a proof of the artwork is attached.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. CAALC - Banner Proof Banner proof final.JPG		

COME & ENJOY A TASTE OF THE CARIBBEAN!



June 10th • 12pm • 10pm
**CLERMONT
WATERFRONT PARK**



www.CAALC.org

COME & ENJOY A TASTE OF THE CARIBBEAN!



June 10th • 12pm - 10pm

**CLERMONT
WATERFRONT
PARK**



www.CAALC.org

Funding Scholarships & the Lake Steel Orchestra



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, April 11, 2017		
Agenda Item Name		
Interlocal Agreement <i>Revised Contribution</i>		
Requested Action		
Request approval of revised Interlocal Agreement with Lake County for a total amount of \$316,991.92.		
Staff Report		
Environmental Services is requesting approval of the revised Interlocal Agreement with Lake County approved on December 13, 2016 for the John's Lake Road water main relocation. Lake County bid the job and it came back requiring an additional \$139,991.92 for a total cost of \$316,991.92.		
Additional Analysis		
Fiscal Impact Summary		
The revised contribution amount of \$316,991.92 is included in the FY 2017 approved budget.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
\$316,991.92	41533-66307 Capital Outlay - Water Systems	\$400,000.00
Exhibits Attached (copies of original agreements)		
1. Notice of Intent to Award	NOI - Johns Lake Rd.pdf	
2. Bid Tabulation	Bid Comp Johns Lk Rd.pdf	



March 29, 2017

Mr. Darren Gray, City Manager
685 West Montrose Street
Clermont, FL 34711

RE: Interlocal Agreement Between Lake County and the City of Clermont for Johns Lake Road Infrastructure Agreement – **Notice of Intent to Award**

Dear Mr. Gray:

This letter shall serve as the County's intent to award the Johns Lake Road Widening and Resurfacing and Sidewalk Project, Bid No. 17-0812, to Goodwin Bros. Construction, Inc. in the amount of \$2,109,986.25. Award of the project will be scheduled for approval at the Board of County Commissioners' meeting on April 18, 2017.

Attached is the bid comparison for your review. Of the \$2,109,986.25 proposed award amount, \$316,991.92 is for the City's utility project as described in the referenced agreement. We have not yet received the City's payment of \$177,000.00, which represents the estimated cost of the utility project. As stipulated in the agreement, the City shall remit the funding to the County within twenty (20) days of the date of this notice in order to proceed with this project. Please remit the bid amount of \$316,991.92.

I look forward to hearing from you soon. Our intent is to issue notice to proceed with construction to the selected contractor as soon as possible. Construction could begin on this project by the end of May 2017.

Thank you for your cooperation. I can be reached at (352)253-6005.

Sincerely,

Jim Stivender, Jr., P.E., P.L.S.
Director

Attachment: Bid comparison

c: Lori Koontz, Road Operations Division Manager
Paul Roy, Environmental Services Director

PUBLIC WORKS DEPARTMENT
P.O. BOX 7800 ♦ TAVARES, FLORIDA 32778-7800 ♦ P 352.253.6000 ♦ F 352.253.6016
Board of County Commissioners ♦ www.lakecountyfl.gov

Johns Lake Road Widening and Resurfacing
Project No. 2017-04

ENGINEER'S ESTIMATE \$1,482,905		Goodwin Bros Construction, Inc.			D.A.B. Constructors, Inc.			CW Roberts Contracting, Inc.		
DESCRIPTION	UNIT	UNIT PRICE	QUANTITY	AMOUNT	UNIT PRICE	QUANTITY	AMOUNT	UNIT PRICE	QUANTITY	AMOUNT
ROADWAY CONSTRUCTION										
Mobilization	LS	\$ 24,150.00	1.00	\$ 24,150.00	\$ 140,967.83	1.00	\$ 140,967.83	\$ 240,000.00	1.00	\$ 240,000.00
Maintenance of Traffic	LS	\$ 27,600.00	1.00	\$ 27,600.00	\$ 70,000.00	1.00	\$ 70,000.00	\$ 90,000.00	1.00	\$ 90,000.00
Excavation Cut	CY	\$ 8.91	24,864.00	\$ 221,538.24	\$ 5.00	23,215.00	\$ 116,075.00	\$ 9.25	24,967.00	\$ 230,944.75
Excavation Fill	CY	\$ 9.60	2,534.00	\$ 24,326.40	\$ 5.00	3,812.00	\$ 19,060.00	\$ 4.00	2,749.00	\$ 10,996.00
Grading/Final Dressing	LS	\$ 14,187.60	1.00	\$ 14,187.60	\$ 18,000.00	1.00	\$ 18,000.00	\$ 53,000.00	1.00	\$ 53,000.00
Clear and Grub	LS	\$ 10,127.00	1.00	\$ 10,127.00	\$ 33,000.00	1.00	\$ 33,000.00	\$ 63,000.00	1.00	\$ 63,000.00
6" Compacted Base (under sidewalk)	SY	\$ 2.72	4,495.00	\$ 12,226.40	\$ 2.50	5,006.00	\$ 12,515.00	\$ 2.00	6,635.00	\$ 13,270.00
12" Stabilized Shoulder (40 LBF)	SY	\$ 2.59	15,570.00	\$ 40,326.30	\$ 2.85	17,100.00	\$ 48,735.00	\$ 3.00	15,220.00	\$ 45,660.00
10" Limerock (2 lifts)	SY	\$ 10.03	15,570.00	\$ 156,167.10	\$ 12.50	14,900.00	\$ 186,250.00	\$ 13.00	14,410.00	\$ 187,330.00
1" Minimum SP 9.5	SY	\$ 5.05	14,235.00	\$ 71,886.75	\$ 5.80	15,080.00	\$ 87,464.00	\$ 5.50	14,100.00	\$ 77,550.00
1.5" Minimum SP 12.5	SY	\$ 7.55	14,235.00	\$ 107,474.25	\$ 8.00	14,900.00	\$ 119,200.00	\$ 7.10	14,100.00	\$ 100,110.00
Concrete Removal	LS	\$ 4,111.00	1.00	\$ 4,111.00	\$ 1,695.00	1.00	\$ 1,695.00	\$ 2,600.00	1.00	\$ 2,600.00
Asphalt Removal	LS	\$ 16,754.00	1.00	\$ 16,754.00	\$ 14,125.00	1.00	\$ 14,125.00	\$ 2,500.00	1.00	\$ 2,500.00
Prime and Sand	SY	\$ 0.50	14,235.00	\$ 7,117.50	\$ 0.55	16,189.00	\$ 8,903.95	\$ 0.55	21,045.00	\$ 11,574.75
Tack Coat	SY	\$ 0.50	14,235.00	\$ 7,117.50	\$ 0.27	29,980.00	\$ 8,094.60	\$ 0.40	14,280.00	\$ 5,712.00
Curb Type F	LF	\$ 14.40	6,900.00	\$ 99,360.00	\$ 15.00	7,912.00	\$ 118,680.00	\$ 15.50	7,135.00	\$ 110,592.50
4" Thick Sidewalk	SY	\$ 36.00	4,179.00	\$ 150,444.00	\$ 27.00	4,200.00	\$ 113,400.00	\$ 42.00	4,365.00	\$ 183,330.00
6" Thick Sidewalk	SY			\$ -	\$ 120.00	14.00	\$ 1,680.00	\$ 45.00	1,985.00	\$ 89,325.00
RCP 36"	LF	\$ 230.56	124.00	\$ 28,589.44	\$ 170.00	124.00	\$ 21,080.00	\$ 100.00	128.00	\$ 12,800.00
RCP 30"	LF	\$ 84.54	91.00	\$ 7,693.14	\$ 135.00	91.00	\$ 12,285.00	\$ 85.00	96.00	\$ 8,160.00
RCP 24"	LF	\$ 62.89	1,717.00	\$ 107,982.13	\$ 64.00	1,717.00	\$ 109,888.00	\$ 65.00	1,808.00	\$ 117,520.00
RCP 18"	LF	\$ 42.48	2,345.00	\$ 99,615.60	\$ 49.00	2,345.00	\$ 114,905.00	\$ 55.00	2,464.00	\$ 135,520.00
ERCP 24" X 38"	LF	\$ 168.17	60.00	\$ 10,090.20	\$ 142.00	60.00	\$ 8,520.00	\$ 100.00	72.00	\$ 7,200.00
ERCP 14" x 23"	LF	\$ 64.35	183.00	\$ 11,776.05	\$ 78.00	183.00	\$ 14,274.00	\$ 90.00	24.00	\$ 2,160.00
Type C Inlet with Sump	EA	\$ 2,450.40	1.00	\$ 2,450.40	\$ 2,880.00	1.00	\$ 2,880.00	\$ 3,100.00	1.00	\$ 3,100.00
Type C Inlet	EA	\$ 2,193.60	1.00	\$ 2,193.60	\$ 2,770.00	2.00	\$ 5,540.00	\$ 3,500.00	1.00	\$ 3,500.00
Type D Inlet with Sump	EA	\$ 2,838.17	1.00	\$ 2,838.17	\$ 3,250.00	1.00	\$ 3,250.00	\$ 3,600.00	1.00	\$ 3,600.00
Type D Inlet	EA	\$ 2,717.47	1.00	\$ 2,717.47	\$ 3,250.00	1.00	\$ 3,250.00	\$ 3,600.00	1.00	\$ 3,600.00
Type P5 Inlet	EA	\$ 3,952.09	21.00	\$ 82,993.89	\$ 5,100.00	21.00	\$ 107,100.00	\$ 4,200.00	21.00	\$ 88,200.00
Type P6 Inlet	EA	\$ 4,394.44	4.00	\$ 17,577.76	\$ 4,400.00	4.00	\$ 17,600.00	\$ 4,300.00	4.00	\$ 17,200.00
Type J6 Inlet	EA	\$ 4,298.67	2.00	\$ 8,597.34	\$ 4,650.00	1.00	\$ 4,650.00	\$ 7,800.00	1.00	\$ 7,800.00
Type J Manhole	EA	\$ 6,931.02	1.00	\$ 6,931.02	\$ 14,850.00	1.00	\$ 14,850.00	\$ 9,500.00	1.00	\$ 9,500.00
MES 36"	EA	\$ 3,607.48	1.00	\$ 3,607.48	\$ 3,725.00	1.00	\$ 3,725.00	\$ 2,600.00	1.00	\$ 2,600.00
MES 14" x 23"	EA	\$ 1,000.20	4.00	\$ 4,000.80	\$ 1,330.00	3.00	\$ 3,990.00	\$ 1,500.00	2.00	\$ 3,000.00
Erosion Control	LS	\$ 5,400.00	1.00	\$ 5,400.00	\$ 6,250.00	1.00	\$ 6,250.00	\$ 8,500.00	1.00	\$ 8,500.00
Silt Fence	LF	\$ 1.08	9,200.00	\$ 9,936.00	\$ 1.00	4,100.00	\$ 4,100.00	\$ 2.00	4,500.00	\$ 9,000.00
Sod	SY	\$ 2.16	10,770.00	\$ 23,263.20	\$ 2.35	22,350.00	\$ 52,522.50	\$ 3.00	23,800.00	\$ 71,400.00
Thermoplastic Striping	LS	\$ 41,073.60	1.00	\$ 41,073.60	\$ 14,200.00	1.00	\$ 14,200.00	\$ 20,000.00	1.00	\$ 20,000.00
Fence Relocation	LF	\$ 24.06	1,630.00	\$ 39,217.80	\$ 16.75	2,760.00	\$ 46,230.00	\$ 3.00	4,800.00	\$ 14,400.00
Roadway Sign Removal/Installation	LS	\$ 6,510.00	1.00	\$ 6,510.00	\$ 3,160.00	1.00	\$ 3,160.00	\$ 2,200.00	1.00	\$ 2,200.00
Gate Relocation	LS	\$ 2,700.00	1.00	\$ 2,700.00	\$ 1,680.00	1.00	\$ 1,680.00	\$ 1,200.00	1.00	\$ 1,200.00
Curb Ramps Type E	EA	\$ 960.00	3.00	\$ 2,880.00	\$ 1,860.00	4.00	\$ 7,440.00	\$ 1,900.00	14.00	\$ 26,600.00
Hot Dipped Galvanized Guiderail	LF	\$ 60.00	15.00	\$ 900.00	\$ 112.00	15.00	\$ 1,680.00	\$ 110.00	15.00	\$ 1,650.00
Concrete Base for Guiderail	LF	\$ 66.00	15.00	\$ 990.00	\$ 172.00	15.00	\$ 2,580.00	\$ 220.00	15.00	\$ 3,300.00
Survey/Layout/As Builts	LS	\$ 46,656.00	1.00	\$ 46,656.00	\$ 43,000.00	1.00	\$ 43,000.00	\$ 84,000.00	1.00	\$ 84,000.00
Payment/Performance Bond	LS	\$ 30,109.20	1.00	\$ 30,109.20	\$ 15,000.00	1.00	\$ 15,000.00	\$ 1.00	1.00	\$ 1.00
NPDES Permit	LS	\$ 3,000.00	1.00	\$ 3,000.00	\$ 600.00	1.00	\$ 600.00	\$ 720.00	1.00	\$ 720.00
Portable Toilet	LS	\$ 960.00	1.00	\$ 960.00	\$ 1,100.00	1.00	\$ 1,100.00	\$ 4,200.00	1.00	\$ 4,200.00
Drop Curb	LF	\$ 19.20	960.00	\$ 18,432.00						\$ -
4' Black Vinyl Fence	LF	\$ 21.60	120.00	\$ 2,592.00				\$ 22.00	180.00	\$ 3,960.00
6" Concrete Driveway Aprons	SF	\$ 42.00	1,771.00	\$ 74,382.00	\$ 95.00	546.00	\$ 51,870.00			\$ -
Detectable Warning Mats	EA	\$ 660.00	8.00	\$ 5,280.00	\$ 270.00	12.00	\$ 3,240.00			\$ -
2" Conduit (Electrical)	LF	\$ 7.50	8,600.00	\$ 64,500.00				\$ 6.00	4,250.00	\$ 25,500.00
24" x 36" Pull Boxes	EA	\$ 1,532.40	10.00	\$ 15,324.00			\$ -	\$ 1,500.00	7.00	\$ 10,500.00
Concrete Flume	LS	\$ 4,320.00	1.00	\$ 4,320.00	\$ 4,800.00	1.00	\$ 4,800.00	\$ 72.00	37.00	\$ 2,664.00
Concrete Driveways	SY				\$ 62.00	272.00	\$ 16,864.00			\$ -
Fiber Conduit and Pull Boxes	LS				\$ 49,500.00	1.00	\$ 49,500.00			\$ -
Asphalt Driveways	SY				\$ 50.00	1,289.00	\$ 64,450.00	\$ 28.00	500.00	\$ 14,000.00
Milling 1"	SY				\$ 26.00	180.00	\$ 4,680.00			\$ -
New Chain Link Fence	LF				\$ 19.00	210.00	\$ 3,990.00			\$ -
RIP RAP	CY				\$ 333.00	40.00	\$ 13,320.00	\$ 150.00	40.00	\$ 6,000.00
Concrete Valley Gutter	LF							\$ 20.00	950.00	\$ 19,000.00
Disassemble Gate/Remove Fence	LEA							\$ 1,500.00	1.00	\$ 1,500.00
Mill and Resurface 1"	SY							\$ 8.00	180.00	\$ 1,440.00
SUBTOTAL ROADWAY CONSTRUCTION				\$ 1,792,994.33			\$ 1,977,888.88			\$ 2,274,690.00
WATER MAIN INSTALLATION										
Mobilization	LS	\$ 15,000.00	1.00	\$ 15,000.00	\$ 3,086.60	1.00	\$ 3,086.60	\$ 2,250.00	1.00	\$ 2,250.00
Layout & As Builts	LS	\$ 11,064.00	1.00	\$ 11,064.00	\$ 9,400.00	1.00	\$ 9,400.00	\$ 5,300.00	1.00	\$ 5,300.00
6" Wet Tap	EA	\$ 4,621.70	1.00	\$ 4,621.70	\$ 3,400.00	1.00	\$ 3,400.00	\$ 2,500.00	1.00	\$ 2,500.00
8" Wet Tap	LF	\$ 9,033.67	2.00	\$ 18,067.34	\$ 3,600.00	2.00	\$ 7,200.00	\$ 3,300.00	2.00	\$ 6,600.00
8" Water Main	LF	\$ 26.11	3,580.00	\$ 93,473.80	\$ 21.50	3,518.00	\$ 75,637.00	\$ 23.25	3,500.00	\$ 81,375.00
8" Gate Valves	EA	\$ 2,056.48	11.00	\$ 22,621.28	\$ 8,800.00	1.00	\$ 8,800.00	\$ 1,300.00	11.00	\$ 14,300.00
8" Fittings	LS	\$ 15,113.36	1.00	\$ 15,113.36	\$ 4,550.00	8.00	\$ 36,400.00	\$ 6,600.00	1.00	\$ 6,600.00
Fire Hydrant Assemblies	EA	\$ 5,504.48	8.00	\$ 44,035.84	\$ 1,650.00	11.00	\$ 18,150.00	\$ 4,900.00	8.00	\$ 39,200.00
Air Release Valves & Vaults	EA	\$ 11,302.06	2.00	\$ 22,604.12	\$ 5,400.00	2.00	\$ 10,800.00	\$ 965.00	2.00	\$ 1,930.00
Jumper Assemblies	EA	\$ 3,069.08	3.00	\$ 9,207.24	\$ 1,550.00	3.00	\$ 4,650.00	\$ 365.00	6.00	\$ 2,190.00
Blow-Off Assemblies	EA	\$ 856.22	1.00	\$ 856.22	\$ 1,650.00	1.00	\$ 1,650.00	\$ 950.00	3.00	\$ 2,850.00
Water Services	EA	\$ 2,028.70	17.00	\$ 34,487.90	\$ 1,300.00	19.00	\$ 24,700.00	\$ 830.00	16.00	\$ 13,280.00
Testing	LS	\$ 4,773.12	1.00	\$ 4,773.12	\$ 7,700.00	1.00	\$ 7,700.00	\$ 8,900.00	1.00	\$ 8,900.00
Cut, Cap, & Remove Existing Water Main	LS	\$ 6.00	3,511.00	\$ 21,066.00	\$ 6.70	4,392.00	\$ 29,426.40	\$ 8.00	3,400.00	\$ 27,200.00
SUBTOTAL WATER MAIN INSTALLATION				\$ 316,991.92			\$ 241,000.00			\$ 214,475.00
TOTAL LUMP SUM BID				\$ 2,109,986.25			\$ 2,218,888.88			\$ 2,489,165.00
NUMBER OF CALENDAR DAYS				\$ 210.00			200			330
COMMENTS								Math Error: Total on their tabulation sheet is same, but total on summary sheet was \$2,275,938.18 for Roadway Construction		



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, April 11, 2017		
Agenda Item Name		
Resolution No. 2017-13 <i>Budget Amendment</i>		
Requested Action		
Recommend approval of Resolution No. 2017-13		
Staff Report		
Resolution No. 2017-13 is proposed to amend the City's Fiscal Year 2017 budget. The amendments are necessary to formally amend the budget primarily for the adjustment of beginning reserves, the carry forward of unexpended Fiscal Year 2016 funds and for Council actions since January 1, 2017.		
Additional Analysis		
Fiscal Impact Summary		
Total increase to fund balance for all funds - \$2,619,105		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Resolution No. 2017-13 Resolution No. 2017-13 - 4-3-17.docx		

CITY OF CLERMONT
RESOLUTION NO. 2017-13

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CLERMONT, LAKE COUNTY, FLORIDA, AUTHORIZING BUDGET
AMENDMENTS FOR THE CITY OF CLERMONT FOR FISCAL YEAR
2016-2017**

WHEREAS, it is hereby found and determined by the City Council of the City of Clermont, Lake County, Florida, that the following budget amendments are necessary for the Fiscal Year October 1, 2016 to September 30, 2017:

GENERAL FUND

- | | | |
|---|----|---------|
| 1. Increase Bank Service Charges (10521-54909) | \$ | 1,757 |
| Increase Bank Service Charges (10574-54909-19100) | \$ | 1,757 |
| Increase Bank Service Charges (10575-54909) | \$ | 3,012 |
| To amend the budget for the currency processing fees for the Police and
Parks & Recreation Departments. | | |
| 2. Increase Electric & Gas Service (10521-54300) | \$ | 39,511 |
| To amend the Police Department budget for increased electricity costs at
the new Police Headquarters. | | |
| 3. Increase Regular Salaries (10522-12100) | \$ | 166,500 |
| Increase Overtime Salaries (10522-12120) | \$ | 9,000 |
| Increase FICA (10522-12220) | \$ | 13,426 |
| Increase Defined Benefit Pension (10522-12245) | \$ | 45,051 |
| Increase Group Insurance (10522-12300) | \$ | 19,344 |
| Increase Life Insurance (10522-12305) | \$ | 524 |
| Increase Employee Assistance Plan (10522-12315) | \$ | 98 |
| Increase Workers Compensation (10522-12400) | \$ | 4,914 |
| Increase Medical Services (10522-53130) | \$ | 5,400 |
| Increase Uniforms (10522-55203) | \$ | 3,600 |
| Increase Training & Education (10522-55401) | \$ | 9,359 |
| Increase Capital Equipment (10522-66401) | \$ | 30,000 |
| To amend the Fire Department budget for the addition of six (6) firefighter
positions effective April 1, 2017 as approved by the City Council on
February 14, 2017. | | |
| 4. Decrease Rent – Chamber of Commerce (10362-36205) | \$ | 12,000 |
| Decrease Contribution – Rent (10558-88203) | \$ | 12,000 |
| To amend the Economic Development Department budget for the
elimination of the rent in kind contribution to the South Lake Chamber of
Commerce, as a result of the termination of the May 10, 2011 lease
agreement as approved by the City Council on February 14, 2017. | | |

CITY OF CLERMONT
RESOLUTION NO. 2017-13

5. Decrease Contribution – General (10558-88201) \$ 20,500
To amend the Economic Development Department budget for the discontinuation of providing half of the rent collected at the City Center as a contribution to the South Lake Chamber of Commerce, as a result of the termination of the May 10, 2011 lease agreement as approved by the City Council on February 14, 2017.
6. Increase Rent – Chamber of Commerce (10362-36205) \$ 6,120
To amend the budget for lease revenue anticipated from the April 1, 2017 lease agreement with the South Lake Chamber of Commerce as approved by the City Council on February 14, 2017.
7. Increase Capital – Other Improvements (10574-66300) \$ 55,000
To amend the Parks & Recreation Department budget for the reimbursement to the South Lake Chamber of Commerce for improvements made to the City Center as approved by the City Council on February 14, 2017.
8. Increase Regular Salaries (10574-12100-19100) \$ 10,459
Increase Part-time Salaries (10574-12110-19100) \$ 15,335
Increase Overtime Salaries (10574-12120-19100) \$ 500
Increase FICA (10574-12220-19100) \$ 2,011
Increase Group Insurance (10574-12300-19100) \$ 3,224
Increase Life Insurance (10574-12305-19100) \$ 33
Increase EAP (10574-12315-19100) \$ 16
Increase Workers Compensation (10574-12400-19100) \$ 736
Increase Professional Services (10574-53100-19100) \$ 7,350
Increase Rentals Equipment (10574-54400-19100) \$ 1,800
Increase Vehicle Repairs & Maintenance (10574-54601-19100) \$ 500
Increase Office Supplies (10574-55100-19100) \$ 4,000
Increase Gas & Oil (10574-55201-19100) \$ 1,500
Increase Uniforms (10574-55203-19100) \$ 500
Increase Minor Equipment (10574-55204-19100) \$ 21,542
Increase Capital Equipment (10574-66401-19100) \$ 13,660
Increase Capital Software (10574-66404-19100) \$ 36,000
To amend the Parks & Recreation Department budget for the City to manage the City Center as approved by the City Council on February 14, 2017.
9. Increase Capital Outlay – Recreation (10572-66301) \$ 60,000
Increase Local Grant Revenue (10337-33733) \$ 60,000
To amend the Parks and Recreation Department budget for the installation of a canoe and kayak course at Waterfront Park and corresponding grant reimbursement from Lake County as approved by the City Council on February 14, 2017.

CITY OF CLERMONT
RESOLUTION NO. 2017-13

10. Decrease Group Insurance (10511-12300)	\$ 1,103
Decrease Group Insurance (10512-12300)	\$ 9,774
Decrease Group Insurance (10513-12300)	\$ 13,695
Decrease Group Insurance (10513-12300-90030)	\$ 4,473
Decrease Group Insurance (10515-12300)	\$ 11,011
Decrease Group Insurance (10516-12300)	\$ 8,589
Decrease Group Insurance (10521-12300)	\$ 98,988
Decrease Group Insurance (10521-12300-90030)	\$ 1,089
Decrease Group Insurance (10522-12300)	\$ 172,178
Increase Group Insurance (10522-12300-22009)	\$ 98,075
Decrease Group Insurance (10541-12300)	\$ 8,654
Decrease Group Insurance (10542-12300)	\$ 17,120
Decrease Group Insurance (10544-12300)	\$ 12,167
Decrease Group Insurance (10545-12300)	\$ 1,510
Decrease Group Insurance (10549-12300)	\$ 7,892
Decrease Group Insurance (10559-12300)	\$ 12,413
Decrease Group Insurance (10560-12300)	\$ 8,768
Decrease Group Insurance (10565-12300)	\$ 1,710
Decrease Group Insurance (10572-12300)	\$ 5,654
Decrease Group Insurance (10574-12300)	\$ 5,061
Decrease Group Insurance (10575-12300)	\$ 19,408
Increase Transfer to Group Self Insurance Fund (10581-99120)	\$ 413,520
To amend the budget for a lump sum transfer to the Group Medical Self-Insurance Fund as required in the December 31, 2015 insurance actuarial valuation.	
11. Increase Pension (10511-12240)	\$ 788
Increase Pension (10521-12240)	\$ 724
Increase Pension (10521-12245)	\$ 189,155
Increase Pension (10522-12245)	\$ 332,898
Increase Pension (10541-12240)	\$ 800
Increase Pension (10549-12240)	\$ 1,383
To amend the budget to reflect the increased pension contribution required in October 1, 2016 pension actuarial valuations.	
12. Increase Fund Balance (10399-39900)	\$ 523,463
To amend the budget to reflect actual reserves at October 1, 2016.	
13. Decrease Fund Balance (10599-59900)	\$ 593,422
Total General Fund Adjustments.	

CITY OF CLERMONT
RESOLUTION NO. 2017-13

BUILDING SERVICE FUND

- | | |
|--|------------|
| 1. Decrease Group Insurance (11524-12300) | \$ 25,620 |
| Increase Transfer to Group Self Insurance Fund (11581-99120) | \$ 32,782 |
| To amend the budget for a lump sum transfer to the Group Medical Self-Insurance Fund as required in the December 31, 2015 insurance actuarial valuation. | |
| 2. Increase Fund Balance (11399-39900) | \$ 266,594 |
| To amend the budget to reflect actual reserves at October 1, 2016. | |
| 3. Increase Fund Balance (11599-59900) | \$ 259,432 |
| Total Building Services Fund Adjustments. | |

INFRASTRUCTURE SALES TAX FUND

- | | |
|--|--------------|
| 1. Decrease Capital Outlay – Other Improvements (12572-66300) | \$ 251,100 |
| Increase Capital Outlay – Recreation (12542-66301) | \$ 251,100 |
| To amend the budget to transfer funding for Hancock Park Improvements from the Parks and Recreation Department to the Public Works Department. | |
| 2. Increase Repair & Maintenance – Streets (12541-54603) | \$ 111,766 |
| Increase Repair & Maintenance – Sidewalks (12541-54604) | \$ 43,690 |
| Increase Capital Outlay – Sidewalks (12541-66303) | \$ 58,253 |
| Increase Prof. Services – Palatlahaka Playground (12542-53100-72119) | \$ 6,840 |
| Increase Capital Outlay – Other Improvements (12542-66300) | \$ 180,025 |
| To amend the Public Works Department budget for the carryforward of unexpended FY 2016 funds. | |
| 3. Increase Transfer to Capital Projects Fund PD HQ (12581-99114-21101) | \$ 374,586 |
| Increase Transfer to Capital Projects Fund FS #4 (12581-99114-22801) | \$ 150,856 |
| To amend the Police and Fire Department budgets for the carryforward of unexpended FY 2016 funds budgeted for the Police Headquarters and Fire Station #4 construction projects. | |
| 4. Increase Fund Balance (12399-39900) | \$ 1,216,287 |
| To amend the budget to reflect actual reserves at October 1, 2016. | |
| 5. Increase Fund Balance (12599-59900) | \$ 290,271 |
| Total Infrastructure Fund Adjustments. | |

CITY OF CLERMONT
RESOLUTION NO. 2017-13

RECREATION IMPACT FEES FUND

- | | | |
|--|----|---------|
| 1. Increase Fund Balance (14399-39900) | \$ | 334,614 |
| To amend the budget to reflect actual reserves at October 1, 2016. | | |
| 2. Increase Fund Balance (14599-59900) | \$ | 334,614 |
| Total Recreation Impact Fund Adjustments. | | |

POLICE IMPACT FEES FUND

- | | | |
|---|----|---------|
| 1. Increase Transfer to Capital Project Fund (15581-99114-21101) | \$ | 200,476 |
| To amend the Police Department budget for the carryforward of unexpended FY 2016 funds budgeted for the Police Headquarters construction project. | | |
| 2. Increase Fund Balance (15399-39900) | \$ | 313,240 |
| To amend the budget to reflect actual reserves at October 1, 2016. | | |
| 3. Increase Fund Balance (15599-59900) | \$ | 112,764 |
| Total Police Impact Fund Adjustments. | | |

FIRE IMPACT FEES FUND

- | | | |
|--|----|--------|
| 1. Increase Fund Balance (16399-39900) | \$ | 92,443 |
| To amend the budget to reflect actual reserves at October 1, 2016. | | |
| 2. Increase Fund Balance (16599-59900) | \$ | 92,443 |
| Total Fire Impact Fund Adjustments. | | |

FIRE INSPECTION FUND

- | | | |
|--|----|--------|
| 1. Decrease Group Insurance (19529-12300) | \$ | 18,866 |
| Increase Transfer to Group Self Insurance Fund (19581-99120) | \$ | 24,140 |
| To amend the budget for a lump sum transfer to the Group Medical Self-Insurance Fund as required in the December 31, 2015 insurance actuarial valuation. | | |
| 2. Increase Fund Balance (19399-39900) | \$ | 12,836 |
| To amend the budget to reflect actual reserves at October 1, 2016. | | |
| 3. Increase Fund Balance (19599-59900) | \$ | 7,562 |
| Total Fire Inspection Fund Adjustments. | | |

CITY OF CLERMONT
RESOLUTION NO. 2017-13

DEBT SERVICE FUND

- | | | |
|--|----|--------|
| 1. Decrease Fund Balance (22399-39900) | \$ | 14,067 |
| To amend the budget to reflect actual reserves at October 1, 2016. | | |
| 2. Decrease Fund Balance (22599-59900) | \$ | 14,067 |
| Total Debt Service Fund Adjustments. | | |

CAPITAL PROJECTS FUND

- | | | |
|---|----|---------|
| 1. Increase Professional Services (32559-53100-95108) | \$ | 41,320 |
| Increase Transfer from CRA Fund (32381-38121-95108) | \$ | 41,320 |
| To amend the Economic Development Department budget for the carryforward of unexpended FY 2016 funds for the City Limit Signs project. | | |
| 2. Increase Professional Services - Police Headquarters (32521-53100-21101) | \$ | 200,476 |
| Increase Capital Outlay - Police Headquarters (32521-66401-21101) | \$ | 374,586 |
| Increase Transfer from Infrastructure Fund (32381-38104-21101) | \$ | 374,586 |
| Increase Transfer from Police Impact (32381-38118-21101) | \$ | 200,476 |
| To amend the Police Department budget for the carryforward of unexpended FY 2016 funds budgeted for the Police Headquarters construction project. | | |
| 3. Increase Professional Services Fire Station #4 (32522-53100-22801) | \$ | 13,354 |
| Increase Capital Outlay – Fire Station #4 (32522-66201-22801) | \$ | 137,502 |
| Increase Transfer from Infrastructure Fund (32381-38104-22801) | \$ | 150,856 |
| To amend the Capital Project Fund budget for the carryforward of unexpended FY 2016 funds budgeted for the Fire Station #4 construction project. | | |
| 4. Increase Fund Balance (32399-39900) | \$ | 271,780 |
| To amend the budget to reflect actual reserves at October 1, 2016. | | |
| 5. Increase Fund Balance (32599-59900) | \$ | 271,780 |
| Total Capital Projects Fund Adjustments. | | |

CITY OF CLERMONT
RESOLUTION NO. 2017-13

WATER FUND

- | | |
|--|------------|
| 1. Decrease Group Insurance (41533-12300) | \$ 16,260 |
| Increase Transfer to Group Self Insurance Fund (41581-99120) | \$ 20,805 |
| To amend the Environmental Services Department budget for a lump sum transfer to the Group Medical Self-Insurance Fund as required in the December 31, 2015 insurance actuarial valuation. | |
| 2. Increase Fund Balance (41399-39900) | \$ 618,877 |
| To amend the budget to reflect actual reserves at October 1, 2016. | |
| 3. Increase Fund Balance (41599-59900) | \$ 614,332 |
| Total Water Fund Adjustments. | |

SEWER FUND

- | | |
|--|------------|
| 1. Decrease Group Insurance (42535-12300) | \$ 25,496 |
| Increase Transfer to Group Self Insurance Fund (42581-99120) | \$ 32,623 |
| To amend the Environmental Services Department budget for a lump sum transfer to the Group Medical Self-Insurance Fund as required in the December 31, 2015 insurance actuarial valuation. | |
| 2. Increase Fund Balance (42399-39900) | \$ 130,683 |
| To amend the budget to reflect actual reserves at October 1, 2016. | |
| 3. Increase Fund Balance (42599-59900) | \$ 123,556 |
| Total Sewer Fund Adjustments. | |

WATER IMPACT FEE FUND

- | | |
|--|------------|
| 1. Increase Fund Balance (43399-39900) | \$ 874,106 |
| To amend the budget to reflect actual reserves at October 1, 2016. | |
| 2. Increase Fund Balance (43599-59900) | |
| Total Water Impact Fund Adjustments. \$ 874,106 | |

SEWER IMPACT FEE FUND

- | | |
|--|------------|
| 1. Increase Fund Balance (44399-39900) | \$ 145,399 |
| To amend the budget to reflect actual reserves at October 1, 2016. | |
| 2. Increase Fund Balance (44599-59900) | |
| Total Sewer Impact Fund Adjustments. \$ 145,399 | |

CITY OF CLERMONT
RESOLUTION NO. 2017-13

STORMWATER FUND

- | | |
|---|--------------|
| 1. Decrease Group Insurance (45538-12300) | \$ 23,027 |
| Increase Transfer to Group Self Insurance Fund (45581-99120) | \$ 29,464 |
| To amend the Environmental Services budget for a lump sum transfer to the Group Medical Self-Insurance Fund as required in the December 31, 2015 insurance actuarial valuation. | |
| 2. Increase Capital Outlay – Victory Pointe (45538-66306-38110) | \$ 1,450,367 |
| Increase Debt Proceeds – Victory Pointe (45384-38402-38110) | \$ 1,450,367 |
| To amend the Environmental Services Department budget for the Victory Pointe construction contract as approved by the City Council on March 14, 2017. | |
| 3. Increase Capital Outlay – Victory Pointe (45538-66306-38110) | \$ 145,600 |
| Increase Debt Proceeds – Victory Pointe (45384-38402-38110) | \$ 145,600 |
| To amend the Environmental Services Department budget for the purchase of mitigation credits for the Victory Pointe project as approved by the City Council on March 14, 2017. | |
| 4. Increase Professional Services – General (45538-66900) | \$ 35,606 |
| Increase Capital Outlay - Software (45538-66404) | \$ 49,191 |
| Increase Federal Grant – CDBG (45331-33139-38108) | \$ 100,445 |
| To amend the Environmental Services Department budget for the carryforward of unexpended FY 2016 Stormwater project funds. | |
| 5. Increase Fund Balance (45399-39900) | \$ 13,090 |
| To amend the budget to reflect actual reserves at October 1, 2016. | |
| 6. Increase Fund Balance (45599-59900) | \$ 22,301 |
| Total Stormwater Fund Adjustments. | |

SANITATION FUND

- | | |
|---|-----------|
| 1. Decrease Group Insurance (49534-12300) | \$ 35,376 |
| Increase Transfer to Group Self Insurance Fund (49581-99120) | \$ 45,265 |
| To amend the Environmental Services budget for a lump sum transfer to the Group Medical Self-Insurance Fund as required in the December 31, 2015 insurance actuarial valuation. | |
| 2. Decrease Fund Balance (49399-39900) | \$ 9,976 |
| To amend the budget to reflect actual reserves at October 1, 2016. | |
| 3. Decrease Fund Balance (49599-59900) | \$ 19,865 |
| Total Sanitation Fund Adjustments. | |

CITY OF CLERMONT
RESOLUTION NO. 2017-13

CRA FUND

- | | | |
|---|----|---------|
| 1. Decrease Group Insurance (60552-12300) | \$ | 1,095 |
| Increase Transfer to Group Self Insurance Fund (60581-99120) | \$ | 1,401 |
| To amend the CRA fund budget for a lump sum transfer to the Group Medical Self-Insurance Fund as required in the December 31, 2015 insurance actuarial valuation. | | |
| 2. Decrease Ad Valorem Taxes (60311-31101) | \$ | 9,155 |
| To amend the budget to reflect final property values as provided by the Lake County Property Appraiser. | | |
| 3. Increase Transfer to Capital Projects Fund (60581-99114-95108) | \$ | 41,320 |
| To amend the budget for the carryforward of funding from FY 2016 for the City Limits Signs Project. | | |
| 4. Increase Fund Balance (60399-39900) | \$ | 137,265 |
| To amend the budget to reflect actual reserves at October 1, 2016. | | |
| 5. Increase Fund Balance (60599-59900) | \$ | 86,484 |
| Total CRA Fund Adjustments. | | |

CEMETERY FUND

- | | | |
|--|-----------|------------------|
| 1. Increase Fund Balance (61399-39900) | \$ | 11,415 |
| To amend the budget to reflect actual reserves at October 1, 2016. | | |
| 2. Increase Fund Balance (61599-59900) | | |
| Total Cemetery Fund Adjustments. | \$ | 11,415 |
| Net Increase to Fund Balance – All Funds | \$ | 2,619,105 |

CITY OF CLERMONT
RESOLUTION NO. 2017-13

NOW, THEREFORE, BE IT RESOLVED, that the above said budget amendments of the City of Clermont for the Fiscal Year 2016-2017 are hereby adopted.

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 11th day of April, 2017.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Denise Noak, Acting City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

**AGENDA ITEM**

Meeting Date	
Tuesday, April 11, 2017	
Agenda Item Name	
Ordinance No. 2017-08 <i>Final</i> <i>Firefighters Pension Plan Amendment</i>	
Requested Action	
Request approval of Ordinance No. 2017-08 to amend the Firefighters Pension Plan.	
Staff Report	
Ordinance No. 2017-08 is proposed to amend the Firefighters Pension Plan as follows: Section E. (Credited Service) is proposed to be revised to provide clarity in respect to if prior credited service purchased by firefighters should count towards vesting service. After considerable discussion with the plan attorney, actuary and administrator, it was determined that purchased prior credited service should count towards vesting service. Since the cost of the prior credited service is paid totally by the firefighter, there is not cost impact to the city. Section H. (Disability Benefits) is proposed to be revised to clarify the disability benefit amounts available to firefighters and does not represent a change to the benefit eligibility or calculation language. Section I. (Death Benefits) is proposed to be revised to change the death benefits for an in line of duty death. Currently, the in line of duty death benefit for a non-vested firefighter is significantly less than a vested firefighter. In addition, the in line of duty death benefit for a vested firefighter is the payment of his monthly normal retirement benefit (based on years of service and annual earnings) to his beneficiaries at the firefighters early or normal retirement date. The revision provides for the following changes: 1) The in line of duty death benefit will be based on the same methodology for non-vested and vested firefighters. 2) The in line of duty death benefit the firefighter's beneficiaries will receive at the time of death, will be 100% of the firefighter's monthly salary. Since the plan actuary does not assume deaths, there is no cost impact to the plan for this change. This change is modeled after a recent change to the Florida Retirement System by the state legislature regarding in line of duty deaths of high risk employees. Section M. (Deferred Retirement Option Program - DROP) is proposed to be revised to clarify when firefighters may enter the DROP. Currently, the plan language suggests that firefighters may only enter the DROP at their normal retirement age. After considerable discussion with the plan attorney, actuary and administrator, it was determined that firefighters should be able to enter the DROP anytime after the attainment of normal retirement age. Section N. (Share Plan) is being added to the firefighters pension plan pursuant to the recently approved collective bargaining agreement with the firefighters union. The Share Plan allows for the distribution of the Florida Statutes Chapter 175 Insurance Premium Tax Revenues accumulated reserve and future distributions. The City Council approved the referenced collective bargaining agreement on January 24, 2017.	

Ordinance No. 2017-08 was unanimously recommended for approval by the Firefighters Pension Board of Trustees at their March 15, 2017 meeting.

Additional Analysis

Fiscal Impact Summary

There is no pension cost funding impact from these changes.

Fiscal Impact

Fund Number and Description

Available Budget Amount

Exhibits Attached (copies of original agreements)

- | | | |
|----|-----------------------|--|
| 1. | Ordinance No. 2017-08 | Ordinance No 2017-08 - Firefighter Pension Plan (Underlined) - 3-24-17.doc |
| 2. | Ad | 2017-08 Fire Pension.doc |

CITY OF CLERMONT
ORDINANCE No. 2017-08

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF CLERMONT FIREFIGHTERS' PENSION TRUST FUND, AS ADOPTED BY ORDINANCE NO. 304-C; PROVIDING PLAN BENEFIT REVISIONS; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Clermont Firefighters' are presently provided pension and certain other benefits under Ordinance No. 304-C and;

WHEREAS, the City Council desires to amend the provisions of the Firefighters' Retirement Plan pursuant to the collective bargaining process;

SECTION 1.

NOW, THEREFORE BE IT ORDAINED, by the City Council of the City of Clermont, Lake County, Florida that the following sections of the Firefighters' Retirement Plan Adoption Agreement shall be amended to read as follows (note: strikethrough indicates removed words and underlined indicates added):

E. CREDITED SERVICE

Shall mean the total number of years and fractional parts of years of service as a participant during which the participant made required contributions to the plan, omitting intervening years or fractional parts of years when such participant is not employed by the City of Clermont. Credited service shall also include credited service purchased by a member in accordance with this section:

1. Participants who are employed in a position covered by the Plan may purchase up to a total of five (5) additional years of credited service under the Plan for:
 - a. The years and fractional parts of years that a member served as a full-time Firefighter for any other municipal, county or state firefighting department in the State of Florida, or for full time service as a federal or other state, county or municipal service as a Firefighter if the prior service is recognized by the Division of State Fire Marshal; as provided in Chapter 633, Florida Statutes, or the Firefighter provides proof to the Board that such service is equivalent to the service required to meet the definition of a Firefighter as defined herein; and/or

CITY OF CLERMONT
ORDINANCE No. 2017-08

- b. The years or fractional parts of years that a Firefighter serves or has served on active duty in the military service of the Armed Forces of the United States, the United States Merchant Marine, or the United States Coast Guard, voluntarily or involuntarily and honorably or under honorable conditions, prior to first and initial employment with the City. Any participant who elects to purchase credited service shall pay the full actuarial cost of such credited service on or before three (3) months from date of election to purchase such credited service, in accordance with Subsection 3 below. The calculation of the full actuarial cost shall be made using the assumptions contained in the actuarial valuation performed prior to the purchase of the service credits. The employee salary used as the initial salary for the projected salary shall be the salary for the year preceding the purchase of the service credits. The service credits shall be used for vesting benefit accrual, and for satisfying service requirements for benefits.
2. No additional service credit will be allowed if the participant is receiving or will receive any other retirement benefit based on the prior government service.
3. Payment for the purchase of credited service authorized in Subsection 1, above, shall be made in one of the following manners:
 - a. Cash lump sum payment.
 - b. Direct transfer or rollover of an eligible rollover distribution from a qualified plan.
 - c. Any reasonable method established by the Trustees provided; however, that participants similarly situated shall be similarly treated.

Full payment for the purchase of past service credit must be made before separation from City employment.

H. DISABILITY BENEFITS

1. Disability Benefits In-the-Line-Of-Duty

A member determined by the Board of Trustees to be totally and permanently disabled from a service connected injury or disease will receive the greater of a monthly pension equal to 42% of average monthly compensation or an amount equal to the accrued retirement benefit. (a) the member's accumulated contributions at 5% interest or (b) the greater of (i.) the member's accrued benefit or (ii.) 42% of the member's average final compensation.

CITY OF CLERMONT
ORDINANCE No. 2017-08

2. Disability Benefits Off-Duty

A member determined to be totally and permanently disabled by the Board of Trustees from a non-service connected injury or disease must have completed at least ten (10) years of service in order to be eligible for a non-service connected disability benefit. A member determined to be totally and permanently disabled from a non-service connected injury or disease and who has completed the required years of service will receive the greater of (a) the accrued benefit, (b) the accumulated contributions at 5% interest or (c) 25% of average compensation (a) the member's accumulated contributions at 5% interest or (b) the greater of (i.) the member's accrued benefit or (ii.) 25% of the member's average final compensation. A member determined to be totally and permanently disabled from a non-service connected injury or disease and who has not completed the required ten (10) years of service will shall receive a return of employee contributions with 5% interest.

I. DEATH BENEFITS

1. Death Prior to Vesting – In-Line-Of-Duty

If a member dies prior to retirement in-the-line-of-duty, and he is not vested, his beneficiary shall receive a refund of one hundred percent (100%) of the member's accumulated contributions; the benefit provided for in I.2. below.

2. Death After Vesting – In-Line-Of-Duty

If a member dies prior to retirement in the line of duty, and he is vested, having completed the required years of credited service, his beneficiary shall receive the benefits otherwise payable to the member at the member's early or normal retirement date.

If a member, other than a participant in the DROP under Section M, dies in-the-line-of-duty, the following benefits are payable:

- a. If the member dies leaving a surviving spouse, the surviving spouse may receive a monthly pension equal to one hundred percent (100%) of the monthly salary being received by the member at the time of the member's death for the rest of the surviving spouse's lifetime. Benefits provided by this paragraph supersede any other distribution that may have been provided by the member's designation of beneficiary. Such benefit ceases upon the surviving spouse's death unless the member's minor children survive the spouse as provided for in paragraph b of this subsection.

CITY OF CLERMONT
ORDINANCE No. 2017-08

- b. If the surviving spouse dies and the member's minor children survive the spouse, the monthly payments that otherwise would have been payable to such surviving spouse shall be paid for the use and benefit of the member's child or children under 18 years of age and unmarried until the 18th birthday of the member's youngest child. Such monthly payments may be extended until the 25th birthday of the member's child if the child is unmarried and enrolled as a full-time student at an accredited institution. If there is more than one minor child, the benefits shall be divided equally among the children. As each child reaches the benefit termination age, the remaining eligible children will divide the benefits.
- c. If the member dies leaving no surviving spouse but is survived by a child or children under 18 years of age and unmarried, the benefits provided by subparagraph a., shall be paid for the use and benefit of such member's child or children under 18 years of age and unmarried until the 18th birthday of the member's youngest child. Such monthly payments may be extended until the 25th birthday of any of the member's children if the child is unmarried and enrolled as a full-time student at an accredited institution. If there is more than one minor child, the benefits shall be divided equally among the children. As each child reaches the benefit termination age, the remaining eligible children will divide the benefits.
- d. If the member dies leaving no surviving spouse and no child or children under 18 years of age and unmarried or no child under age 25 and unmarried and enrolled as a full-time student, then the member's beneficiary shall receive the greater of (i) the member's accrued benefit or (ii) 42% of the member's average final compensation, with the applicable annuity amount payable for 10 years. If the named beneficiary dies before the full 10 years of payments are made, the remaining benefit payments will be paid in a lump sum to the estate of the beneficiary.
- e. For purposes of determining whether a death is in-the-line-of-duty, the presumption and additional presumption provided for in Section 8.01 (B) and (C) shall apply.
- f. In all cases, the benefits paid in paragraphs a., b. and c. above will be at least the member's accrued benefit paid for 10 years. In the event that the surviving spouse or children's benefits cease due to death or reaching the age of majority as provided for herein, the benefit will be paid to the estate of the survivor payee (i.e. the surviving spouse or surviving children).

M. DEFERRED RETIREMENT OPTION PROGRAM (DROP)

CITY OF CLERMONT
ORDINANCE No. 2017-08

1. Eligibility

A participant who reaches the normal retirement date as a Firefighter for the City of Clermont and is a member of the City of Clermont Firefighters' Pension Plan may enter into a Deferred Retirement Option Plan ("DROP") on the first day of ~~the any~~ month following the attainment of normal retirement date as defined in the Plan Adoption Agreement. ~~Participants who attained their normal retirement date prior to the enactment of the "DROP" shall be afforded the option of participating immediately or retroactively to the date that they actually attained their normal retirement date. This option must be exercised no later than (60) days after the Board provided notice of this option to the affected employee.~~

2. Written Election

An eligible participant electing to participate in the "DROP" must complete and execute the proper forms supplied by the plan and a resignation of employment. Election into the "DROP" is irrevocable once a participant completes the application to enter the "DROP".

3. Limitation and Disqualification for Other Benefits

A participant may participate in the "DROP" only once. After commencement of participation the employee shall no longer earn or accrue additional vesting credits or credited years of service toward retirement benefits and shall not be eligible for disability or pre-retirement death benefits in the City of Clermont Firefighters' Pension Plan.

4. Cessation or Reduction or Contributions

Upon the effective date of a participant's commencement of participation in the "DROP", the participant's contributions to the City of Clermont Firefighters' Pension Plan will be discontinued.

5. Benefit Calculations

For all City of Clermont Firefighters' Pension Plan purposes, the credited service and vesting credits of a participant participating in the "DROP" shall remain as they existed on the effective date of commencement of participation in the "DROP". The participant shall not earn or be credited with any additional vesting credits or credited service after beginning "DROP" participation. Service thereafter shall not be recognized by the City of Clermont Firefighters' Pension Plan or used for the calculation or determination of any benefits payable by such Plan.

The average final compensation of the participant shall remain as it existed on the effective date of commencement of participation in the "DROP". Payment for accrued unused leave (vacation, holiday, etc.) shall be made, at the option of the participant, from one of the following choices:

- a. when commencing participation in the "DROP", or
- b. as the leave is actually used during participation in the "DROP", or
- c. when the participant actually terminates employment with the City.

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Earnings thereafter shall not be recognized by the Plan or used for the calculation or determination of any benefits payable by the Plan. However, the value of any retirement gift provided by the City shall be based on the date that a participant actually leaves employment with the City, including the “DROP” participation period.

6. Payment of Drop Accounts

The monthly retirement benefits that would have been payable had the member elected to cease employment and receive normal retirement benefits shall be deposited in the participant’s “DROP” account.

7. DROP Account Earnings

After each Fiscal Year quarter, the average daily balance in a participant’s deferred retirement option account shall be credited at a rate of six and one-half percent (6.5%) annual interest compounded monthly. The Board of Trustees, along with the City, shall review the stated rate of return on an annual basis in order to determine the necessity of any adjustment for future “DROP” participants only.

8. Maximum Participation

A participant may participate in the “DROP” for a maximum of sixty (60) months. At the conclusion of the sixty (60) months, the participants’ covered City employment must terminate pursuant to the resignation submitted by the participant as part of the “DROP” application. The participant may terminate “DROP” participation by advancing their resignation from covered City employment to a date prior to that submitted by the participant as part of the “DROP” application.

9. Payout

Upon the termination of a member’s covered City employment (for any reason, whether by retirement, resignation, discharge or death), the retirement benefits payable to the participant or the participant’s beneficiary (if the participant selected an optional form of retirement benefit which provides for payments to the beneficiary) shall be paid to the member or beneficiary and shall no longer be deposited into the participant’s “DROP” account.

Within thirty (30) days after the end of any calendar quarter following the termination of a participant’s employment, the balance in the participant’s “DROP” account shall be payable at the participant’s option:

- a. In full in a single lump sum payment, all accrued “DROP” benefits, plus interest, less withholding taxes remitted to the Internal Revenue Services (IRS), paid to the “DROP” participant or surviving beneficiary, or;
- b. As a direct rollover, all accrued “DROP” benefits, plus interest, paid directly from the “DROP” to the custodian of an eligible retirement plan as defined in Section 402(c)(8)(B), Internal Revenue Code (IRC). If benefit is to be paid to a surviving beneficiary, the transfer shall be to an individual retirement account or

CITY OF CLERMONT
ORDINANCE No. 2017-08

annuity as described in Section 402(c) (9), IRC.

- c. Partial lump sum. A portion of the accrued “DROP” benefits shall be paid to the participant or surviving beneficiary; less IRS tax, and the remaining “DROP” benefits shall be transferred directly to the custodian of an eligible retirement plan as defined in Section 402 (c)(8)(B), IRC. However, in the case of an eligible rollover distribution to the surviving beneficiary of a deceased participant, an eligible retirement plan is an individual retirement account or annuity as described in Section 402(c) (9), IRC. The “DROP” participant or surviving beneficiary shall specify the proportions.

Regardless of the option selected by the participant, the Board of Trustees has the right to accelerate payments in order to comply with Section 401 (A) (9) of the Internal Revenue Code

and the right to defer payments to comply with Section 415 of the Internal Revenue Code.

10. Death

If a “DROP” participant dies before their account balances are paid out in full, the participant’s designated beneficiary shall have the same rights as the participant to elect and

receive the payout options set forth in paragraph nine (IX) above. “DROP” payments to a

beneficiary shall be in addition to any retirement benefits payable to the participant.

Participants who are or have been “DROP” participants are not eligible for pre-retirement death or disability benefits.

11. Forms

The forms and notices approved by the City shall be used in the administration of the “DROP” Plan.

12. Amendment

The Board of Trustees, upon approval by the City Council, can amend the “DROP” at any time. Such amendments shall be consistent with the provisions covering deferred retirement

option plans set forth in any applicable collective bargaining agreement and shall be binding

upon all future “DROP” participants and upon all “DROP” participants who have balances in

their accounts. Such amendments may increase the expense, decrease the account earnings,

or limit or restrict the payout options.

N. SHARE PLAN

The purpose of this Section is to implement the provisions of Chapter 175, Florida Statutes.

CITY OF CLERMONT
ORDINANCE No. 2017-08

and to provide a mechanism to pay required “extra benefits” to Firefighters based on the growth of premium tax revenue pursuant to Chapter 175. The monies shall be derived exclusively from monies received from the state and not from any additional taxes levied by the City.

Effective January 24, 2017, the City agrees to convert 100% of the Chapter 175 reserve fund to a Share Plan. The total amount shall be credited to each participant based on their completed months of credited service in proportion to the combined completed months of credited service of all participants.

Effective January 24, 2017, the Union agrees to allow the City to use 100% of all future Chapter 175 annual distributions up to the amount received in the 2012 calendar year (\$188,967) and 50% of any future annual amounts in excess of the 2012 calendar year distribution to fund the normal cost of the pension plan. The remaining 50% of any future annual amounts in excess of the 2012 calendar year distribution shall be credited to participant share accounts, with each participant’s account receiving an equal share of the total amount allocated.

All monies received will be placed in the fund, as outlined in Article 4 of the Basic Plan Document, and shall be commingled for investment purposes with the other assets of the City’s retirement pension funds. Separate accounting shall be maintained for all co-mingled assets.

In accordance with provisions of Chapter 175, Florida Statutes and such other required authority, a firefighter, who is a participant, shall be entitled to one share for each year of credited service, as defined below, as a firefighter of the City. Each participant shall thereupon have as many shares as years of credited service. The number of years of credited service rendered by each participant shall be determined and a record thereof shall be made on the participant's service record.

For purposes of this Section, the word, credited service shall mean all time served as a regularly appointed or employed firefighter of the City for which regular compensation is paid by the City and all times during which a participant is absent on military leave. It shall include all leave of absences with pay, but shall not include leave of absences during which no regular compensation is paid by the City, except military leave. Credited service for the purposes of the Share Plan only, shall include participants in the DROP.

Available funds shall be credited to active participant share accounts, or participants in the DROP, as of September 30th of the applicable plan year. Available funds shall be prorated to each qualifying firefighter in proportion to the number of individual shares for the plan year by credit to the fund.

The Board of Trustees shall pay all costs and expenses for the management and operation for

CITY OF CLERMONT
ORDINANCE No. 2017-08

the current fiscal year and shall set aside as much of the income as it considers advisable as a reserve for expenses for the next fiscal year. After deducting these monies, the remaining monies shall be allocated and credited to the fund on behalf of the respective participants. The City shall bear no expense in the operation of this Share Plan.

Upon termination of employment, a vested participant shall be paid the entire share balance as soon as administratively feasible following his termination of employment. In addition, a vested participant, or his designated beneficiary, shall be entitled to payment of the entire share balance when the participant or beneficiary becomes eligible for a disability or death benefit from the defined benefit plan.

Upon the separation from service of a non-vested participant (as defined in Section J, of the Adoption Agreement), shares shall revert back into this Share Plan and shall be reallocated to the membership unless the former participant returns to service prior to the September 30th allocation date.

If any provisions of this Section or the Plan hereby created shall conflict with the provisions of Chapter 175, Florida Statutes, such conflict shall be resolved in favor of the statutory provisions which are intended to control.

SECTION 2.

Any portion of the City of Clermont Code or any Ordinance or part thereof in conflict with this Ordinance is hereby repealed to the extent of such conflict.

SECTION 3.

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 4.

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. 2017-08

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 11th day of April 2017.

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
ORDINANCE No. 2017-08

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. 2017-08

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF CLERMONT FIREFIGHTERS' PENSION TRUST FUND, AS ADOPTED BY ORDINANCE NO. 304-C; PROVIDING PLAN BENEFIT REVISIONS; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE.

A meeting to consider the Ordinance will be held before the City Council on Tuesday, April 11, 2017 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.

Denise Noak, CMC
Acting City Clerk

Daily Commercial
March 28, 2017



CITY OF CLERMONT

AGENDA ITEM

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Meeting Date		
Tuesday, April 11, 2017		
Agenda Item Name		
Ordinance No. 2017-09 <i>Final</i> <i>Police Officers Pension Plan Amendment</i>		
Requested Action		
Request approval of Ordinance No. 2017-09 to amend the Police Officers Pension Plan.		
Staff Report		
Ordinance No. 2017-09 is proposed to amend the Police Officers Pension Plan as follows: Section H. (Disability Benefits) is proposed to be revised to clarify the disability benefit amounts available to police officers and does not represent a change to the benefit eligibility or calculation language. Section I. (Death Benefits) is proposed to be revised to change the death benefits for an in line of duty death. Currently, the in line of duty death benefit for a non-vested police officer is significantly less than a vested police officer. In addition, the in line of duty death benefit for a vested police officer is the payment of his monthly normal retirement benefit (based on years of service and annual earnings) to his beneficiaries at the police officer's early or normal retirement date. The revision provides for the following changes: 1) The in line of duty death benefit will be based on the same methodology for non-vested and vested police officers. 2) The in line of duty death benefit the police officer's beneficiaries will receive at the time of death, will be 100% of the police officer's monthly salary. Since the plan actuary does not assume deaths, there is no cost impact to the plan for this change. This change is modeled after a recent change to the Florida Retirement System by the state legislature regarding in line of duty deaths of high risk employees. Section N. (Share Plan) is proposed to be revised to clarify that a police officer who is vested will receive their entire share balance as soon as administratively feasible following termination of employment. Ordinance No. 2017-09 was recommended for approval by the Police Officers Pension Board of Trustees at their March 23, 2017 meeting.		
Additional Analysis		
Fiscal Impact Summary		
There is no pension cost funding impact from these changes.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		

- | | | |
|----|-----------------------|---|
| 1. | Ordinance No. 2017-09 | Ordinance No 2017-09 - Police Officer Pension Plan (Underlined) - 3-24-17.doc |
| 2. | Ad | 2017-09 Police Pension.doc |

CITY OF CLERMONT
ORDINANCE No. 2017-09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF CLERMONT POLICE OFFICERS' PENSION TRUST FUND, AS ADOPTED BY ORDINANCE NO. 304-C; PROVIDING PLAN BENEFIT REVISIONS; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Clermont Police Officers' are presently provided pension and certain other benefits under Ordinance No. 304-C and;

WHEREAS, the City Council desires to amend the provisions of the Police Officers' Retirement Plan;

SECTION 1.

NOW, THEREFORE BE IT ORDAINED, by the City Council of the City of Clermont, Lake County, Florida that the following sections of the Police Officers' Retirement Plan Adoption Agreement shall be amended to read as follows (note: strikethrough indicates removed words and underlined indicates added):

H. DISABILITY BENEFITS

1. Disability Benefits In-the-Line-Of-Duty

A member determined to be totally and permanently disabled from a service connected injury or disease will receive the greater of ~~(a) the accrued benefit, (b) the accumulated contributions at 5% interest or (c) 42% of average compensation.~~ (a) the member's accumulated contributions at 5% interest or (b) the greater of (i.) the member's accrued benefit or (ii.) 42% of the member's average final compensation.

2. Disability Benefits Off-Duty

A member determined to be totally and permanently disabled from a non-service connected injury or disease must have completed at least ten (10) years of service in order to be eligible for a non-service connected disability benefit. A member determined to be totally and permanently disabled from a non-service connected injury or disease and who has completed the required years of service will receive the greater of ~~(a) the accrued benefit, (b) the accumulated contributions at 5% interest or (c) 25% of average compensation~~ (a) the member's accumulated contributions at 5% interest or (b) the greater of (i.) the member's accrued benefit or (ii.) 25% of the member's average final compensation. A member determined to be totally and permanently disabled from a non-service connected injury or disease and who has not completed the required ten (10) years of service shall receive a return of employee contributions with 5% interest.

CITY OF CLERMONT
ORDINANCE No. 2017-09

I. DEATH BENEFITS

1. Death Prior to Vesting – In-Line-Of-Duty

If a member dies prior to retirement in-the-line-of-duty, and he is not vested, his beneficiary shall receive a refund of one hundred percent (100%) of the member's accumulated contributions; the benefit provided for in I.2. below.

2. Death After Vesting – In-Line-Of-Duty

If a member dies prior to retirement in the line of duty, and he is vested, having completed the required years of credited service, his beneficiary shall receive the benefits otherwise payable to the member at the member's early or normal retirement date.

If a member, other than a participant in the DROP under Section M, dies in-the-line-of-duty, the following benefits are payable:

- a. If the member dies leaving a surviving spouse, the surviving spouse may receive a monthly pension equal to one hundred percent (100%) of the monthly salary being received by the member at the time of the member's death for the rest of the surviving spouse's lifetime. Benefits provided by this paragraph supersede any other distribution that may have been provided by the member's designation of beneficiary. Such benefit ceases upon the surviving spouse's death unless the member's minor children survive the spouse as provided for in paragraph b of this subsection.
- b. If the surviving spouse dies and the member's minor children survive the spouse, the monthly payments that otherwise would have been payable to such surviving spouse shall be paid for the use and benefit of the member's child or children under 18 years of age and unmarried until the 18th birthday of the member's youngest child. Such monthly payments may be extended until the 25th birthday of the member's child if the child is unmarried and enrolled as a full-time student at an accredited institution. If there is more than one minor child, the benefits shall be divided equally among the children. As each child reaches the benefit termination age, the remaining eligible children will divide the benefits.
- c. If the member dies leaving no surviving spouse but is survived by a child or children under 18 years of age and unmarried, the benefits provided by subparagraph a., shall be paid for the use and benefit of such member's child or children under 18 years of age and unmarried until the 18th birthday of the member's youngest child. Such monthly payments may be extended until the 25th birthday of any of the member's children if the child is unmarried and enrolled as a full-time student at an accredited institution. If there is more than one minor child, the benefits shall be divided equally among the children. As each child reaches the benefit termination age, the remaining eligible children will divide the benefits.

CITY OF CLERMONT
ORDINANCE No. 2017-09

- d. If the member dies leaving no surviving spouse and no child or children under 18 years of age and unmarried or no child under age 25 and unmarried and enrolled as a full-time student, then the member's beneficiary shall receive the greater of (i) the member's accrued benefit or (ii) 42% of the member's average final compensation, with the applicable annuity amount payable for 10 years. If the named beneficiary dies before the full 10 years of payments are made, the remaining benefit payments will be paid in a lump sum to the estate of the beneficiary.
- e. For purposes of determining whether a death is in-the-line-of-duty, the presumption and additional presumption provided for in Section 8.01 (B) and (C) shall apply.
- f. In all cases, the benefits paid in paragraphs a., b. and c. above will be at least the member's accrued benefit paid for 10 years. In the event that the surviving spouse or children's benefits cease due to death or reaching the age of majority as provided for herein, the benefit will be paid to the estate of the survivor payee (i.e. the surviving spouse or surviving children).

N. SHARE PLAN

The purpose of this Section is to implement the provisions of Chapter 185, Florida Statutes, and to provide a mechanism to pay required "extra benefits" to Police Officers based on the growth of premium tax revenue pursuant to Chapter 185. The monies shall be derived exclusively from monies received from the state and not from any additional taxes levied by the City.

Effective January 26, 2016, the City agrees to convert 100% of the Chapter 185 reserve fund to a Share Plan. The total amount shall be credited to each participant based on their completed months of credited service in proportion to the combined completed months of credited service of all participants.

Effective January 26, 2016, the Union agrees to allow the City to use 100% of all future Chapter 185 annual distributions up to the amount received in the 2012 calendar year (\$211,000) and 50% of any future annual amounts in excess of the 2012 calendar year distribution to fund the normal cost of the pension plan. The remaining 50% of any future annual amounts in excess of the 2012 calendar year distribution shall be credited to participant share accounts, with each participant's account receiving an equal share of the total amount allocated.

All monies received will be placed in the fund, as outlined in Article 4 of the Basic Plan Document, and shall be commingled for investment purposes with the other assets of the City's retirement pension funds. Separate accounting shall be maintained for all co-mingled assets.

In accordance with provisions of Chapter 185, Florida Statutes and such other required authority, a police officer, who is a participant, shall be entitled to one share for each year of

CITY OF CLERMONT
ORDINANCE No. 2017-09

credited service, as defined below, as a police officer of the City. Each participant shall thereupon have as many shares as years of credited service. The number of years of credited service rendered by each participant shall be determined and a record thereof shall be made on the participant's service record. 3

For purposes of this Section, the word, credited service shall mean all time served as a regularly appointed or employed police officer of the City for which regular compensation is paid by the City and all times during which a participant is absent on military leave. It shall include all leave of absences with pay, but shall not include leave of absences during which no regular compensation is paid by the City, except military leave. Credited service for the purposes of the Share Plan only, shall include participants in the DROP.

Available funds shall be credited to active participant share accounts, or participants in the DROP, as of September 30th of the applicable plan year. Available funds shall be prorated to each qualifying police officer in proportion to the number of individual shares for the plan year by credit to the fund.

The Board of Trustees shall pay all costs and expenses for the management and operation for the current fiscal year and shall set aside as much of the income as it considers advisable as a reserve for expenses for the next fiscal year. After deducting these monies, the remaining monies shall be allocated and credited to the fund on behalf of the respective participants. The City shall bear no expense in the operation of this Share Plan.

Upon termination of employment, ~~the a vested~~ Participant shall be paid the entire ~~amount standing to this credit in the Fund share balance in a lump sum to the Participant~~ as soon as administratively feasible following his termination of employment. ~~In addition, No a vested~~ Participant, or ~~his~~ designated beneficiary, shall be entitled to payment of the ~~entire~~ share balance ~~unless when~~ the Participant or beneficiary becomes eligible for a ~~normal, early,~~ disability or death benefit from the defined benefit plan.

Upon the separation from service of a non-vested participant (as defined in Section J, of the Adoption Agreement), shares shall revert back into this Share Plan and shall be reallocated to the membership unless the former participant returns to service prior to the September 30th allocation date.

If any provisions of this Section or the Plan hereby created shall conflict with the provisions of Chapter 185, Florida Statutes, such conflict shall be resolved in favor of the statutory provisions which are intended to control.

SECTION 2.

Any portion of the City of Clermont Code or any Ordinance or part thereof in conflict with this Ordinance is hereby repealed to the extent of such conflict.

SECTION 3.

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

CITY OF CLERMONT
ORDINANCE No. 2017-09

extent that the entire Section or part of the Section may in separable in meaning and effect from the section to which such holding shall apply.

4

SECTION 4.

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

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 11th day of April, 2017.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Denise Noak, Acting 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. 2017-09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF CLERMONT POLICE OFFICERS' PENSION TRUST FUND, AS ADOPTED BY ORDINANCE NO. 304-C; PROVIDING PLAN BENEFIT REVISIONS; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

A meeting to consider the Ordinance will be held before the City Council on Tuesday, April 11, 2017 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.

Denise Noak, CMC
Acting City Clerk

Daily Commercial
March 28, 2017



CITY OF CLERMONT

AGENDA ITEM

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Meeting Date	
Tuesday, April 11, 2017	
Agenda Item Name	
Ordinance No. 2016-38 <i>Final</i> <i>South Lake Medical Arts Center/Lofts</i>	
Requested Action	
Recommend approval of Ordinance 2016-38.	
Staff Report	
On Feb. 14, 2017, the Council approved a conditional use permit (CUP) for an apartment development known as the Lofts. At that meeting, the Council also approved the transmittal of a proposed large-scale comprehensive plan amendment that would change the future land use of the property from Office to Residential/Office. The owner, Belgian Capital Fund, LLC, had requested a future land use change for 12.01 +/- acres from the Office future land use category to the Residential/Office future land use category. The owner requested this change to allow for the construction of residential units within the project. The property, which initially developed as South Lake Medical Arts Center, is located at the southwest corner of Oakley Seaver Drive and Citrus Tower Boulevard. It was originally approved for 116,000 square feet of professional office space. The owner has determined that the demand for professional office space has been replaced with a demand for residential rental units and requested a CUP and future land use amendment to allow for that use. Under Policy 1.8.1 of the comprehensive plan, residential uses are not allowed in the Office future land use category. The Residential/Office future land use category allows up to 12 units per acre and a 0.25 floor area ratio (FAR) for office use. The total office use at this time is 50,245 square feet, or a FAR of 0.10. There are no additional building pads remaining other than the two proposed for the residential use. The change in traffic demand, based upon the 8th Edition of the International Traffic Engineers (ITE) manual, is a reduction in daily trips from office use to residential use by over half the volume. The change to residential units may have an effect on the Lake County School District, and a school capacity report will be required prior to site plan approval. The applicant has indicated that the majority of the units will be one-bedroom units, thus lowering the probability of school-age children living in the units. The project is being geared toward working medical professionals and individuals training at the National Training Center. Staff believes that the Residential/Office future land use would provide opportunities for a residential component in the project that encourages walkability and reduces external vehicle trips. The project is also located along a public transit route and commercial uses are nearby. At the Feb. 14, 2017 meeting, the Council approved the transmittal of Ordinance 2016-38 to the Florida Department of Economic Opportunity (DEO) and the reviewing agencies. DEO issued a letter to the City on Mar. 30, 2017 stating that it had no objections to the amendment. Staff recommends approval of the adoption of Ordinance 2016-38 to change the future land use from Office to Residential/Office.	
Additional Analysis	

Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Ordinance	CPA ORD 2016-38.doc	
2. Maps	Maps.pdf	
3. Site plan	Site plan.pdf	
4. DEO letter	DEO adopted amendment letter.pdf	
5. Application	CPA Application.pdf	
6. Legal ad	CPA SL Medical Arts ad 2016.docx	

CITY OF CLERMONT
ORDINANCE No. 2016-38

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

Lot 1 of Clermont Town Center Addition, according to the plat thereof as recorded in PB 45, PG 96-97 of the Public Records of Lake County, Florida.

LESS the following:

A portion of Lot 1, Clermont Town Center Addition, according to the plat thereof as recorded in PB 45, PG 96-97 of the Public Records of Lake County, Florida, being more particularly described as follows:

CITY OF CLERMONT
ORDINANCE No. 2016-38

Begin at the southwest corner of Lot 1, Clermont Town Center Addition, according to the plat thereof as recorded in PB 45, PG 96-97 of the Public Records of Lake County, Florida; thence run north 15°34'27" east, along the west line of said Lot 1, a distance of 333.42 feet to the point of curvature of the curve concave southeasterly having a radius of 710.00 feet and a chord that bears north 18°53'45" east; thence run along the arc of said curve and said west line of Lot 1, through a central angle of 6°38'38", an arc distance of 82.33 feet; thence departing said west line, run south 89°25'59" east, 486.02 feet; thence run south 00°34'01" west along the east line of said Lot 1 and its northerly extension, 400.16 feet to the northeast corner of Lot 3 of said Clermont Town Center Addition; thence run north 89°25'59" west along the north line of said Lot 3 and the south line of said Lot 1, a distance of 598.23 feet to the point of beginning

Containing 12.010 acres more or less.

CHANGE IN FUTURE LAND USE CLASSIFICATION
FROM CLERMONT OFFICE TO CLERMONT RESIDENTIAL/OFFICE

SECTION 2.

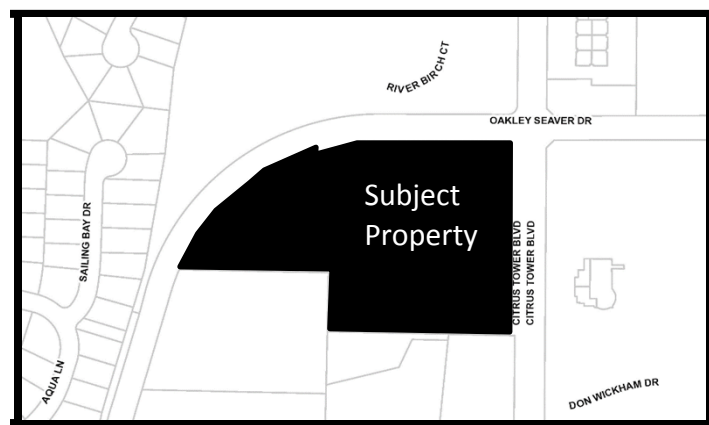
If any portion of this Ordinance is declared invalid, the invalidated portion shall be severed from the remainder of the Ordinance, and the remainder of the Ordinance shall continue in full force and effect as if enacted without the invalidated portion, except in cases where such continued validity of 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. 2016-38

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida, this 11th day of April, 2017.

Gail L. Ash, Mayor

ATTEST:

Denise Noak, Acting City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Exhibit - Location Map
South Lake Medical Arts

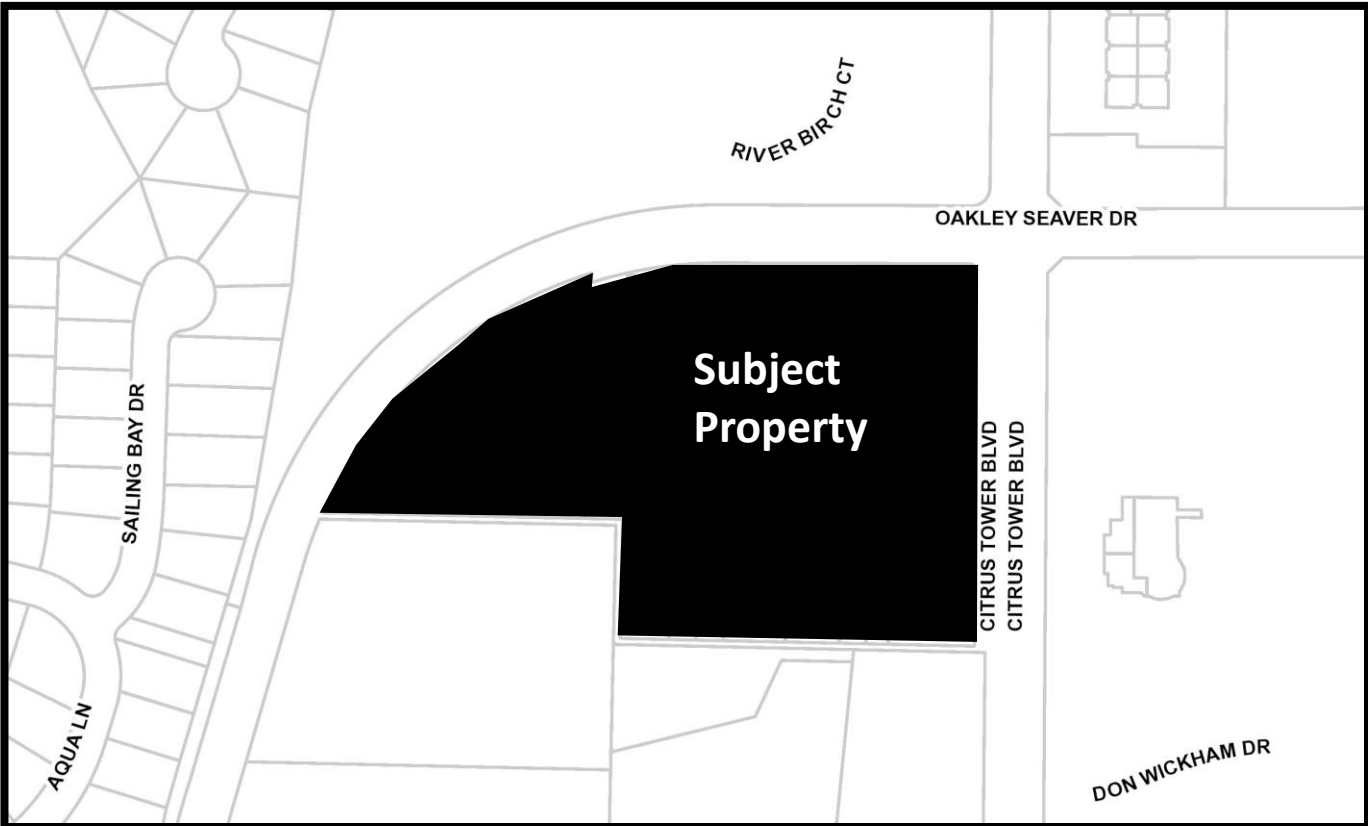
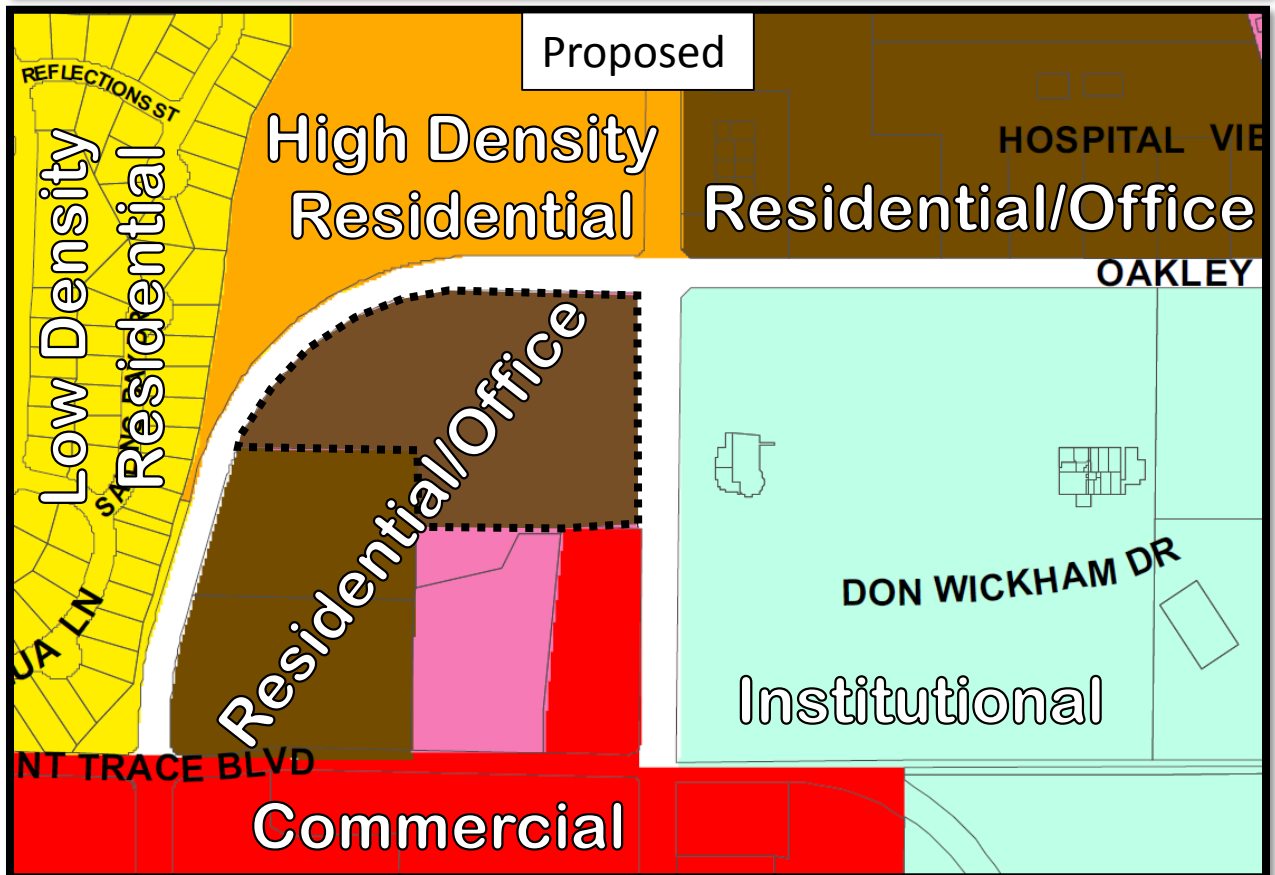
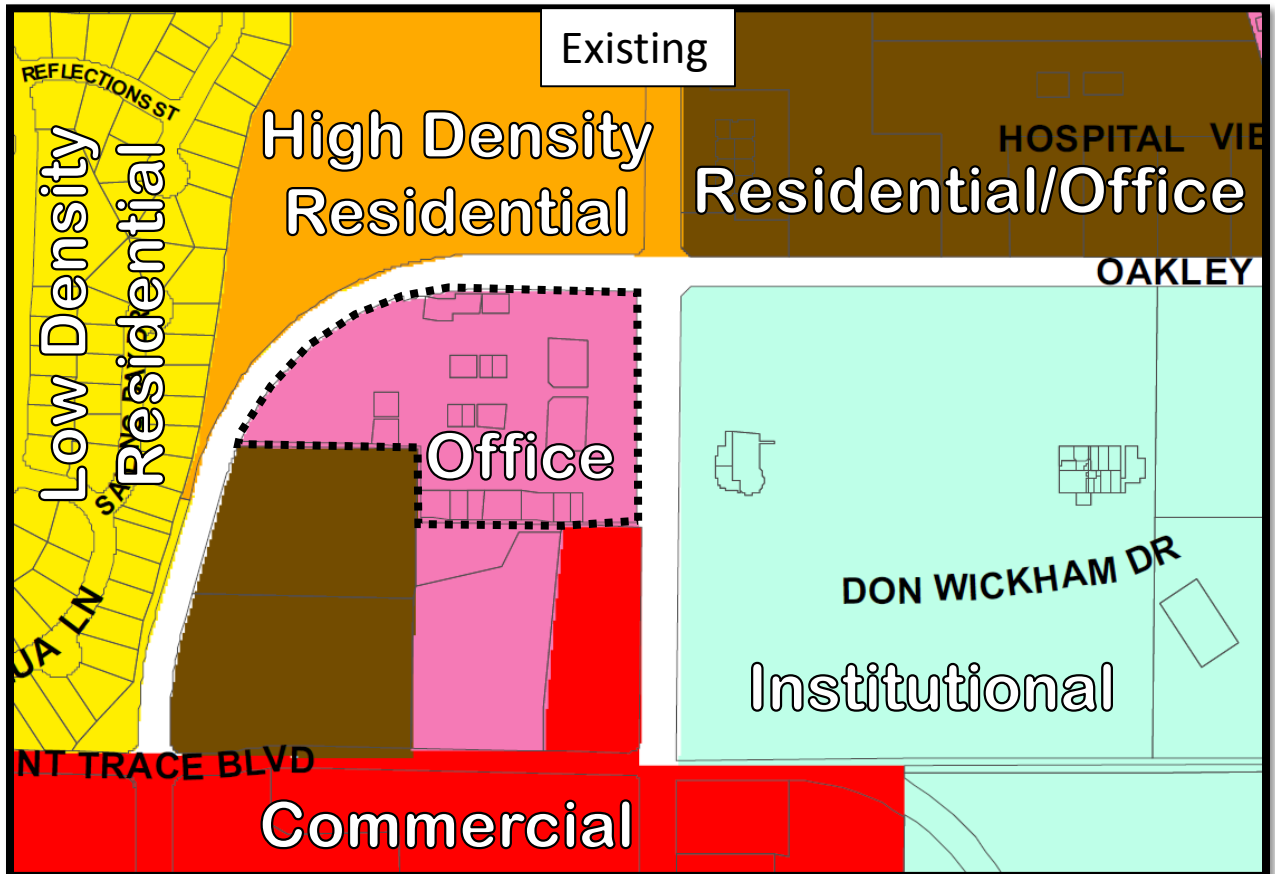
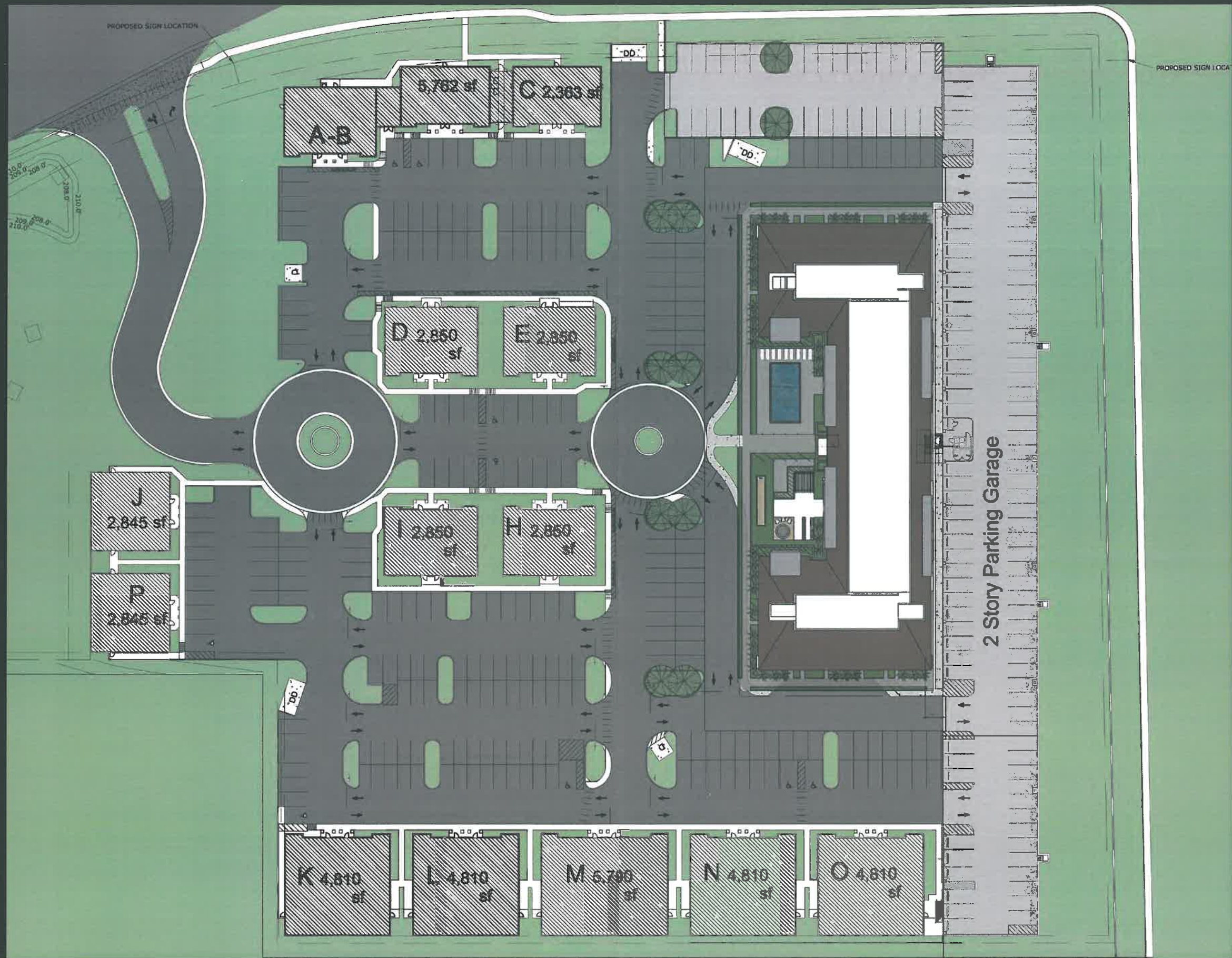


Exhibit – Future Land Use Map
South Lake Medical Arts







PROPOSED SOUTH LAKE APARTMENTS SITE PLAN
CLERMONT FLORIDA

Rick Scott
GOVERNOR



Cissy Proctor
EXECUTIVE DIRECTOR

March 30, 2017

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

Dear Mayor Ash:

The Department of Economic Opportunity has completed its review of the proposed comprehensive plan amendment for the City of Clermont (Amendment No. 17-1ESR, Ordinance 2016-38), which was received on February 28, 2017. We have reviewed the proposed amendment pursuant to Sections 163.3184(2) and (3), Florida Statutes (F.S.), and identified no comment related to important state resources and facilities within the Department's authorized scope of review that will be adversely impacted by the amendment if adopted.

The City is reminded that pursuant to Section 163.3184(3)(b), F.S., other reviewing agencies have the authority to provide comments directly to the City. If other reviewing agencies provide comments, we recommend the City consider appropriate changes to the amendment based on those comments. If unresolved, such comments could form the basis for a challenge to the amendment after adoption.

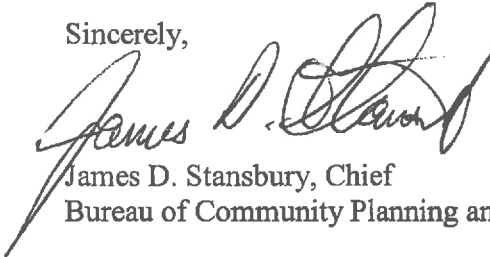
The City should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. Please note that Section 163.3184(3)(c)1, F.S., provides that if the second public hearing is not held and the amendment adopted within 180 days of your receipt of agency comments, the amendment shall be deemed withdrawn unless extended by agreement with notice to the state land planning agency and any affected party that provided comment on the amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment.

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
850.245.7105 | www.floridajobs.org
[www.twitter.com/FLDEO](https://twitter.com/FLDEO) | www.facebook.com/FLDEO

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

We appreciate the opportunity to work with the City's staff in the review of the amendment. If you have any questions concerning this review, please contact Dan Pennington, at (850) 717-8524, or by email at dan.pennington@deo.myflorida.com.

Sincerely,

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

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

JDS/dp

Enclosure: Procedures for adoption of comprehensive plan amendments

cc: Barbara Hollerand, Development Services Director, City of Clermont
Hugh W. Harling, Jr., P.E., Executive Director, East Central Florida Regional Planning
Council

**SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS
FOR EXPEDITED STATE REVIEW**

Section 163.3184(3), Florida Statutes

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

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

_____ Department of Economic Opportunity identification number for adopted amendment package;

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

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

_____ Ordinance number and adoption date;

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

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

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

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

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

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

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

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

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

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

The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the Department of Economic Opportunity notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the Department of Economic Opportunity or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Department of Economic Opportunity.

_____ List of additional changes made in the adopted amendment that the Department of Economic Opportunity did not previously review;

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

_____ Statement indicating the relationship of the additional changes not previously reviewed by the Department of Economic Opportunity in response to the comment letter from the Department of Economic Opportunity.



CITY OF CLERMONT
COMPREHENSIVE PLAN AMENDMENT
Application

DATE: 5/23/16

FEE: 1500.00

Project Name (if applicable): South Lake Medical Arts - Residential

Applicant: Jimmy D. Crawford

Contact Person: " "

Address: 1201 West Hwy 50

City: Clermont

State: FL

Zip: 34711

Phone: (352) 394-7408

Fax: (352) 352-7298

E-Mail: jimmy.crawford@mnagellaw.com

OWNER: Belgian Capital Fund, LLC

Address: 1135 Kane Concourse, 3rd Floor

City: Bay Harbor Islands

State: FL

Zip: 33154

Phone: (305) 450-9628

Fax: -

E-Mail: kjanc@gmail.com

General Location: West of Citrus Tower Blvd, South of
Oakley Sever Drive, West of South Lake Hospital.

Legal Description (include copy of survey): see attached

Property size (in acres or square feet):

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

Existing (Actual) Land Use: Office Center

Existing Zoning: R-3 + CUP

Existing Future Land Use: Office

Proposed Future Land Use: Mixed Use

Type of development proposed: existing office center, plus
residential rental units.



Proposed density (dwelling units/acre) or intensity: 12 units/acre

Proposed Zoning District: R3+CUP

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

The two large previously proposed medical office buildings have not sold. South Lake Hospital has developed medical office on its campus adjacent to our property. There is a continuing and growing need for residential rental units. Clermont currently does not have a project similar - elevator serviced enclosed hallway urban apartment.

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

[Signature], who being

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

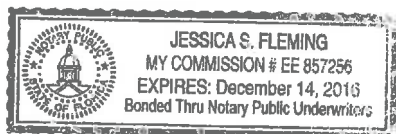
1. That he (she) affirms and certifies that he (she) understands and will comply with all ordinances, regulations and policies of Lake County, Florida, and that all statements and diagrams submitted herewith are true and accurate to the best of his (her) knowledge and belief, and further, that this application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

Jimmy D. Crawford
Affiant - Applicant Name (print)

X [Signature]
Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

or personally known by me this 23rd day of May, 2016.



X [Signature]
Notary Public, State of Florida at Large

My Commission Expires: 12.14.16



OWNER'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE:

Before me, the undersigned authority personally appeared

Jan Hendrickx, as Manager of Belgian Capital Fund, LLC who being
by me first duly sworn on oath, deposes and says:

1. That ~~he~~ (she) is the fee-simple owner of the property legally described on the attachment of this application.
2. That ~~he~~ (she) desires a Future Land Use Amendment from Office to Mixed Use for the property legally described on the attachment of this application.
3. That the owner of said property has appointed Jimmy R Crawford to act as agent on his (her) behalf to accomplish the above. The owner is required to complete the APPLICANT'S AFFIDAVIT of this application if no agent is appointed to act in his (her) stead.

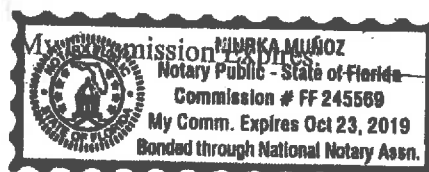
Jan Hendrickx as
Affiant - Applicant Name (print)
Manager, Belgian Capital Fund, LLC

X [Signature]
Affiant - Applicant Name (signature)
Manager, Belgian Capital Fund, LLC

SWORN to and SUBSCRIBED before me by

or personally known by me this 24th day of May, 2019.

X [Signature]
Notary Public, State of Florida at Large



SOUTH LAKE MEDICAL ARTS CENTER a/k/a SOUTH LAKE OFFICE PARK
LAND USE PLAN AMENDMENT APPLICATION
LEGAL DESCRIPTION

Overall Property Description

Lot 1 of CLERMONT TOWN CENTER ADDITION, according to the plat thereof as recorded in Plat Book 45, Pages 96 and 97 of the Public Records of Lake County, Florida.

LESS the following:

A portion of Lot 1, CLERMONT TOWN CENTER ADDITION, according to the plat thereof as recorded in Plat Book 45, Pages 96 and 97 of the Public Records of Lake County, Florida, being more particularly described as follows:

Begin at the Southwest corner of Lot 1, CLERMONT TOWN CENTER ADDITION, according to the plat thereof as recorded in Plat Book 45, Pages 96 and 97 of the Public Records of Lake County, Florida; thence run North 15°34'27" East, along the West line of said Lot 1, a distance of 333.42 feet to the Point of Curvature of a curve concave Southeasterly having a radius of 710.00 feet and a chord that bears North 18°53'45" East; thence run along the arc of said curve and said West line of Lot 1, through a central angle of 6°38'38", an arc distance of 82.33 feet; thence departing said West line, run South 89°25'59" East, 486.02 feet; thence run South 00°34'01" West along the East line of said Lot 1 and its Northerly extension, 400.16 feet to the Northeast corner of Lot 3 of said CLERMONT TOWN CENTER ADDITION; thence run North 89°25'59" West along the North line of said Lot 3 and the South line of said Lot 1, a distance of 598.23 feet to the Point of Beginning.

Containing 12.010 acres, more or less.



Denham Engineering, LLC
Engineers
Orlando: 407-217-5487
Clermont: 352-989-1915
Briarwood@DenhamENG.com
www.DenhamENG.com

Inland Atlantic Development Corporation
1500 Central Expressway
Suite 200
Atlanta, GA 30328
Tel: 404-523-8148

SLMAC Multi-Family
Clermont, FL

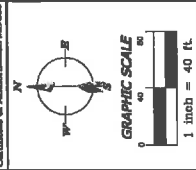
Conceptual Plans

Dimension Plan

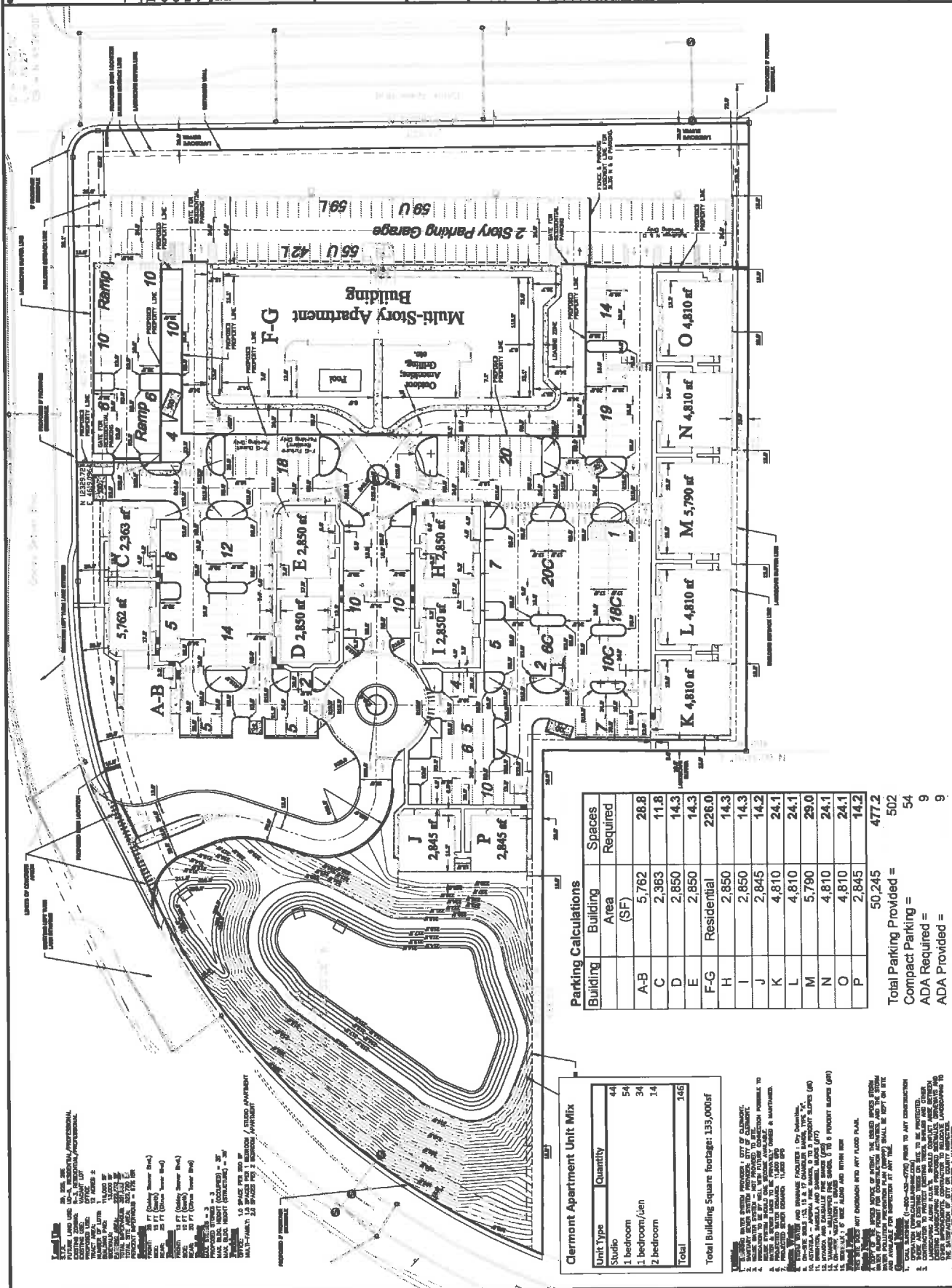
Revisions	
NO.	DATE
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2	10-10-17
3	10-10-17
4	10-10-17
5	10-10-17
6	10-10-17
7	10-10-17
8	10-10-17
9	10-10-17
10	10-10-17

Prepared by: [Name]
Checked by: [Name]
Drawn by: [Name]

2. Denham Engineering, LLC
Date: 10-10-17
Project: [Name]
Sheet: 1 of 1



Sheet Number
1 of 1



Parking Calculations		
Building	Building Area (SF)	Spaces Required
A-B	5,762	28.8
C	2,363	11.8
D	2,850	14.3
E	2,850	14.3
F-G	Residential	226.0
H	2,850	14.3
I	2,850	14.3
J	2,845	14.2
K	4,810	24.1
L	4,810	24.1
M	5,790	29.0
N	4,810	24.1
O	4,810	24.1
P	2,845	14.2
Total		477.2
Total Parking Provided =		502
Compact Parking =		54
ADA Required =		9
ADA Provided =		9

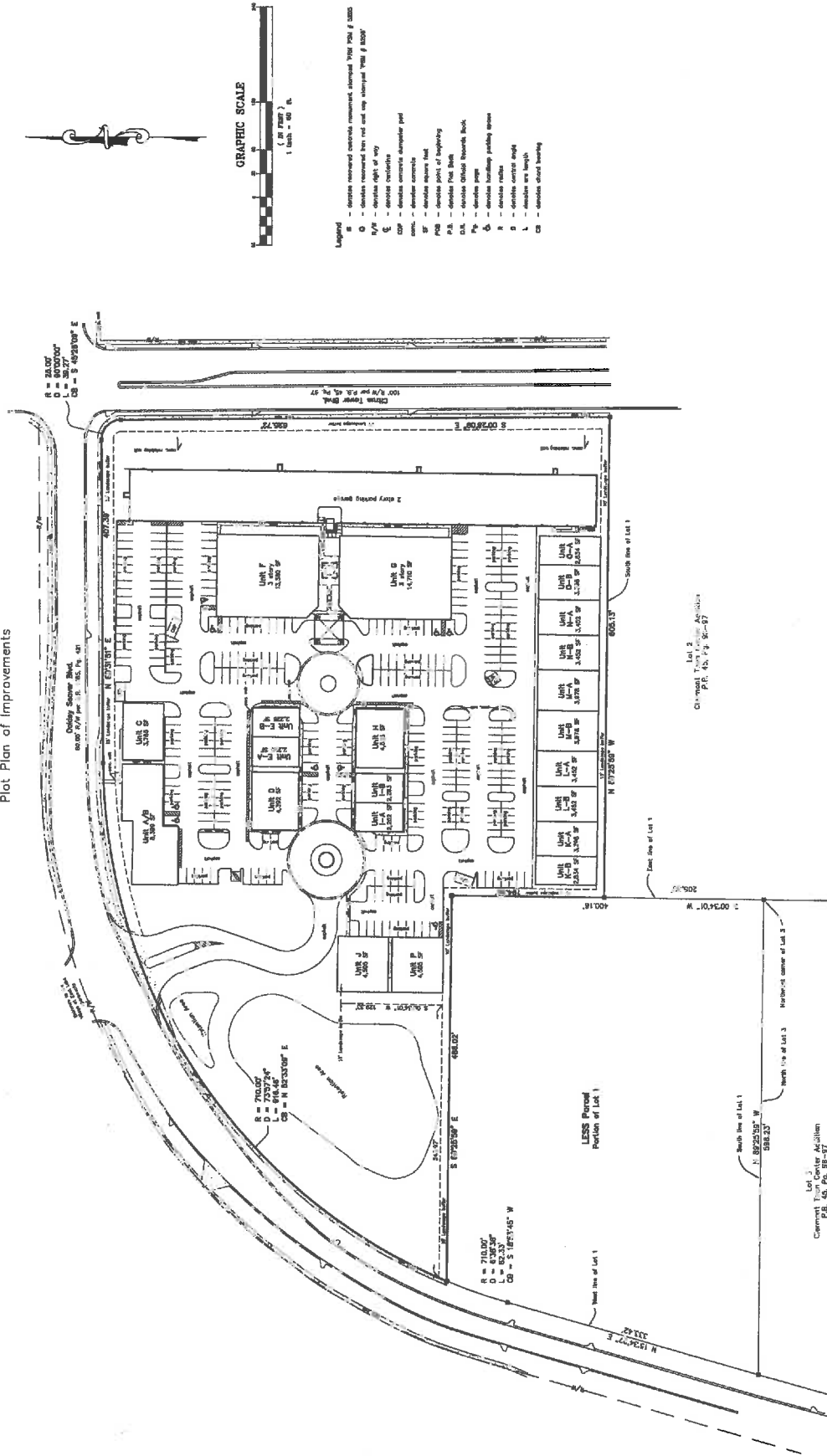
Clermont Apartment Unit Mix	
Unit Type	Quantity
Studio	44
1 bedroom	54
1 bedroom/1 bath	34
2 bedroom	14
Total	146
Total Building Square Footage: 133,000sf	

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF CLERMONT, FLORDA, LATEST EDITION, UNLESS OTHERWISE SPECIFIED.
2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE FLORIDA BUILDING CODE, LATEST EDITION, UNLESS OTHERWISE SPECIFIED.
3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE FLORIDA PLUMBING CODE, LATEST EDITION, UNLESS OTHERWISE SPECIFIED.
4. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE FLORIDA ELECTRICAL CODE, LATEST EDITION, UNLESS OTHERWISE SPECIFIED.
5. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE FLORIDA MECHANICAL CODE, LATEST EDITION, UNLESS OTHERWISE SPECIFIED.
6. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE FLORIDA FIRE CODE, LATEST EDITION, UNLESS OTHERWISE SPECIFIED.
7. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE FLORIDA ENVIRONMENTAL CODE, LATEST EDITION, UNLESS OTHERWISE SPECIFIED.
8. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE FLORIDA LAND USE CODE, LATEST EDITION, UNLESS OTHERWISE SPECIFIED.
9. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE FLORIDA ZONING CODE, LATEST EDITION, UNLESS OTHERWISE SPECIFIED.
10. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE FLORIDA HEALTH CODE, LATEST EDITION, UNLESS OTHERWISE SPECIFIED.
11. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE FLORIDA SAFETY CODE, LATEST EDITION, UNLESS OTHERWISE SPECIFIED.
12. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE FLORIDA WELFARE CODE, LATEST EDITION, UNLESS OTHERWISE SPECIFIED.
13. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE FLORIDA EDUCATION CODE, LATEST EDITION, UNLESS OTHERWISE SPECIFIED.
14. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE FLORIDA LABOR CODE, LATEST EDITION, UNLESS OTHERWISE SPECIFIED.
15. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE FLORIDA TAX CODE, LATEST EDITION, UNLESS OTHERWISE SPECIFIED.
16. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE FLORIDA FINANCIAL CODE, LATEST EDITION, UNLESS OTHERWISE SPECIFIED.
17. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE FLORIDA BUSINESS CODE, LATEST EDITION, UNLESS OTHERWISE SPECIFIED.
18. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE FLORIDA PROFESSIONAL CODE, LATEST EDITION, UNLESS OTHERWISE SPECIFIED.
19. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE FLORIDA JUDICIAL CODE, LATEST EDITION, UNLESS OTHERWISE SPECIFIED.
20. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE FLORIDA LEGISLATIVE CODE, LATEST EDITION, UNLESS OTHERWISE SPECIFIED.

South Lake Medical Arts Center – Third Amendment

Section 32, Township 22 South, Range 26 East,
City of Clermont, Lake County, Florida

Plot Plan of Improvements



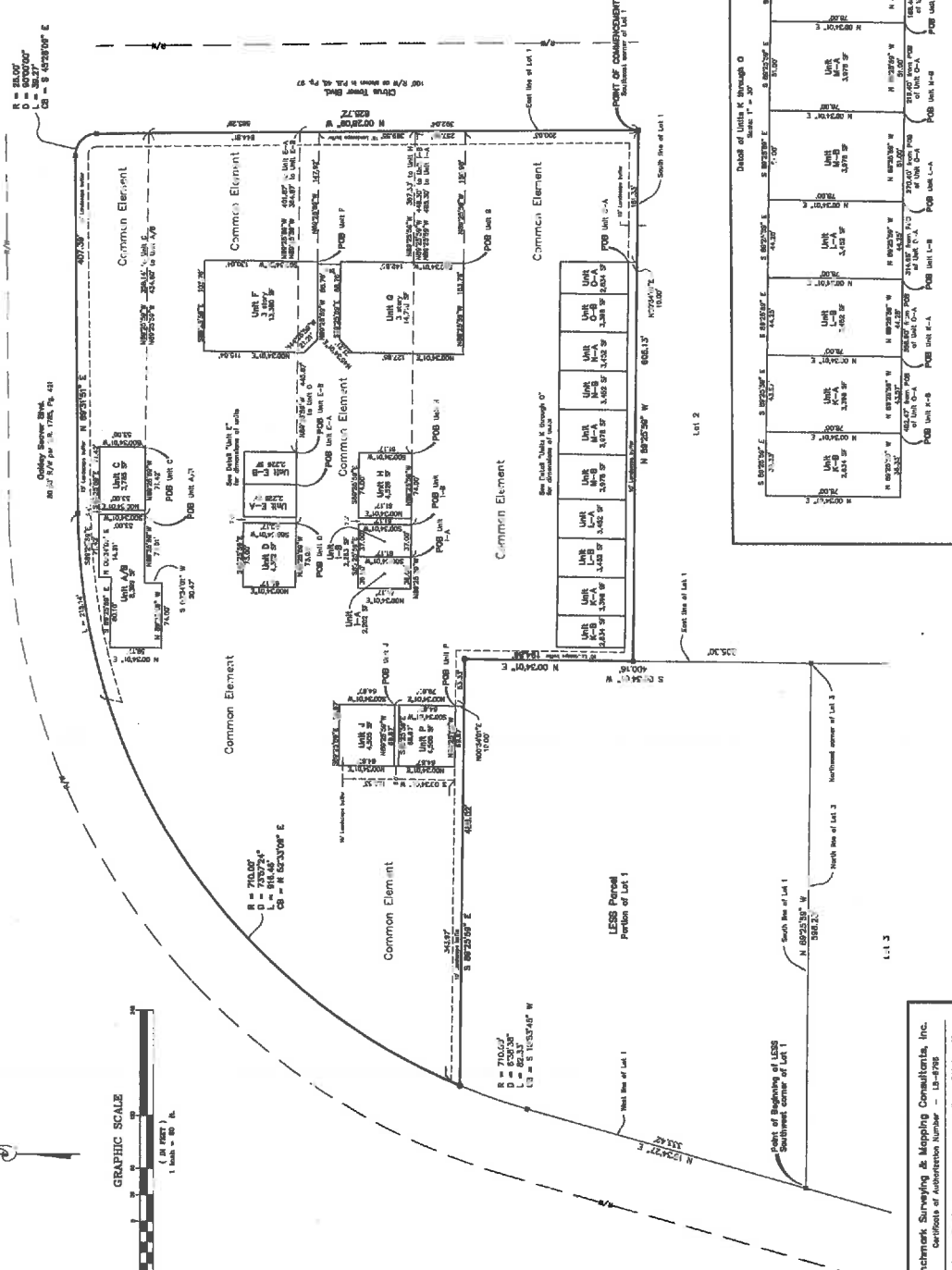
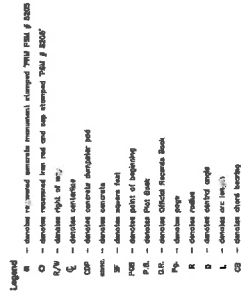
Benchmark Surveying & Mapping Consultants, Inc.
Certificate of Authorization Number - LB-8798

Post Office Box 770265, Winter Garden, Florida 34787-1023
657 West Plant Street, Winter Garden, Florida 34787
(407) 654-8183 Fax (407) 654-8184

South Lake Medical Arts Center – Third Amendment

Section 32, Township 22 South, Range 26 East,
City of Clermont, Lake County, Florida

Unit Boundaries



Blackmark Surveying & Mapping Consultants, Inc.
 Certificates of Authorization Number - LS-8798
 Post Office Box 771086, Winter Garden, Florida 34777-1086
 557 West Plant Street, Maiter Garden, Florida 34787
 (407) 894-0123 Fax (407) 894-0184

**SOUTH LAKE MEDICAL ARTS CENTER
PADS F AND G
TRAFFIC ANALYSIS/COMPARISON**

OFFICE USE – 60,000 SF

8th Ed. ITE Trip Generation:*

36.13 Trips per thousand sf

60,000 sf = **2,168 Trips Per Day**

RESIDENTIAL – 146 APTS

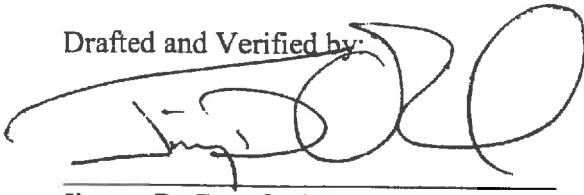
8th Ed. ITE Trip Generation:

6.59 Trips per Unit

146 units = **962 Trips per Day**

- **ALL TRAFFIC GENERATION NUMBERS TAKEN FROM 8TH EDITION, INTERNATIONAL TRAFFIC ENGINEERS (ITE) MANUAL, ADOPTED AND USED BY LAKE COUNTY AND THE FLORIDA DEPARTMENT OF TRANSPORTATION**

Drafted and Verified by:



Jimmy D. Crawford, Esq.

August 10, 2016

PROPERTY RECORD CARD

General Information

Owner Name:	BELGIAN CAPITAL FUND LLC	Alternate Key:	3877220
Mailing Address:	1135 KANE CONCOURSE 3RD FL BAY HARBOR ISLANDS, FL 33154 Update Mailing Address ⓘ	Parcel Number:	20-22-26-030200000F00
		Millage Group and City:	000C (Clermont)
		Total Millage Rate:	18.65210
		Trash/Recycling/Water/Info:	My Public Services Map ⓘ
Property Location:	831 OAKLEY SEAVER DR STE 200 CLERMONT FL 34711 Update Property Location ⓘ	Property Name:	Submit Property Name ⓘ
		School Locator:	School and Bus Map ⓘ
Property Description:	CLERMONT, SOUTH LAKE MEDICAL ARTS CENTER THIRD AMENDMENT CONDOMINIUM UNIT F CB 3 PG 31-33 ORB 4028 PG 1691		

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class Value	Land Value
1	VACANT COMMERCIAL (1000)	0	0		13380	SF	\$0.00	\$602,100.00

Miscellaneous Improvements

There is no improvement information to display.

Sales History

Book/Page	Sale Date	Instrument	Qualified/Unqualified	Vacant/Improved	Sale Price
4028 / 1691	4/27/2011	Warranty Deed	Multi-Parcel	Vacant	\$2,110,000.00

[Click here to search for mortgages, liens, and other legal documents.](#) ⓘ

Values and Estimated Ad Valorem Taxes ⓘ

Tax Authority	Market Value	Assessed Value	Taxable Value	Millage	Estimated Taxes
LAKE COUNTY BCC GENERAL FUND	\$602,100	\$551,925	\$551,925	5.30510	\$2,928.02
LAKE COUNTY MSTU AMBULANCE	\$602,100	\$551,925	\$551,925	0.46290	\$255.49
SCHOOL BOARD STATE	\$602,100	\$602,100	\$602,100	5.69700	\$3,430.16
SCHOOL BOARD LOCAL	\$602,100	\$602,100	\$602,100	1.50000	\$903.15
CITY OF CLERMONT	\$602,100	\$551,925	\$551,925	4.20610	\$2,321.45

PROPERTY RECORD CARD

General Information

Owner Name:	BELGIAN CAPITAL FUND LLC	Alternate Key:	3877221
Mailing Address:	1135 KANE CONCOURSE 3RD FL BAY HARBOR ISLANDS, FL 33154 Update Mailing Address	Parcel Number:	20-22-26-030200000G00
		Millage Group and City:	000C (Clermont)
		Total Millage Rate:	18.65210
		Trash/Recycling/Water/Info:	My Public Services Map
Property Location:	851 OAKLEY SEAVER DR CLERMONT FL 34711 Update Property Location	Property Name:	-- Submit Property Name
		School Locator:	School and Bus Map
Property Description:	CLERMONT, SOUTH LAKE MEDICAL ARTS CENTER THIRD AMENDMENT CONDOMINIUM UNIT G CB 3 PG 31-33 ORB 4028 PG 1691		

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class Value	Land Value
1	VACANT COMMERCIAL (1000)	0	0		14710	SF	\$0.00	\$661,950.00

Miscellaneous Improvements

There is no improvement information to display.

Sales History

Book/Page	Sale Date	Instrument	Qualified/Unqualified	Vacant/Improved	Sale Price
4028 / 1691	4/27/2011	Warranty Deed	Multi-Parcel	Vacant	\$2,110,000.00

[Click here to search for mortgages, liens, and other legal documents.](#)

Values and Estimated Ad Valorem Taxes

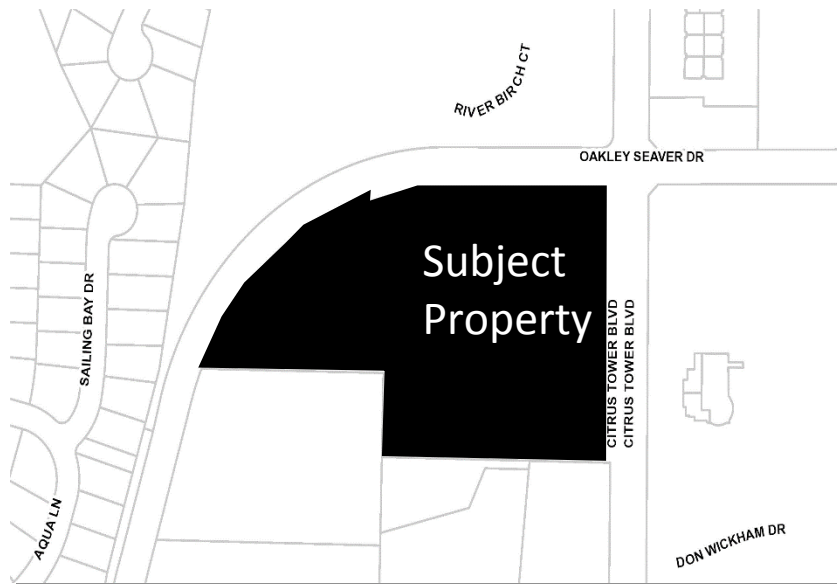
Tax Authority	Market Value	Assessed Value	Taxable Value	Millage	Estimated Taxes
LAKE COUNTY BCC GENERAL FUND	\$661,950	\$606,787	\$606,787	5.30510	\$3,219.07
LAKE COUNTY MSTU AMBULANCE	\$661,950	\$606,787	\$606,787	0.46290	\$280.88
SCHOOL BOARD STATE	\$661,950	\$661,950	\$661,950	5.69700	\$3,771.13
SCHOOL BOARD LOCAL	\$661,950	\$661,950	\$661,950	1.50000	\$992.93
CITY OF CLERMONT	\$661,950	\$606,787	\$606,787	4.20610	\$2,552.21

CITY OF CLERMONT

NOTICE OF PROPOSED AMENDMENT TO COMPREHENSIVE PLAN ORDINANCE NO. 2016-38

The City of Clermont will hold public hearings Tuesday, November 1, 2016 at 6:30 p.m. before the Planning and Zoning Commission and Tuesday, December 13, 2016 at 6:30 p.m. before the City Council to consider transmittal and introduction 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 Office to Residential/Office.

The City of Clermont will hold a public hearing on Tuesday, January 24, 2017 (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 Lake Medical Arts Center
Southwest corner of Oakley Seaver Drive and Citrus Tower Blvd
12 +/- acres

Ordinance #: 2016-38

~~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
October 21, 2016 and January 10, 2017



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, April 11, 2017		
Agenda Item Name		
Ordinance No. 2017-10 <i>Final Lake Shore Drive</i>		
Requested Action		
Recommend denial of Ordinance 2017-10.		
Staff Report		
<i>Ordinance 2017-10 was introduced Feb. 14, 2017. The final hearing was advertised as Feb. 28, 2017, but it was tabled to Mar. 28, 2017 and then to Apr. 11, 2017 at the request of the applicant.</i> The applicants; Josef and Weena Trapp, are requesting the right-of-way vacation of the unimproved portion of Lake Shore Drive abutting lots 11-18 along Lake Minneola. The requested portion borders their property as well as the lots owned by Bruce and Janine Campbell; 1138 Lake Minneola Drive, and Kathy Wright; 1132 Lake Minneola Drive). The plat is from 1926. The right-of-way has not been improved and access to the lots is through an existing driveway. Staff is unable to support the request because vacating the right-of-way leaves no legal access to the lots. In addition, when the lots are transferred to another property owner in the future, not preserving a legal access point could be problematic. Therefore, staff recommends denial of the right-of-way vacation request. The City received additional information from the applicant on February 27, 2017 regarding access to the property that was acknowledged by the City in 1997. It is attached and labeled as "Exhibit A." However, even with this additional access agreement in place, staff cannot recommend approval of the right-of-way vacation because of the potential future use of the right-of-way for pedestrian and/or vehicular infrastructure improvements.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Ordinance	2017-10 ROW closing.doc	
2. Postponement to 4-11-17 request	Request to postpone to April 11, 2017.pdf	
3. Postponement request	Request to postpone final hearing.pdf	
4. Aerial	Trapp ROW Drawing 12_12_16.pdf	
5. Plat	Lake Shore Drive ROW Map.pdf	

6.	Exhibit A City of Clermont Agreement	Exhibit A City of Clermont Agreement.pdf
7.	Application	ROW closing application.pdf
8.	Legal ad	Lake Shore Drive ROW legal ad.docx

CITY OF CLERMONT
ORDINANCE No. 2017-10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, CLOSING AND PERMANENTLY ABANDONING THE 40 FOOT RIGHT-OF-WAY OF LAKE SHORE DRIVE LYING NORTH OF LOTS 11 THRU 18, BLOCK 117, AS RECORDED IN THE PLAT OF JOHNSON'S REPLAT PLAT BOOK 8 PAGE 71 PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; 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 40-foot wide right-of-way easement of Lake Shore Drive lying north of lots 11 thru 18, Block 117, as recorded in the plat of Johnson's Replat Plat Book 8 Page 71 Public Record 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.

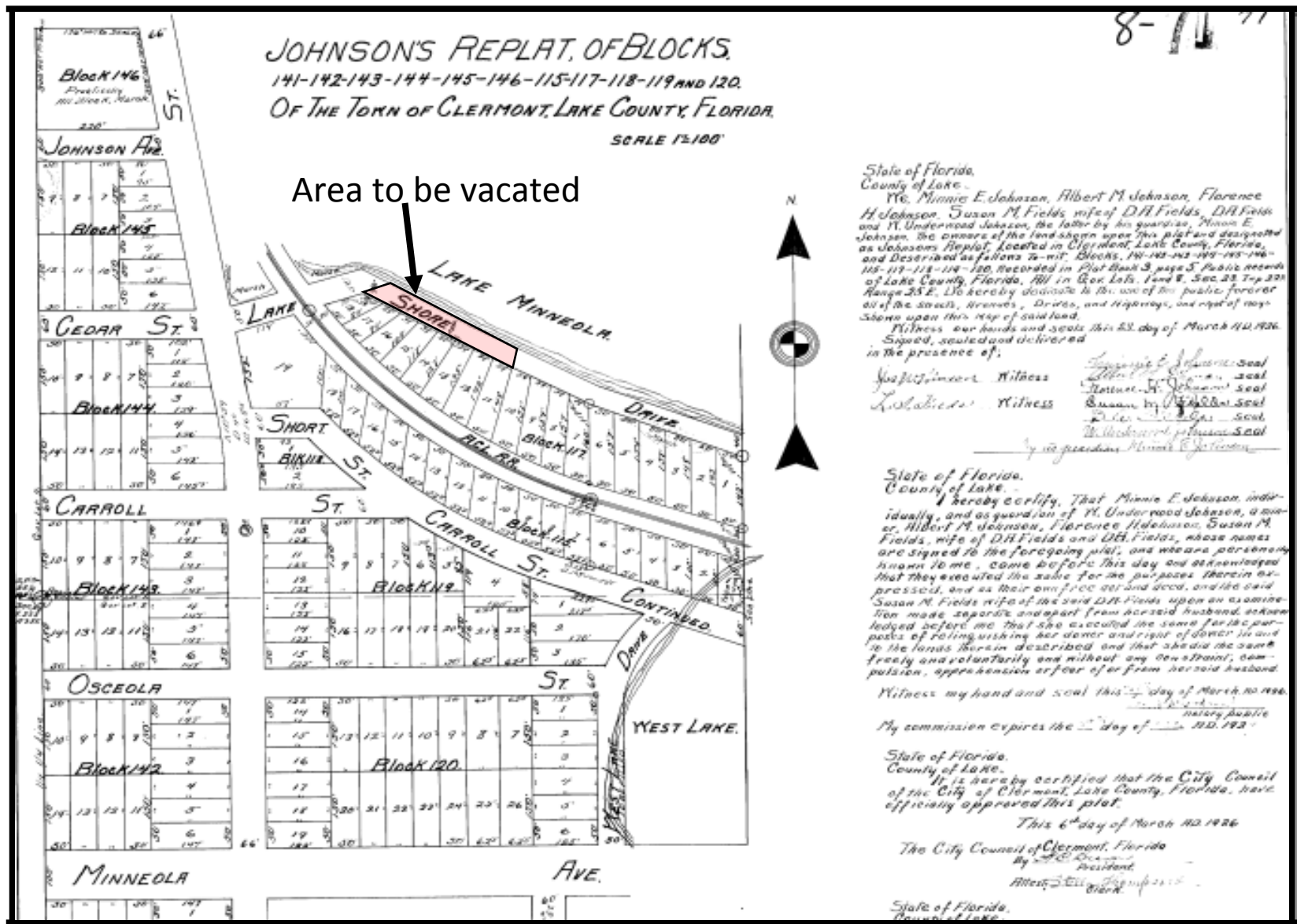
All ordinances or parts of ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

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.

CITY OF CLERMONT
ORDINANCE No. 2017-10

Lake Shore Drive ROW Request



CITY OF CLERMONT
ORDINANCE No. 2017-10

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida, this 11th day of April, 2017.

Gail L. Ash, Mayor

ATTEST:

Denise Noak, Acting City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Barbara Hollerand

Subject: FW: Campbell-Trapp Council Meeting

From: Josef Trapp [mailto:joseftrapp@gmail.com]
Sent: Wednesday, March 22, 2017 5:33 PM
To: Jimmy Crawford <jimmy.crawford@mnagellaw.com>
Cc: Barbara Hollerand <BHollerand@clermontfl.org>; John E. Kruse <jekruse@clermontfl.org>; campbellbc42@yahoo.com; Kathy Wright <KathyEWright@hotmail.com>
Subject: Re: Campbell-Trapp Council Meeting

Good afternoon Mr. Crawford,

April 11, 2017 will work for us to. Thank you.

Sincerely,

Josef Trapp

From: Josef Trapp [mailto:joseftrapp@gmail.com]
Sent: Wednesday, March 22, 2017 1:28 PM
To: Barbara Hollerand <BHollerand@clermontfl.org>
Cc: John E. Kruse <jekruse@clermontfl.org>; campbellbc42@yahoo.com; Jimmy Crawford <jimmy.crawford@mnagellaw.com>
Subject: Re: Campbell-Trapp Council Meeting

Good afternoon Barbara,

We just received word from our attorney that he has a scheduling conflict and won't be able to make the scheduled council meeting for Tuesday March 28, 2017. Can you please move our upcoming council meeting to the first available council meeting in April 2017 and please let us know the re-scheduled date. Thank you very much in advance for your help in this matter.

Sincerely,

Josef Trapp

Website: <https://www.clermontfl.gov/>

PLEASE NOTE: Under Florida law, e-mail addresses are public records. If you do not want your email address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

Barbara Hollerand

Subject: Ordinance 2017-10 Lake Shore Drive right-of-way vacation request

-----Original Message-----

From: John E. Kruse

Sent: Tuesday, February 14, 2017 11:48 AM

To: Barbara Hollerand <BHollerand@clermontfl.org>; Rae Chidlow <RChidlow@clermontfl.org>

Cc: 'Josef Trapp' <joseftrapp@gmail.com>

Subject: FW: ROW

Mr. Trapp would like to continue the final hearing for the Lake Minneola Drive ROW until March 28, 2017.

John

-----Original Message-----

From: Josef Trapp [mailto:joseftrapp@gmail.com]

Sent: Tuesday, February 14, 2017 11:14 AM

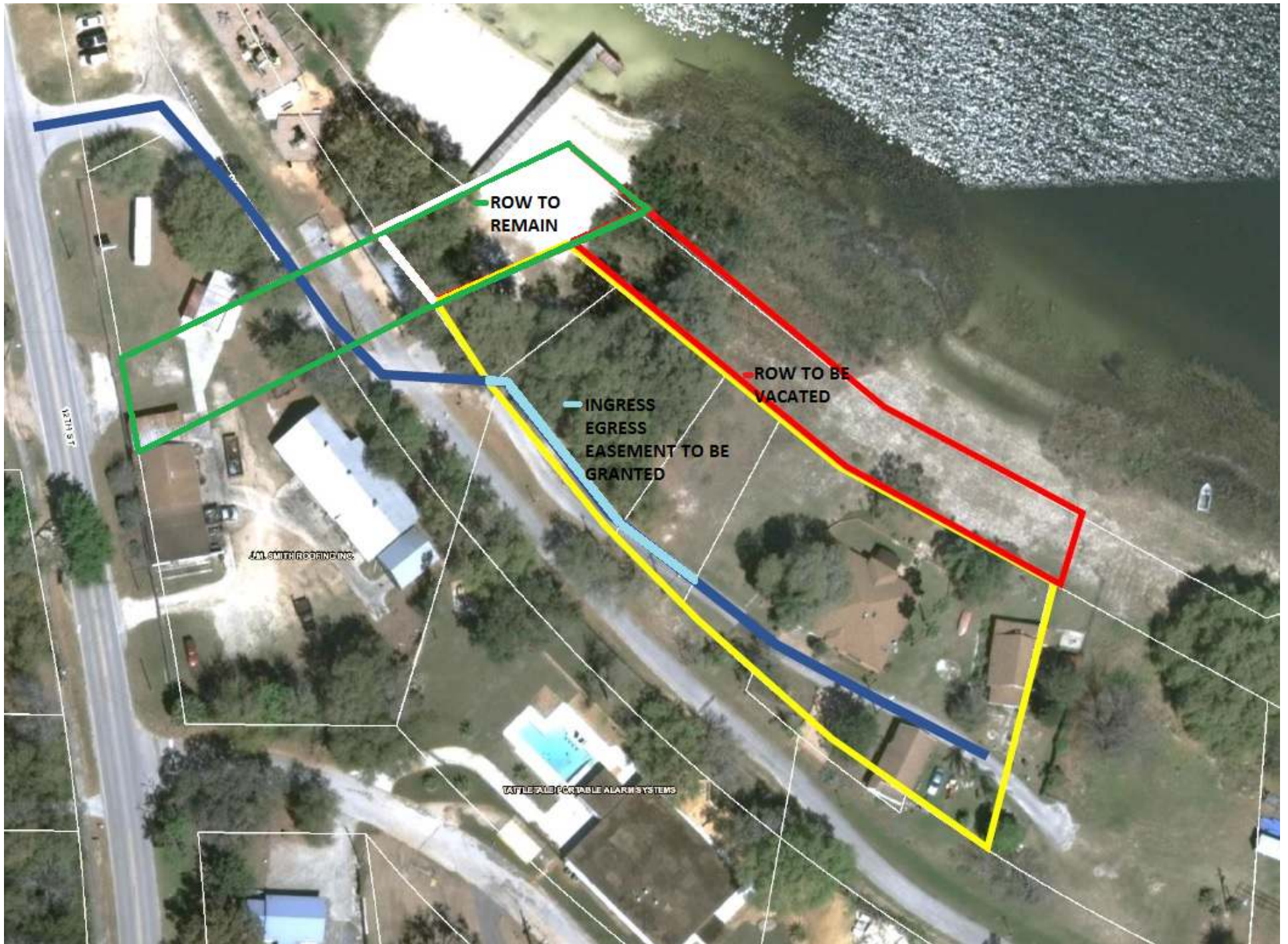
To: John E. Kruse <jekruse@clermontfl.org>

Subject: ROW

Good morning John,

We would like to continue this to March 28, 2017. Thank you.

Josef Trapp



ROW TO
REMAIN

ROW TO BE
VACATED

INGRESS
EGRESS
EASEMENT TO BE
GRANTED

12TH ST

SWIMMING POOL

TATTLE TALE PORTABLE ALARM SYSTEMS

Lake Shore Drive ROW Request

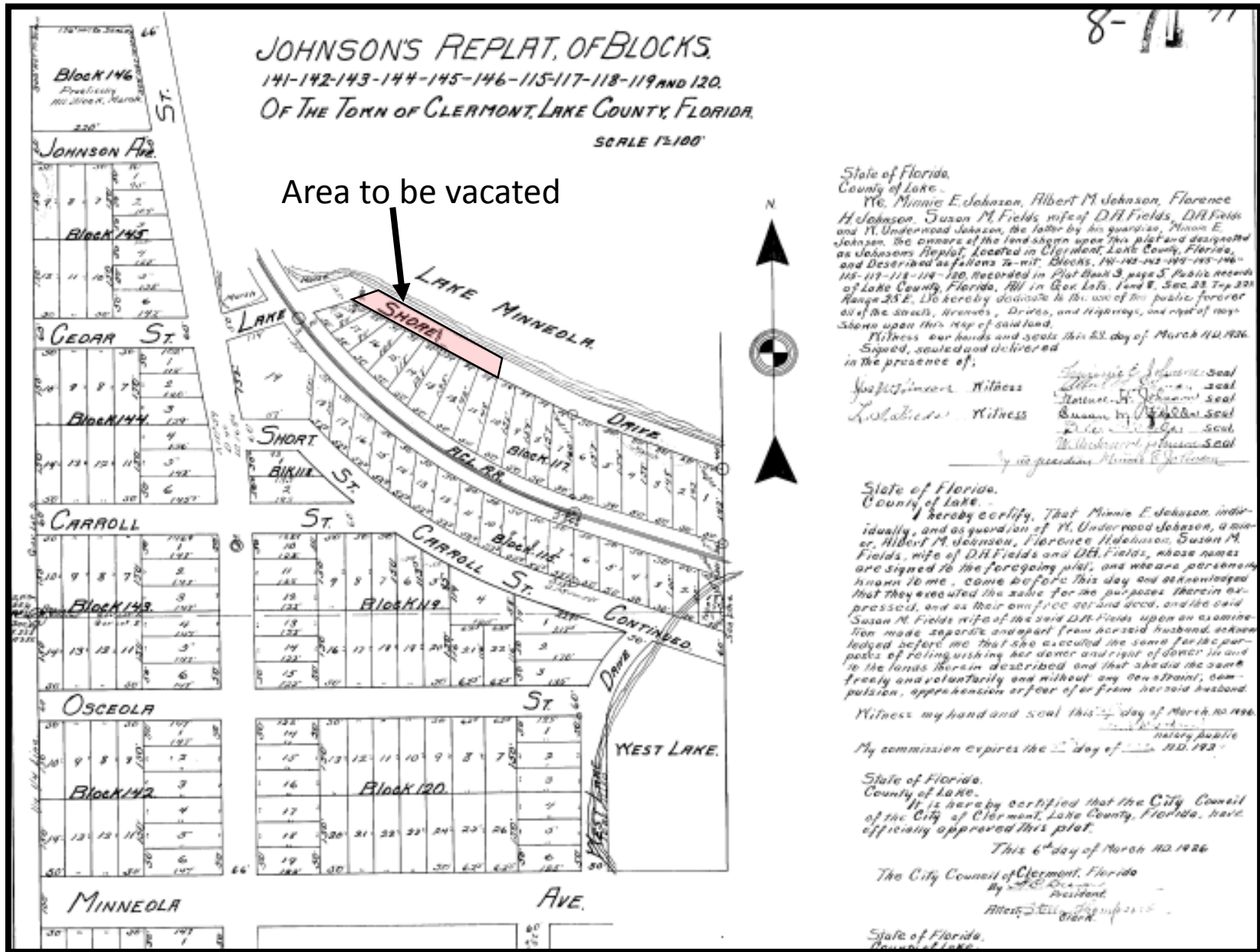


Exhibit A

Prepared by: Jimmy D. Crawford
1009 N. 14th Street
LEESBURG, FL 34749-2460

98 70544

O.P. BOOK 1644 PAGE 715

Return to City of Clermont
P.O. Box 120219
Clermont, FL 34712

**AGREEMENT BETWEEN
THE CITY OF CLERMONT
AND**

**JOSEPH A. WRIGHT, JOHNNY CULPEPPER, JOSEPH WILLIAMS, JR.,
OZZIE AND JOYCE FREEMAN, and ALICE W. LOCKMILLER,**

REC 45.00 RECEIVED FOR
TF 6.00 EXCISE TAXES
MORT. DOC
DEED DOC .70
INT
JAMES C. WATKINS, CLERK LAKE CO. FL
IND 3.00
BY *[Signature]* D.C.

THIS IS AN AGREEMENT by and between THE CITY OF CLERMONT, a political
subdivision of the State of Florida, hereinafter referred to as the "City";

AND

JOSEPH A. WRIGHT, JOHNNY CULPEPPER, JOSEPH WILLIAMS, JR., OZZIE
AND JOYCE FREEMAN, and ALICE W. LOCKMILLER, hereinafter referred to as the
"Owners";

WITNESSETH:

WHEREAS, on November 11, 1997, the City of Clermont City Commission voted
to pave and maintain a certain prescriptive public right-of-way providing access to the
property of the Owners; and

WHEREAS, in the interests of ensuring the protection of the public health and
welfare, and the rights of the citizens of the City to enjoy public access to and from their
properties; and

WHEREAS, the Property, which is the subject of this Developer's Agreement, is
more fully described in Exhibit "A"; and

WHEREAS, The Owners are voluntarily entering into this Agreement;

IN CONSIDERATION OF the mutual terms and conditions, promises, payments
and covenants hereinafter set forth, the parties agree as follows:

SECTION 1. Recitals Incorporated.

RECORDED
RECORD VERIFIED
LAKE COUNTY, FL
SEP 16 11 44 AM '98
CLERK OF COURT

The above recitals are true and correct and incorporated herein.

SECTION 2. City Obligations.

The City shall pave and maintain, at public expense, the public prescriptive right-of-way providing ingress and egress to the Owners' property, substantially in accordance with the attached Exhibit "B".

SECTION 3. Use of Right-of-Way.

The City recognizes and agrees that the public prescriptive right-of-way is no more than twenty (20) feet in width, and has been historically used for residential purposes. No increase or alteration in the type or amount of use is contemplated by this Agreement. Any such increase or alteration would be inconsistent with the residential nature of the right-of-way as well as a potential violation of the right-of-way and road improvement standards of the City, and as such is expressly prohibited.

SECTION 4. Entire Agreement.

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

SECTION 5. Amendments.

It is further agreed no modification, amendment or alteration in the terms or conditions herein shall be effective unless contained in a written document executed with the same formality.

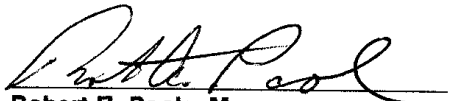
SECTION 6. Compliance With All Requirements.

Nothing herein shall relieve the City, the Owners or their successors or assigns from obtaining any local, regional, state or federal permits or compliance with any applicable ordinances, laws, rules or regulations necessary for the performance of this Agreement. **SECTION 7. Recordation.**

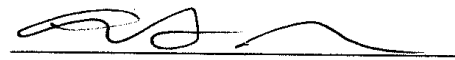
This Agreement shall be recorded in the Public Records of Lake County, Florida, at the Owners' expense.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement on the respective date under each signature. The City of Clermont through its Mayor authorized to execute same by Commission action on the 11th day of November, ~~1998~~ 1997.

CITY OF CLERMONT


Robert F. Pool Mayor
This 18th day of June, 1998

APPROVED AS TO FORM AND
LEGALITY:


Leonard H. Baird, Esquire
City Attorney

WITNESSES:

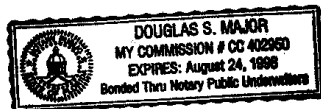
(1) Nadeleyn Chandler
(Type name) Nadeleyn Chandler
(2) Patricia B. Monroe
(Type name) Patricia B. Monroe

OWNER

Joseph Wright
JOSEPH WRIGHT

STATE OF FLORIDA
COUNTY OF Lake

The foregoing instrument was acknowledged before me this 19th day of January, 1998, by Joseph Wright, who is personally known to me or has produced _____ as identification.



Douglas S. Major
Signature of Acknowledger

OWNER

WITNESSES:

(1) _____
(Type name) _____
(2) _____
(Type name) _____

JOHNNY CULPEPPER

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 1998, by Johnny Culpepper, who is personally known to me or has produced _____ as identification.

Signature of Acknowledger

WITNESSES:

OWNER

(1) _____
(Type name)

JOSEPH WILLIAMS, JR.

(2) _____
(Type name)

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 1998, by Joseph Williams, Jr., who is personally known to me or has produced _____ as identification.

Signature of Acknowledger

WITNESSES:

OWNER

(1) Susan Potter
(Type name) Susan Potter

Ozzie Freeman
OZZIE FREEMAN

(2) Jeannette M. Young
(Type name) Jeannette M. Young

STATE OF Florida
COUNTY OF Lake

The foregoing instrument was acknowledged before me this 12th day of February, 1998, by Ozzie Freeman, who is personally known to me or has produced Personally known as identification.



BETTY SUSAN POTTER
My Commission CC443468
Expires Mar. 06, 1999
Bonded by ANB
800-852-5878

Betty Susan Potter
Signature of Acknowledger

WITNESSES:

OWNER

(1) Susan Potter
(Type name) Susan Potter

Joyce Freeman
JOYCE FREEMAN

(2) Jeanne M. Young
(Type name) Jeanne M. Young

STATE OF Florida
COUNTY OF Lake

The foregoing instrument was acknowledged before me this 12th day of February, 1998, by Joyce Freeman, who is personally known to me or has produced _____ as identification.

Jeanne M. Young
Signature of Acknowledger



OWNER

WITNESSES:

(1) _____
(Type name)

ALICE W. LOCKMILLER

(2) _____
(Type name)

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 1998, by Alice W. Lockmiller, who is personally known to me or has produced _____ as identification.

Signature of Acknowledger

WITNESSES:

(1) Rubie Sanders
(Type name) Rubie Sanders

(2) _____
(Type name)

STATE OF New Jersey
COUNTY OF Mercer

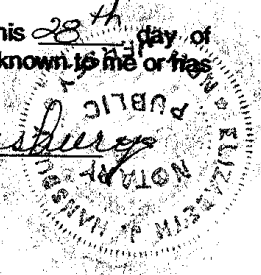
OWNER

Joseph Williams, Jr.
JOSEPH WILLIAMS, JR.

The foregoing instrument was acknowledged before me this 28th day of January, 1998, by Joseph Williams, Jr., who is personally known to me or has produced NJ Drivers License as identification.

Elizabeth J. Hansbury
Signature of Acknowledger

ELIZABETH J. HANSBURY
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires October 26, 1999



WITNESSES:

OWNER

NOTARIAL SEAL

(1) _____
(Type name)

OZZIE FREEMAN

(2) _____
(Type name)

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 1998, by Ozzie Freeman, who is personally known to me or has produced _____ as identification.

Signature of Acknowledger

WITNESSES:

OWNER

(1) _____
(Type name)

JOSEPH WRIGHT

(2) _____
(Type name)

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 1998, by Joseph Wright, who is personally known to me or has produced _____ as identification.

Signature of Acknowledger

WITNESSES:

OWNER

(1) _____
(Type name)

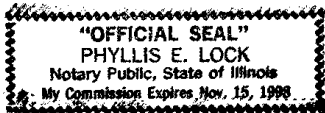
JOHNNY CULPEPPER

(2) _____
(Type name)

STATE OF Ill
COUNTY OF Wab

The foregoing instrument was acknowledged before me this 16th day of May, 1998, by Johnny Culpepper, who is personally known to me or has produced C-407-424-3223 as identification.

Signature of Acknowledger



WITNESSES:

OWNER

(1) _____
(Type name)

JOYCE FREEMAN

(2) _____
(Type name)

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 1998, by Joyce Freeman, who is personally known to me or has produced _____ as identification.

Signature of Acknowledger

OWNER

WITNESSES:

(1) Sondra J. Brodock
(Type name) Sondra J. Brodock

Alice W. Lockmiller
ALICE W. LOCKMILLER

(2) Frances A. Stevens
(Type name) Frances A. Stevens

STATE OF Florida
COUNTY OF Lee

The foregoing instrument was acknowledged before me this 06 day of Feb, 1998, by Alice W. Lockmiller, who is personally known to me or has produced FL Dr Lic # as identification.

Sondra J. Brodock
Signature of Acknowledger

Sondra J. Brodock

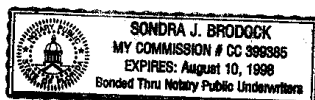


EXHIBIT "A"

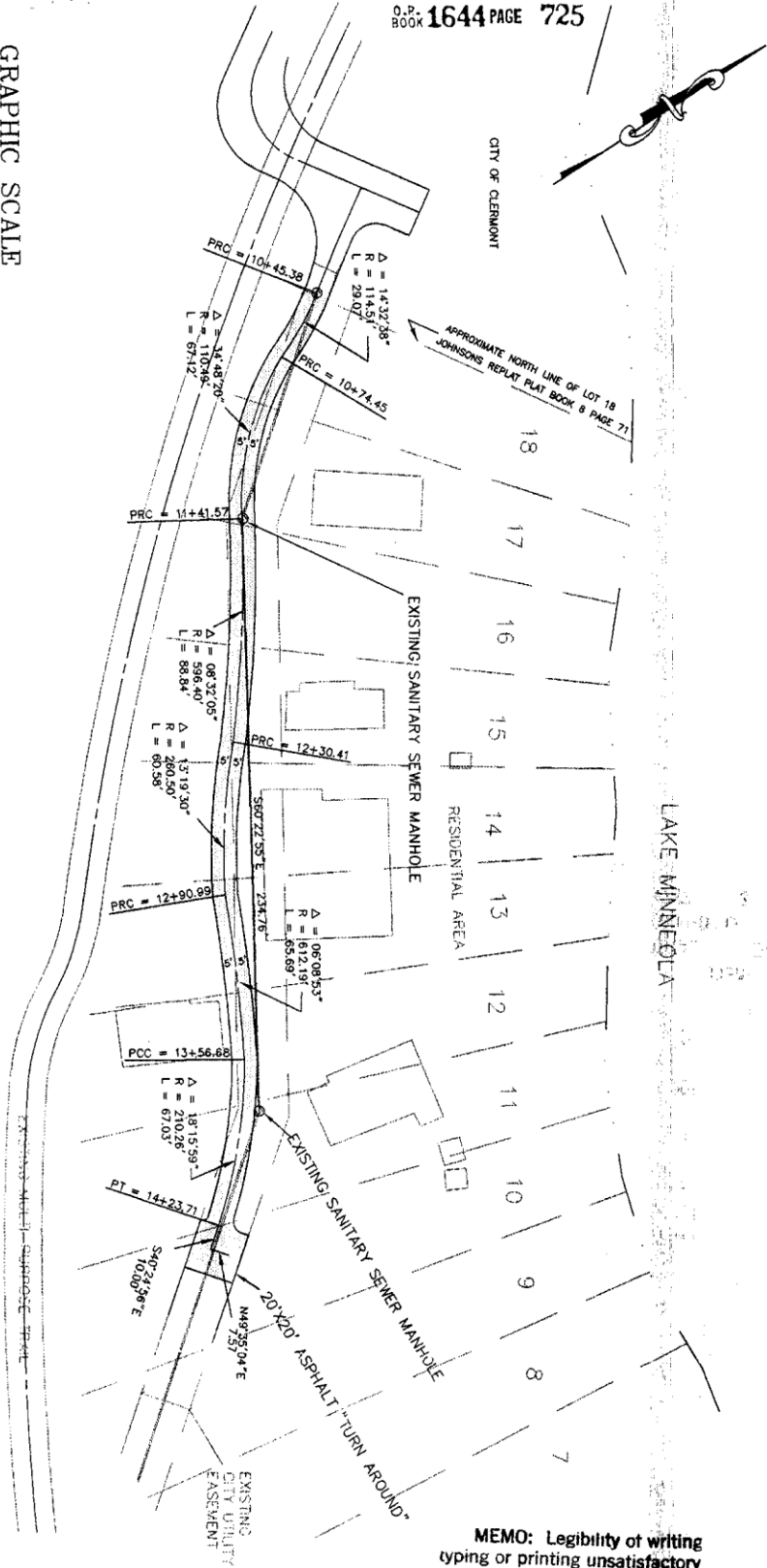
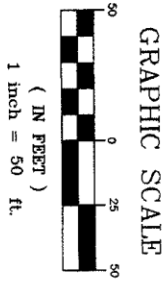
O.P.
BOOK 1644 PAGE 724

**LOTS 8 THROUGH 18, BLOCK 117, JOHNSON'S REPLAT, AS RECORDED IN PLAT
BOOK 8, PAGE 71, LAKE COUNTY, FLORIDA.**

**MEMO: Legibility of writing
typing or printing unsatisfactory
in this document.**

Exhibit "B"

O.P. BOOK 1644 PAGE 725



MEMO: Legibility of writing
typing or printing unsatisfactory
in this document.

**PETITION FOR RIGHT-OF-WAY/EASEMENT CLOSING
CITY OF CLERMONT**

DATE: December 19, 2016

PETITIONERS NAME: Josef & Weena Trapp

PHONE # 407-823-9642

ADDRESS: 436 Short Pine Circle Orlando, Florida 32807

LEGAL DESCRIPTION OF PETITIONERS PROPERTY ABUTTING STREET TO BE

CLOSED: CLERMONT, JOHNSON'S REPLAT LOTS 11, 12, 13, 14, BLK 117 PB 8, PG 71, ORB 2548 PG 248 AND LOT 15 BLK 117 PB 8 PG 71, ORB 2633 PG 2110 AND LOTS 16, 17, 18 BLK 117 PB 8 PG 71, ORB 2632 PG 631

IF NAMED - NAME OF STREET TO BE CLOSED: Lake Shore Drive (not improved or used)

LEGAL DESCRIPTION OF PORTION TO BE CLOSED (FROM - TO): _____

Road easement of Lake Shore Drive which borders north side of JOHNSON'S REPLAT LOT JOHNSON'S REPLAT LOTS 11, 12, 13, 14, BLK 117 PB 8, PG 71, ORB 2548 PG 248 AND LOT 15 BLK 117 PB 8 PG 71, ORB 2633 PG 2110 AND LOTS 16, 17, 18 BLK 117 PB 8 PG 71, ORB 2632 PG 631

PURPOSE FOR CLOSING: Construction of new single family residence and establishing legal access to all property owners on established Lake Minneola Rd. Note that utilities as well as sanitation are all located under existing Lake Minneola Rd. In addition addressing has been established based on the existing Lake Minneola Rd. Therefore no change to addresses will be required for the property owners. We, Weena and Josef Trapp as well as Mr. Bruce Campbell will record an Ingress Egress Easement across our properties to provide legal access to Ms. Kathy Wright's property as shown in attached drawing.

Any person requesting a Right-of-way or Easement Closing shall file a complete application in the office of the Director of Planning forty-five (45) days prior to the final hearing date of the City Council. A Right-of-way or Easement Closing requires two readings by the City Council. The City Council meetings are held the second and forth Tuesday of every month.

All applications must be complete, to include applicable site plans and/or other pertinent descriptive materials in order to be processed. The applicant must supply fifteen (15) copies of the application and supplemental materials.

The petitioner shall furnish the following information to accompany this application:

1. A plot plan showing the location of that portion of the right-of-way or easement requested to be closed and permanently abandoned. (A survey of the property and right-of-way or easement involved may be deemed necessary by the City Council or the City Attorney).

2. A fee of \$25.00.

Josef Trapp
Weena Trapp

Josef Trapp
Weena Trapp

Signature of Petitioner

Name of Petitioner (please print)

Josef Trapp

From: Kathy Wright <kathyewright@hotmail.com>
Sent: Saturday, December 24, 2016 11:17 PM
To: Josef Trapp
Subject: Re: Vacating ROW Lake Shore Drive Clermont

I am in support of vacating the ROW abutting my property located at 1132 Lake Minneola Drive located in Clermont, Florida.

Thanks.
Kathy Wright

On Dec 21, 2016, at 5:43 PM, Josef Trapp <joseftrapp@gmail.com> wrote:

Hi Kathy,

I wanted to follow up with you on our conversation. I am forwarding the email below that Bruce Campbell wrote to include with the petition application. Could you please send your email soon, so that we can make the deadline before the filing fee increases to \$1000. I have attached the updated petition which now includes all of our legal descriptions. We are looking forward to hear from you.

Wishing you and your family a Merry Christmas and a Happy New Year.

Thank you,

Josef and Weena Trapp
436 Short Pine Circle
Orlando, FL 32807
JosefTrapp@gmail.com
Cell 407-963-4902

From: Bruce Campbell [<mailto:campbellbc42@yahoo.com>]
Sent: Wednesday, December 21, 2016 3:23 PM
To: Josef Trapp
Subject: vacating ROW Lake Shore Drive Clermont

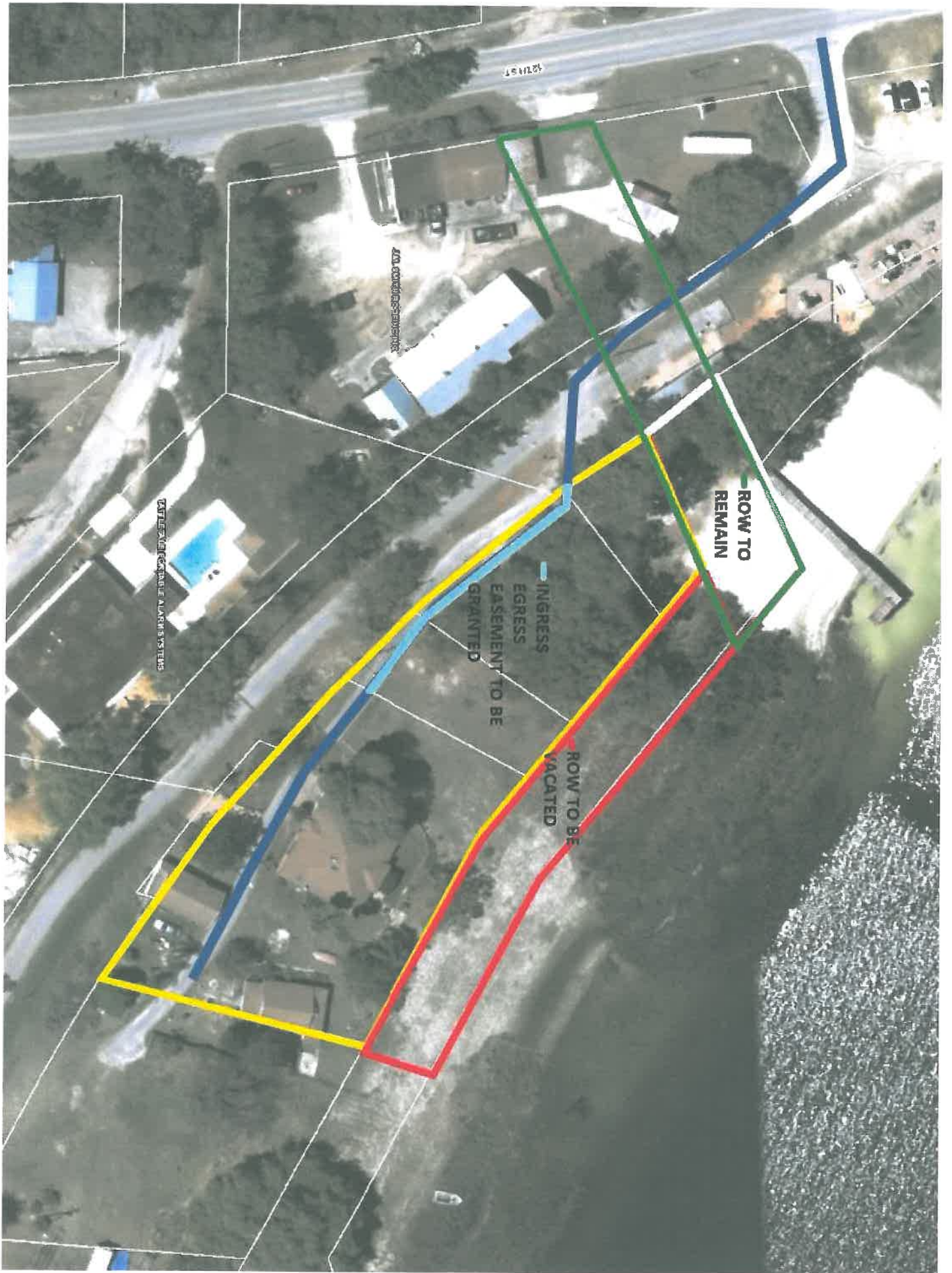
12/21/2016

We (Bruce and Janine Campbell) support vacating the ROW abutting our property at 1138 Lake Minneola Drive in Clermont FL. Legal description: CLERMONT, JOHNSON'S REPLAT LOT 15 BLK 117 PB 8 PG 710RB 2633 PG 2110 We will also record an Ingress Egress easement across our property to provide legal access to Ms. Kathy Wright's property.

Bruce Campbell
Janine Campbell

<Clermont Petition 12_19_16.pdf>

<Trapp ROW Drawing 12_12_16.pdf>



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, February 28, 2017 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. 2017-10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, CLOSING AND PERMANENTLY ABANDONING THE 40 FOOT RIGHT OF WAY OF LAKE SHORE DRIVE LYING NORTH OF LOTS 11 THRU 18, BLK 117, AS RECORDED IN THE PLAT OF JOHNSON'S REPLAT PLAT BOOK 8 PAGE 71 PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; 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
February 14, 2017



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date	
Tuesday, April 11, 2017	
Agenda Item Name	
Variance Request <i>College Station</i>	
Requested Action	
Recommend denial of the variance requests.	
Staff Report	
This request, originally scheduled to be heard March 14, 2017, was withdrawn at that meeting to allow time to update the site plan and variance requests; it was then re-advertised for Mar. 28, 2017. It was tabled at the applicant's request at the Mar. 28, 2017 meeting so that it could be considered by a full Council. The applicant is requesting the following variances to the Land Development Code (LDC): (1) To allow for a reduction of 17 parking spaces for a proposed commercial development instead of as required by the LDC, Section 98-14. (2) To allow for a reduced perimeter landscape buffer between abutting properties instead of the minimum 10-foot-wide landscape buffer, as required by the LDC, Section 118-37. (3) To allow for a total of 20% compact parking spaces instead of the maximum 10% compact parking spaces, as required by the LDC, Section 98-6. The applicant is requesting variances to the parking and landscaping requirements for a new commercial building located at the southwest corner of Hancock Road and State Road 50 in the College Station plaza. The applicant is proposing to construct a 11,232-square-foot building with a 500 square foot outdoor patio. The uses of the building will consist both of retail and restaurant use with the outdoor patio used for restaurant use. The applicant has indicated that 6,500 square feet is designated for restaurant use while the remaining 4,732 square feet will be used for retail. The parking requirements based upon Section 98-14 of the Land Development Code require a minimum of 117 onsite spaces to serve the proposed development. The applicant is providing 100 parking spaces onsite, which 20 of them will be compact spaces (9 feet wide and 20 feet deep) with the ability to park off-site through the establishment of a cross-parking easement with the adjacent projects. The applicant has submitted a parking study to support the request. The 17 off-site parking spots are across the main access point that enters from Hancock Road, and staff is concerned about pedestrian safety when crossing this area. The applicant is also requesting a reduced landscape buffer between abutting properties, particularly to the south and west property line of the parcel. The property to the west is Chick-Fil-A, which has a 10-foot landscape buffer in place. The Land Development Code requires a 10-foot landscape buffer to be installed on the applicant's property at this location. The applicant has indicated that due to the configuration of the proposed building and parking, and the existing utilities and roads in the area, it is very difficult to establish a 10-foot buffer in this area. The applicant is proposing a varying buffer from 5 to 9 feet. This would create a 15-to-19-foot landscape buffer between the parcels. In addition, the landscape buffer along the southern property line is not the required 10 feet in width along the entrance drive to the parcel and the plaza. The applicant will have landscaping installed in this area, but only 5 feet	

of it will be on their parcel with the additional 5 feet located within the dedicated private drive.

Section 86-174 of the Land Development Code requires a positive finding on eight items in order to grant a variance, and staff believes that five of the eight do not meet these findings. Therefore, staff recommends denial of the variance requests.

Additional Analysis

Fiscal Impact Summary

Fiscal Impact

Fund Number and Description

Available Budget Amount

Exhibits Attached (copies of original agreements)

- | | | |
|----|--------------------------------------|--|
| 1. | Request to postpone to Apr. 11, 2017 | Postponement request to April 11, 2017.pdf |
| 2. | Review Criteria | College Station Landscape and Parking Review Criteria.docx |
| 3. | College Station Exhibits | College Station Landscape Parking Variance Map.pdf |
| 4. | Site plan | Site plan.pdf |
| 5. | Proposed building | March 10 2017 Revised Site Plan.pdf |
| 6. | Parking Study | Parking study.pdf |
| 7. | Application | VAR application.pdf |
| 8. | Legal ad | UPDATED VAR Legal AD College Station.docx |

Barbara Hollerand

Subject: FW: College Station

From: Sean Cashen [<mailto:SCashen@gulfcoastconsultinginc.com>]

Sent: Tuesday, March 28, 2017 10:44 AM

To: John E. Kruse <jekruse@clermontfl.org>

Subject: College Station

John, due to the Mayor not attending the City Commission meeting tonight, we request to continue our Variance Hearing to the April 11 Meeting.

Please confirm you received this email and that we have been rescheduled to April 11

Thank you

Sean P. Cashen, P.E., LEED AP
Gulf Coast Consulting, Inc.



Engineering Transportation Planning Permitting

13825 Icot Boulevard, Suite 605

Clearwater, Florida 33760

Phone: (727) 524-1818

Fax: (727) 524-6090

Mobile: (727) 432-0365

Email: scashen@gulfcoastconsultinginc.com

www.gulfcoastconsultinginc.com

College Station Outparcel Variances

The requirements for a variance are as follows:

“Sec. 86-174, Review Criteria and Finding. When reviewing an application for a variance, the board of zoning adjustment 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:”

There are eight items that the applicant is required to respond to. Staff’s comments, based on the eight requirements for a positive finding as they relate to this request, are as follows:

FINDINGS:

- (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;
Applicant response: Subject site is constrained by adjacent development and public roads. Existing buffer adjacent to Chick-Fil-A varies from 5 feet to 9 feet on subject site. Chick-Fil-A has 10 feet for a total of 15 – 19 feet combined.

Staff comments: The subject parcel is currently vacant. The applicant can develop the property within the current zoning, C-2 General Commercial, if they revised the site plan to meet the LDC.

Negative finding

- (2) The condition giving rise to the requested variance has not been created by any person presently having an interest in the property;
Applicant response: Requested variance is minor (difference of three (3) parking spaces). Parking “requirement” is too high given adjacent uses and probability of shared parking. Landscape buffer varies between 5 – 9 feet on subject site.

Staff comments: The applicant is requesting the variances for the proposed development that they intend to build. The applicant’s proposed site plan is creating the need for the variances.

Negative finding

- (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;
Applicant response: Literal interpretation would require parking that cannot reasonably fit on-site, while site is being developed at a reasonable FAR (proposed FAR 0.15). Other property owners may apply for similar variances.

Staff comments: The applicant is not prohibited from redesigning the proposed building and change the mixture of uses (less restaurant and more retail or all restaurant and no retail) that would allow them to meet the LDC for parking and landscaping.

Negative finding

- (4) The variance request is not based exclusively upon a desire to reduce the cost of developing the site or otherwise economically founded;
Applicant response: It is not an economically driven request. There is ample parking available in adjacent retail parcel that can accommodate any overflow for adjacent site. See Parking Study.

Staff comments: *There appears to be a perception of decreased costs due to the variance requests. The reduction in landscaping and using the adjacent buffer, Chick-Fil-A, may result in lower landscaping costs for the applicant. In addition, using adjacent parking spots that someone else has developed and paid for could be debated.*

Negative finding

- (5) The variance, if granted, is the minimum variance necessary to make possible the reasonable use of the land, building or structure;

Applicant response: *The variances are minimal.*

Staff comments: *The applicant's request for the variance seems to be the minimum variances necessary to make the reasonable use of the property.*

Positive finding

- (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;

Applicant response: *No special privilege is conferred that cannot be requested by any other user in the General Commercial District.*

Staff comments: *The City Council has granted similar variance requests in the past.*

Positive finding

- (7) The proposed variance will not substantially diminish property value in, or alter the essential character of the area surrounding the site; and

Applicant response: *The surrounding uses are retail/restaurants. Ample parking is available in adjacent retail parcel and a cross-parking easement exists. The reduced buffer is interior between Chick-Fil-A and subject site and the combined landscape area is 15 – 19 feet total.*

Staff comments: *The proposed variances do not seem to substantially diminish property values or alter the essential character of the area.*

Positive finding

- (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.

Applicant response: *Variances will not materially impact surrounding properties and will not be detriment to the public welfare.*

Staff comments: *Staff feels that granting the variance may be injurious to the surrounding properties or detrimental to the public welfare. Staff has concern over the use of parking spots on adjacent properties that would require pedestrians to cross the drive isle that is the major access point into the plaza from Hancock Road.*

Negative finding

STAFF RECOMMENDATION:

Section 86-174 of the LDC requires a positive finding on eight items in order to grant a variance, and staff believes that **five** of the eight do not meet these findings. Therefore, staff recommends **denial** of the variance requests by the applicant to the Clermont Land Development Code.

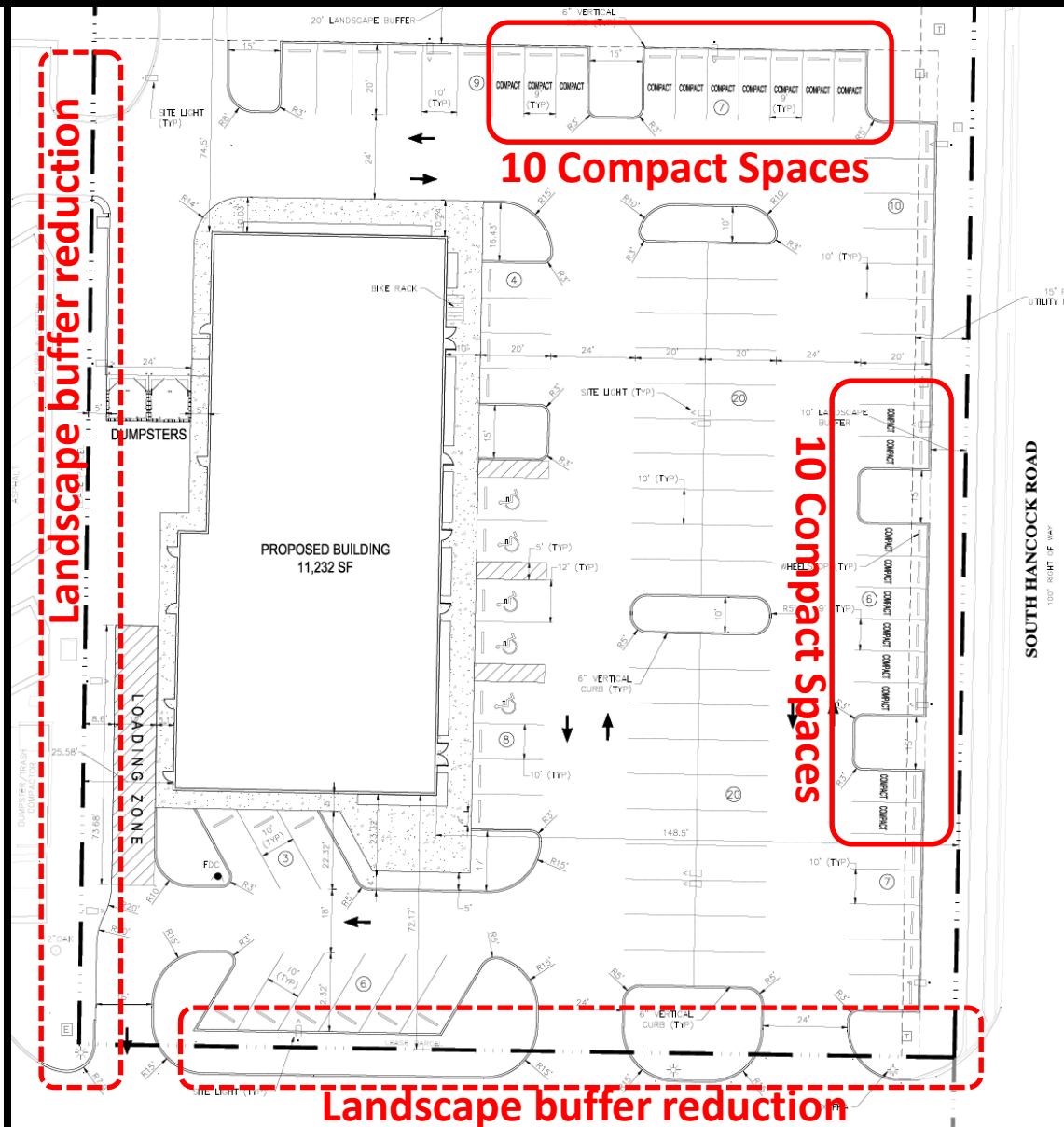
College Station Outparcel Variance



Variance:

- # 1: to allow for a reduction of seventeen (17) parking spaces for a proposed commercial development
- # 2: to allow for a reduced perimeter landscape buffer between abutting properties
- #3: to allow for 20% of compact parking instead of 10% compact parking

College Station Outparcel Variance

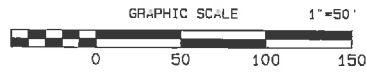


Equity Construction Solutions
2590 Northbrooke Plaza Drive
Suite 208
Naples, Florida 34110

SHEET DESCRIPTION:

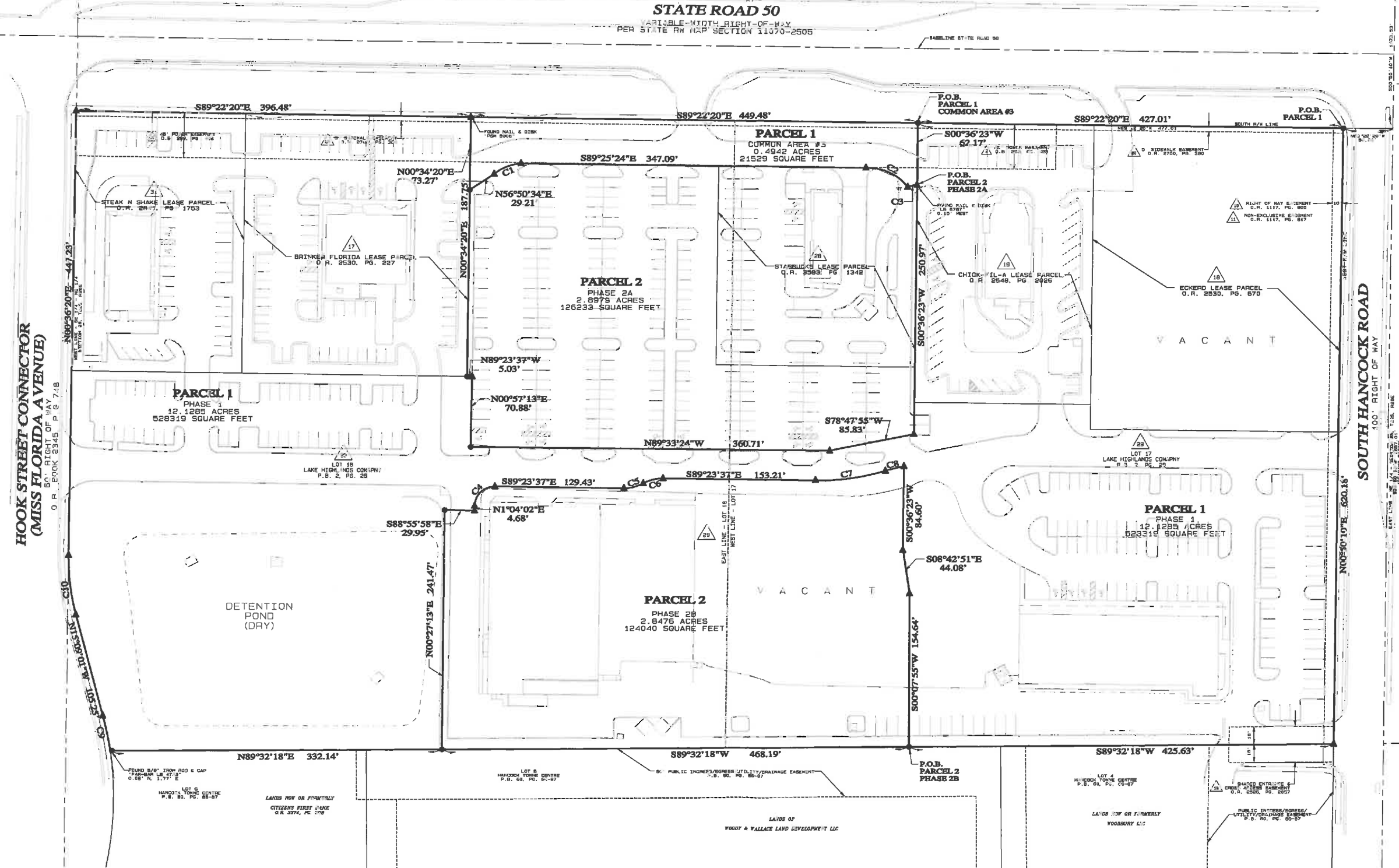
COLLEGE STATION OUTPARCEL
HORIZONTAL CONTROL PLAN

DATE	05/10/17
BY	
CHECKED	
DESIGNED	
IN CHARGE	



CURVE TABLE					
LINE	RADIUS	CENTRAL ANGLE	CHORD BEARING	CHORD	APC
C1	50.00	33°44'02"	N68°06'12"E	29.02	29.44
C2	50.07	54°32'17"	S64°08'36"E	45.99	47.66
C3	25.00	22°31'54"	N78°32'14"E	9.77	9.83
C4	20.00	89°32'21"	N45°50'12"E	28.17	31.26
C5	40.28	28°39'43"	N75°21'52"E	19.95	20.16
C6	40.00	29°34'22"	N75°49'12"E	20.42	20.65
C7	230.00	17°50'14"	N82°08'55"E	71.31	71.60
C8	200.00	5°23'15"	N73°55'29"E	18.90	18.91
C9	330.00	6°18'19"	N13°00'53"W	35.10	35.12
C10	250.00	15°48'21"	N07°15'20"W	80.31	80.50

P.O.C.
FOUND 1" FROM CORNER
NO IDENTIFICATION
NO CORNER - SEE 1-4
SECTION 28, TOWNSHIP 22 SOUTH,
RANGE 26 EAST
LAKE COUNTY, FLORIDA

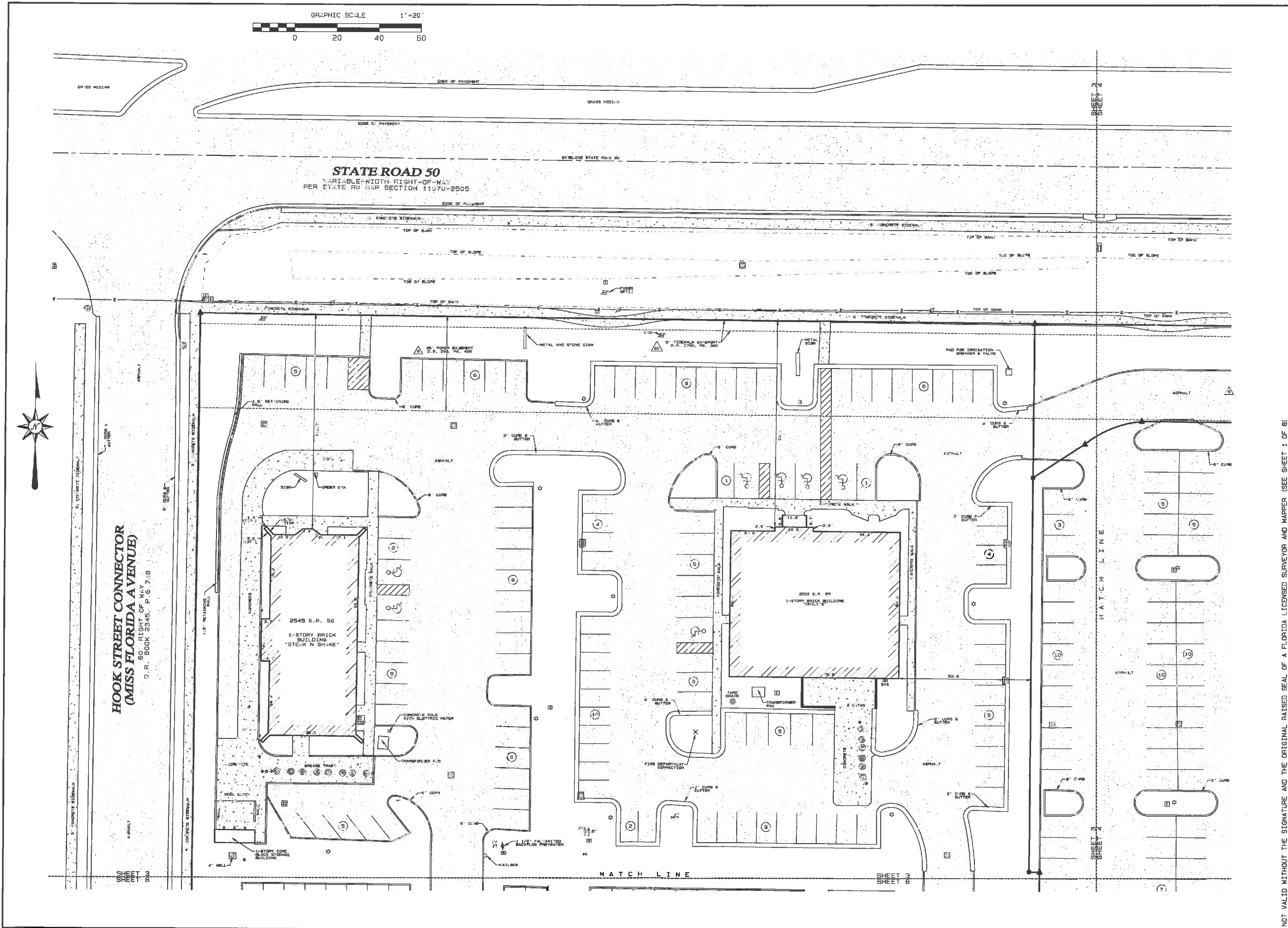


NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER (SEE SHEET 1 OF 8)

REVISIONS:		DATE OF DRAWING: 10 JUL 2013		LAST FIELD WORK: 05 JUL 2013	
		DRAWN BY: EAC		CREATED BY: NAC, NAC	
		PROJECT NUMBER: 7014-1301		COMPUTER FILE: 7014TALY1.DWG	
		FIELD BOOK NUMBER: LE 920, 951		SCALE: 1" = 50'	
				SHEET 2 OF 8	

ALTA/ACSM LAND TITLE SURVEY		FOR EQUITY, INC.	
OF CLERMONT COLLEGE STATION CENTER			
LOCATED IN SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST			
LAKE COUNTY, FLORIDA			

LEADING EDGE LAND SERVICES INCORPORATED		www.leadingedge3d.com	
SUITE 301, 34TH STREET		FLORIDA LICENSED BUSINESS NUMBER LB 8846	
ORLANDO, FLORIDA 32811			
PHONE: (407) 351-6730			
FAX: (407) 351-9951			



NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER (SEE SHEET 1 OF 8)

LEADING EDGE
LAND SERVICES
INCORPORATED

3000 W. 34th STREET
SUITE 200
FORT LAUDERDALE, FLORIDA 33611
PHONE: (407) 351-6730
FAX: (407) 351-9851
www.leadingedgegis.com

FLORIDA LICENSED BUSINESS NUMBER LB 8845

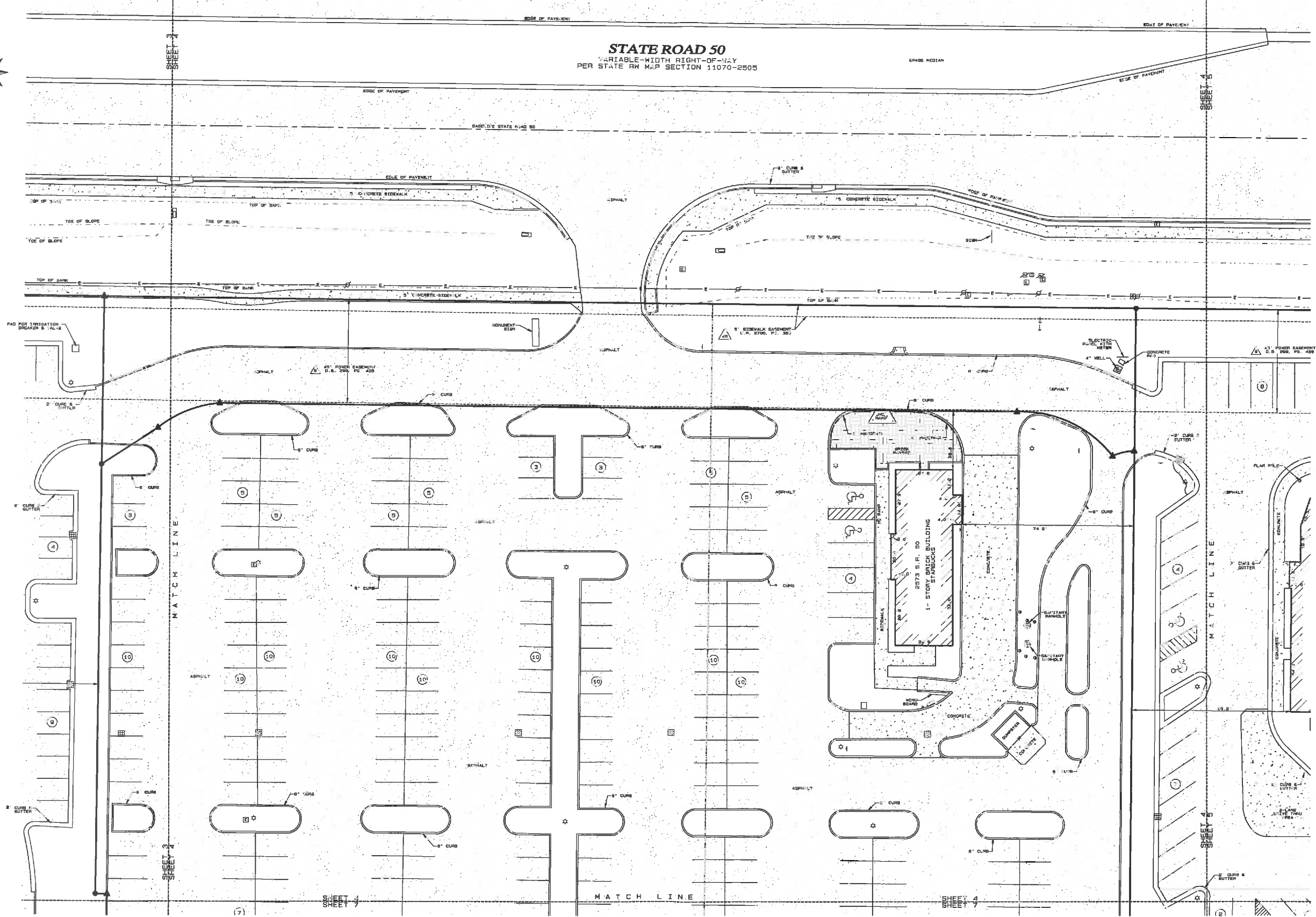
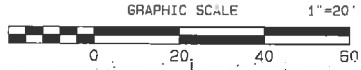
ALTA/ACSM LAND TITLE SURVEY

OF
CLERMONT COLLEGE STATION CENTER
LOCATED IN SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST
LAKE COUNTY, FLORIDA

FOR
EQUITY, INC.

REVISIONS:

DATE OF DRAWING: 10 JUL 2013	LAST FIELD WORK: 05 JUL 2013
DRAWN BY: JAY	DRAWN BY: JAY
CHECKED BY: EAC	CHECKED BY: EAC
PROJECT NUMBER: 704-1201	PROJECT NUMBER: 704-1201
FIELD BOOK NUMBER: LE 920, 951	FIELD BOOK NUMBER: LE 920, 951
SCALE: 1" = 20'	SCALE: 1" = 20'
SHEET 3 OF 8	SHEET 3 OF 8



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LEADING EDGE
LAND SERVICES
A DIVISION OF
4515 W. 34th STREET
SUITE C
ORLANDO, FLORIDA 32811
PHONE: (407) 351-6730
FAX: (407) 351-9861
www.leadingedgegis.com

ALTA/ACSM LAND TITLE SURVEY

OF
CLERMONT COLLEGE STATION CENTER
LOCATED IN SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST
LAKE COUNTY, FLORIDA

FOR
EQUITY, INC.
FLORIDA LICENSED BUSINESS NUMBER LB 8846

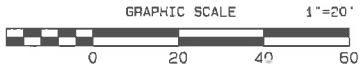
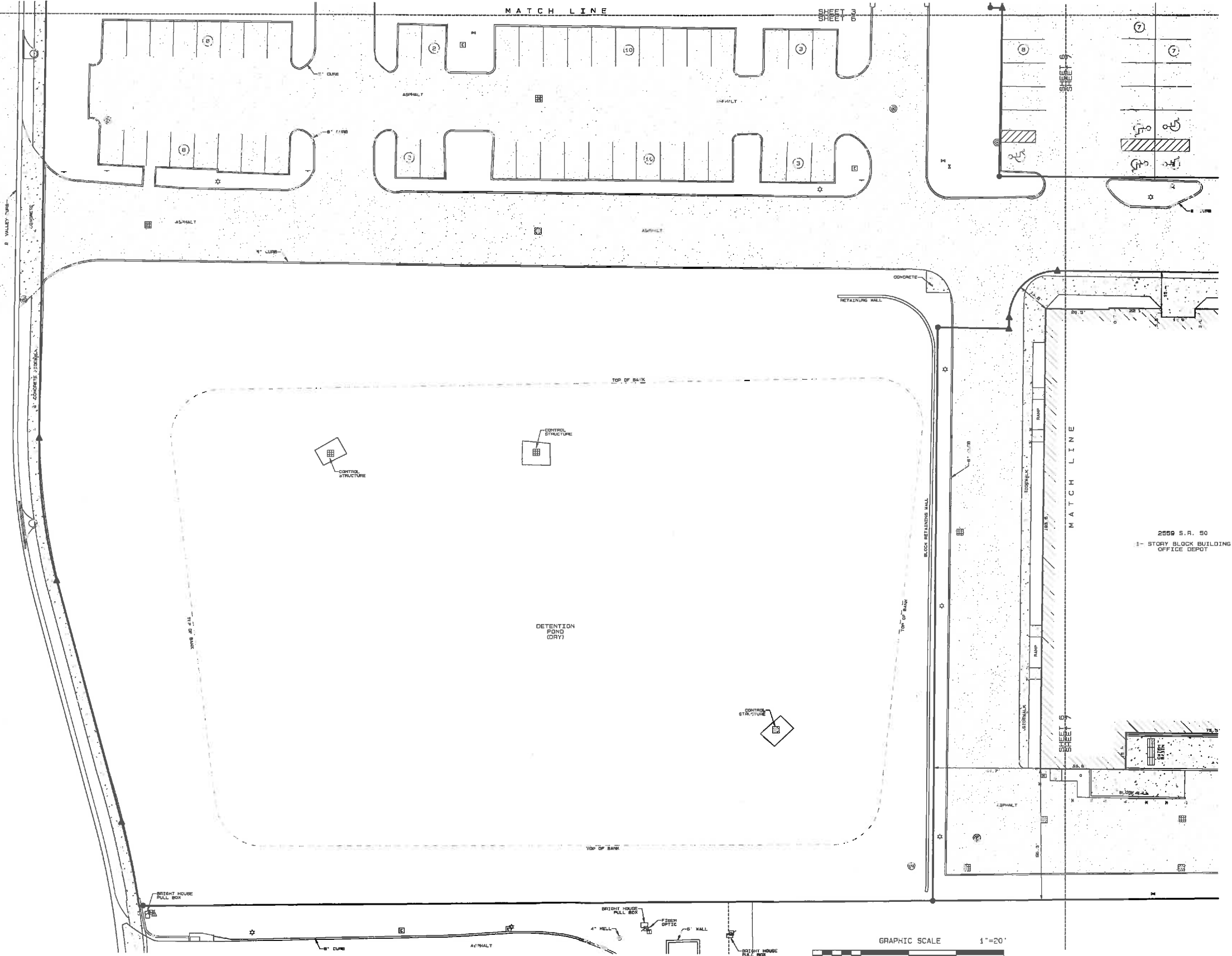
REVISIONS:

DATE OF DRAWING	10 JUL 2013	LAST FIELD WORK	05 JUL 2013
MANAGER	JWH	CREW CHIEF(S)	MAC, INC.
PROJECT NUMBER	704-13001	COMPUTER FILE	704001ALTA PRO
FIELD BOOK NUMBER	LE 520, 551	SCALE	1" = 20'
			SHEET 4 OF 8



**HOOK STREET CONNECTOR
(MISS FLORIDA AVENUE)**

80' RIGHT OF WAY
O.R. BOOK 2345, P.G. 748



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**LEADING EDGE
LAND SERVICES**
INCORPORATED

2515 W. 34th STREET
SUITE 200
ORLANDO, FLORIDA 32811
PHONE: (407) 351-6730
FAX: (407) 351-9651
www.leadingedge3a.com

FLORIDA LICENSED BUSINESS NUMBER LB 6846

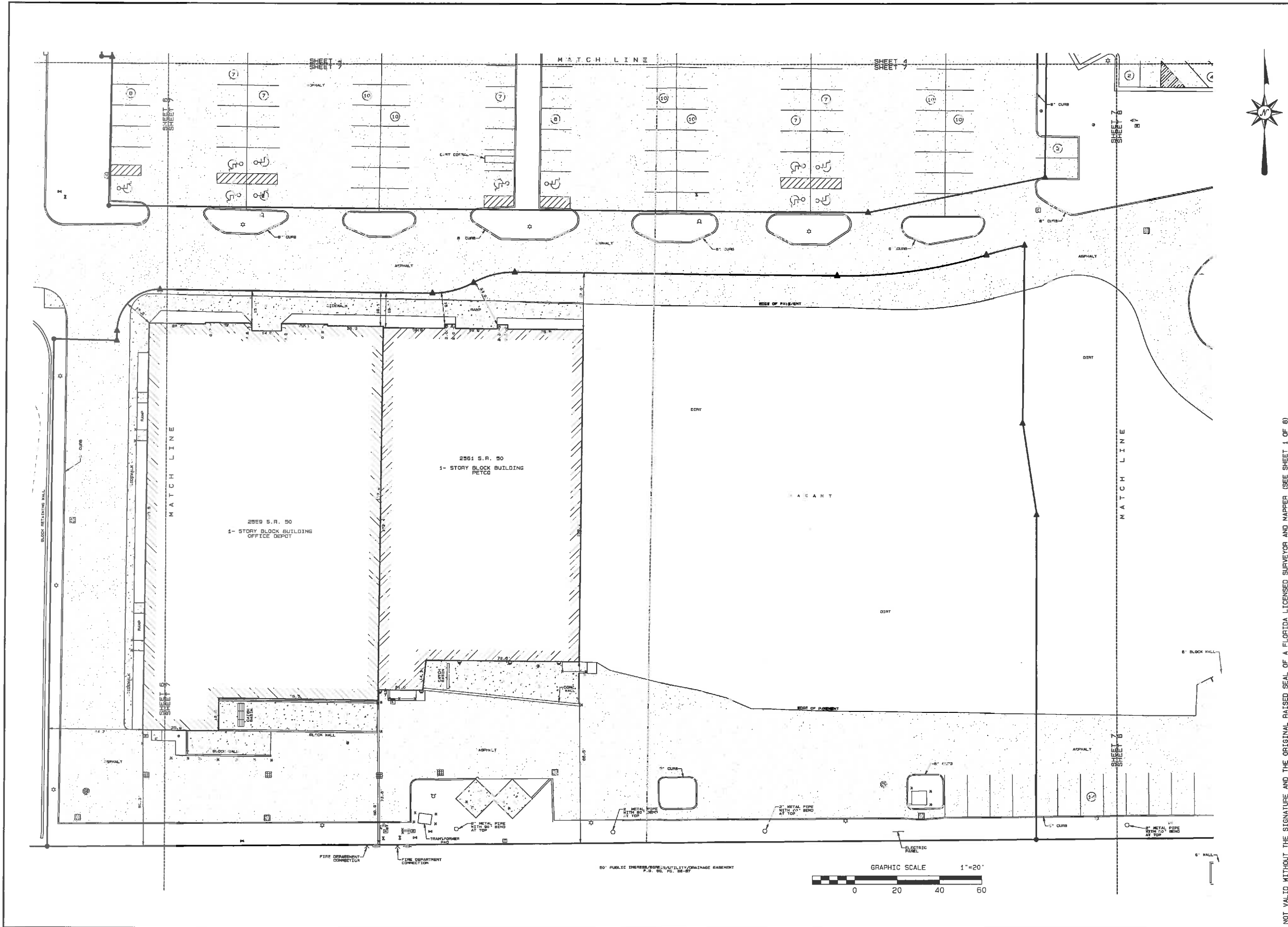
ALTA/ACSM LAND TITLE SURVEY

OR
CLERMONT COLLEGE STATION CENTER
LOCATED IN SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST
LAKE COUNTY, FLORIDA

FOR
EQUITY, INC.

REVISIONS:

DATE OF DRAWING: 10 JUL 2013	LAST FIELD WORK: 05 JUL 2013
DRAWN BY: JDN	CHECKED BY: NAC, RSC
PROJECT NUMBER: 704-13001	COMPUTER FILE: 704001ALTA.DWG
FIELD BOOK NUMBER: LE 920, 951	SCALE: 1" = 20'
	SHEET 6 OF 8



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LEADING EDGE
LAND SERVICES
INCORPORATED

4051 SW 34th STREET
OCCASIO, FLORIDA 33011
PHONE: (407) 351-6730
FAX: (407) 351-8651

www.leadingedge1.com
FLORIDA LICENSED BUSINESS NUMBER LB 8846

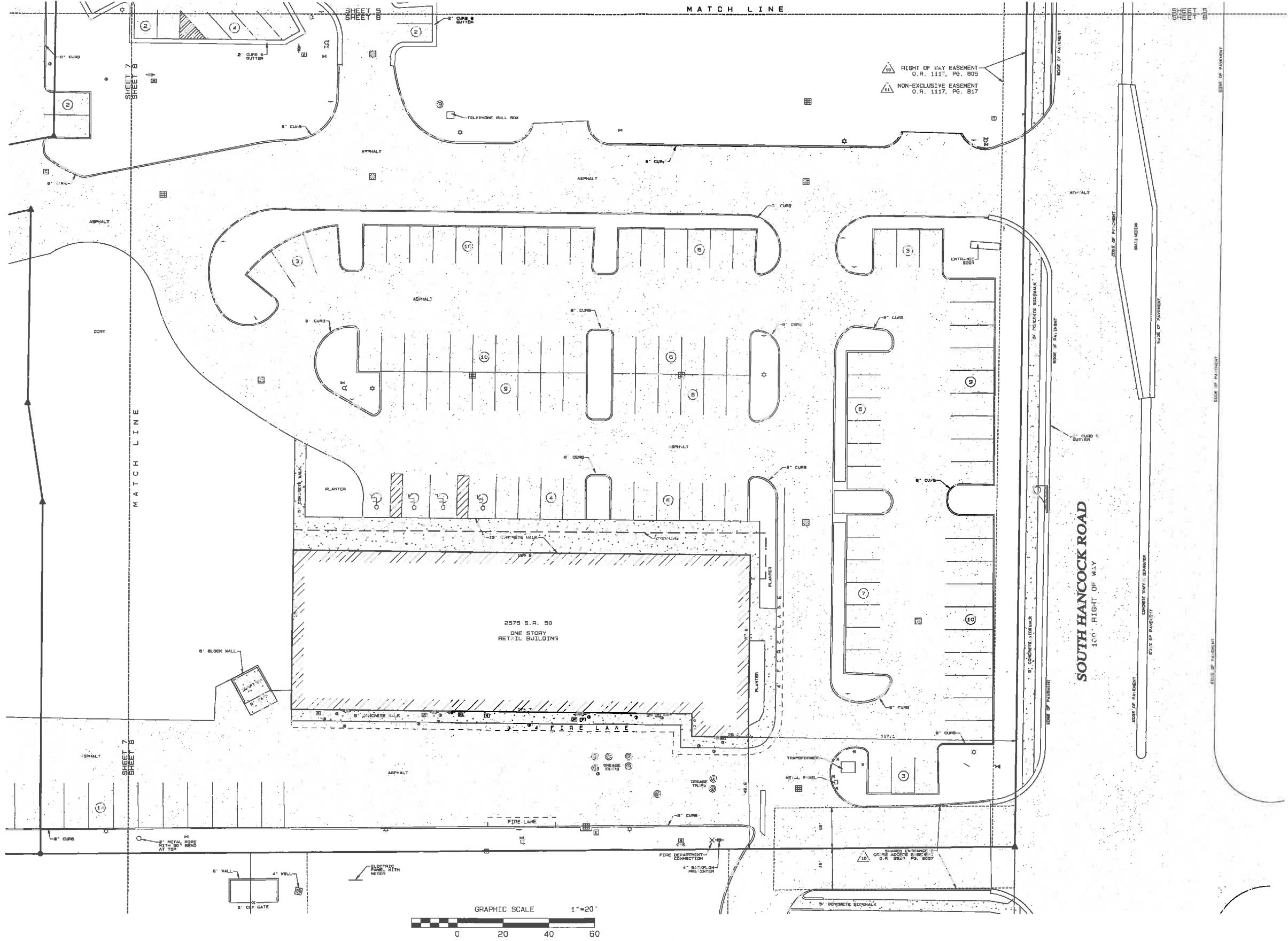
ALTA/ACSM LAND TITLE SURVEY

OR
CLERMONT COLLEGE STATION CENTER
LOCATED IN SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST
LAKE COUNTY, FLORIDA

FOR
EQUITY, INC.

REVISIONS:

DATE OF DRAWING: 10 JUL 2013	LAST FIELD WORK: 05 JUL 2013
MANAGER: JON C. EAC	CREW CHIEF: BILLY M. MC
PROJECT NUMBER: 704-13001	COMPUTER FILE: 704001ALTA.PRO
FIELD BOOK NUMBER: LE 620, 951	SCALE: 1" = 20'
	SHEET 7 OF 8



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**LEADING EDGE
LAND SERVICES**
INCORPORATED
4551 SW 34th STREET
MIAMI, FLORIDA 33111
PHONE: (407) 351-6730
FAX: (407) 351-9651
www.leadingedge15.com

FLORIDA LICENSED BUSINESS NUMBER LB 6846

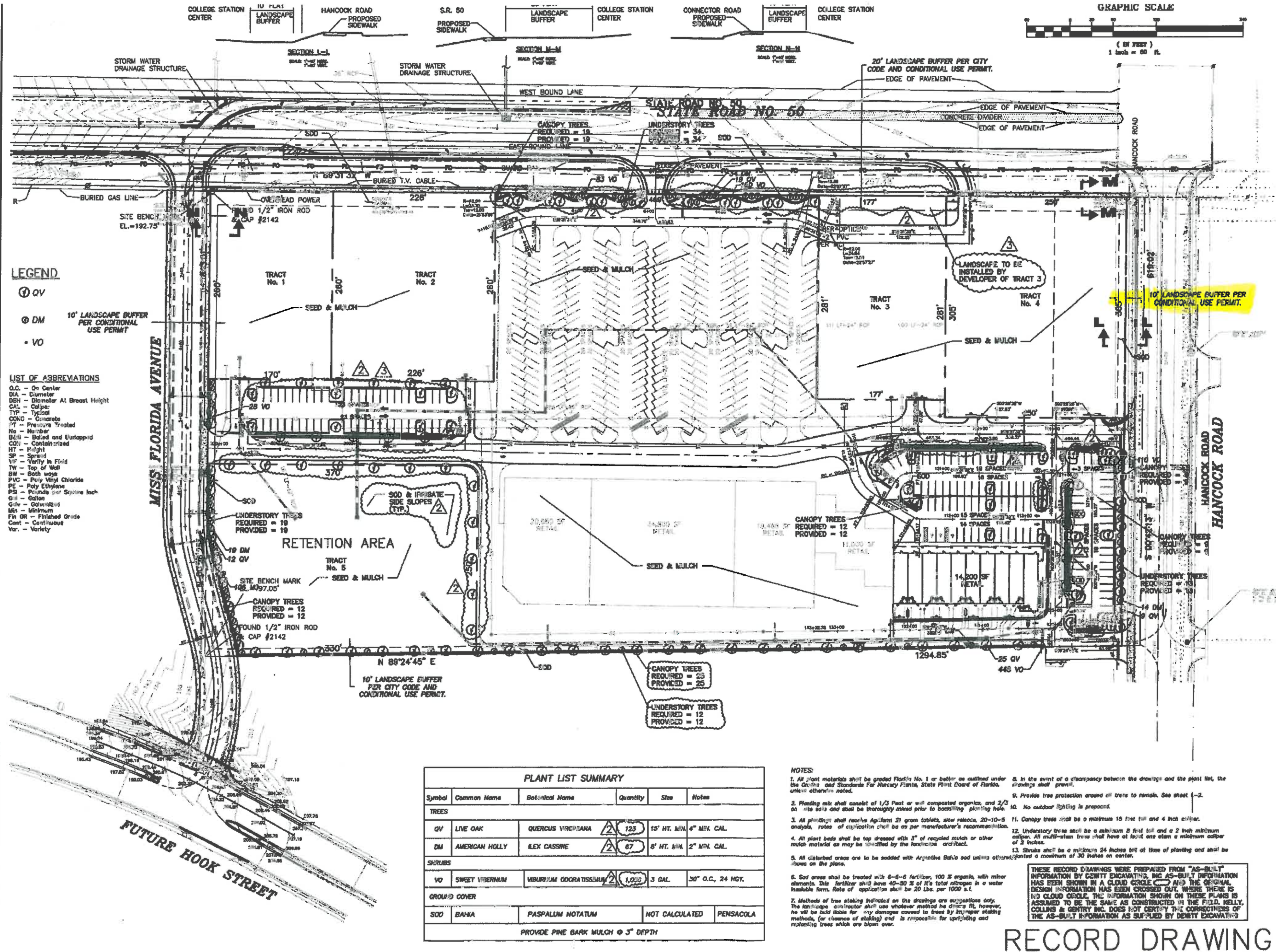
ALTA/ACSM LAND TITLE SURVEY

OF
CLERMONT COLLEGE STATION CENTER
LOCATED IN SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST
LAKE COUNTY, FLORIDA

FOR
EQUITY, INC.

REVISIONS:

DATE OF DRAWING: 10 JUL 2013	LAST FIELD WORK: 05 JUL 2013
MANAGER: JDN	CREW CHIEF (S): NAC, NBC
PROJECT NUMBER: 704-13001	COMPUTER FILE: 704001A1A.PRO
FIELD BOOK NUMBER: LE 920, 951	SCALE: 1" = 20'
	SHEET 8 OF 8



PLANT LIST SUMMARY					
Symbol	Common Name	Botanical Name	Quantity	Size	Notes
TREES					
QV	LIVE OAK	QUERCUS VIRGINIANA	123	15' HT. MIN. 4" MIN. CAL.	
DM	AMERICAN HOLLY	ILEX ASSINE	67	8' HT. MIN. 2" MIN. CAL.	
SHRUBS					
VO	SWEET VIBURNUM	VIBURNUM DOORATISSIMUM	1,000	3 GAL. 30" O.C., 24 HGT.	
GROUND COVER					
SOD	BAHIA	PASPALUM NOTATUM	NOT CALCULATED	PENSACOLA	
PROVIDE PINE BARK MULCH @ 3" DEPTH					

- NOTES:
- All plant materials shall be graded Florida No. 1 or better as outlined under the Grades and Standards for Nursery Plants, State Plant Board of Florida, unless otherwise noted.
 - Planting mix shall consist of 1/3 Peat or well composted organics, and 2/3 soil. All soils shall be thoroughly mixed prior to backfilling planting hole.
 - All plantings shall receive Aquilant 21 gram tablets, slow release, 20-10-5 analysis, rates of application shall be as per manufacturer's recommendation.
 - All plant beds shall be top dressed with 3" of recycled mulch or other mulch material as may be specified by the landscape architect.
 - All disturbed areas are to be seeded with Argentine Bahia seed unless otherwise shown on the plans.
 - Soil areas shall be treated with 6-6-6 fertilizer, 100% organic, with minor elements. This fertilizer shall have 40-50% of it's total nitrogen in a water insoluble form. Rate of application shall be 20 lbs. per 1000 s.f.
 - Methods of tree staking indicated on the drawings are suggestions only. The landscape architect shall use whatever method he deems fit, however, he will be held liable for any damages caused to trees by improper staking methods, (or removal of staking) and is responsible for uprighting and replacing trees which are blown over.
 - In the event of a discrepancy between the drawings and the plant list, the drawings shall prevail.
 - Provide tree protection around all trees to remain. See sheet 1-2.
 - No outdoor lighting is proposed.
 - Canopy trees shall be a minimum 15 feet tall and 4 inch caliper.
 - Understory trees shall be a minimum 8 feet tall and a 2 inch minimum caliper. All multi-stem trees shall have at least one stem a minimum caliper of 2 inches.
 - Shrubs shall be a minimum 24 inches tall at time of planting and shall be planted a maximum of 30 inches on center.
- THESE RECORD DRAWINGS WERE PREPARED FROM "AS-BUILT" INFORMATION BY GENTY EXCAVATING, INC. AS-BUILT INFORMATION HAS BEEN SHOWN IN A CLOUD CIRCLE. AND THE ORIGINAL DESIGN INFORMATION HAS BEEN CROSSED OUT. WHERE THERE IS NO CLOUD CIRCLE, THE INFORMATION SHOWN ON THESE PLANS IS ASSUMED TO BE THE SAME AS CONSTRUCTED IN THE FIELD. KELLY, COLLINS & GENTRY INC. DOES NOT CERTIFY THE CORRECTNESS OF THE AS-BUILT INFORMATION AS SUPPLIED BY GENTY EXCAVATING.

RECORD DRAWING

CERTIFICATE OF AUTHORIZATION
NUMBER 00007320

KELLY, COLLINS & GENTRY, INC.

KCG

1200 NORTH GARDNER AVENUE, SUITE 400
STANFORD, FLORIDA 33108
(407) 960-7555 FAX (407) 960-3488

PREPARED FOR:

PRESCO ASSOCIATES, LLC

COLLEGE STATION CENTER
LAKE COUNTY, FLORIDA

LANDSCAPE PLAN

DRAWN: CAG
DESIGN: CAG/MD
CHECKED: SAG
JOB NO.: 355.000
DATE: 11/11/03

SHEET
L-1

NOTE TO CONTRACTORS:
THE LOCATIONS OF ALL UTILITIES ARE APPROXIMATE AND HAVE NOT BEEN VERIFIED. BEFORE BEGINNING SITE WORK, THE CONTRACTOR IS REQUIRED TO FIELD VERIFY THE EXISTENCE, LOCATION & ELEVATION OF UNDERGROUND UTILITIES AND OTHER FEATURES, & CONTACT THE ENGINEER TO CONVEY ANY INFORMATION AND/OR DISCREPANCIES.



FLOOD ZONE NOTE:

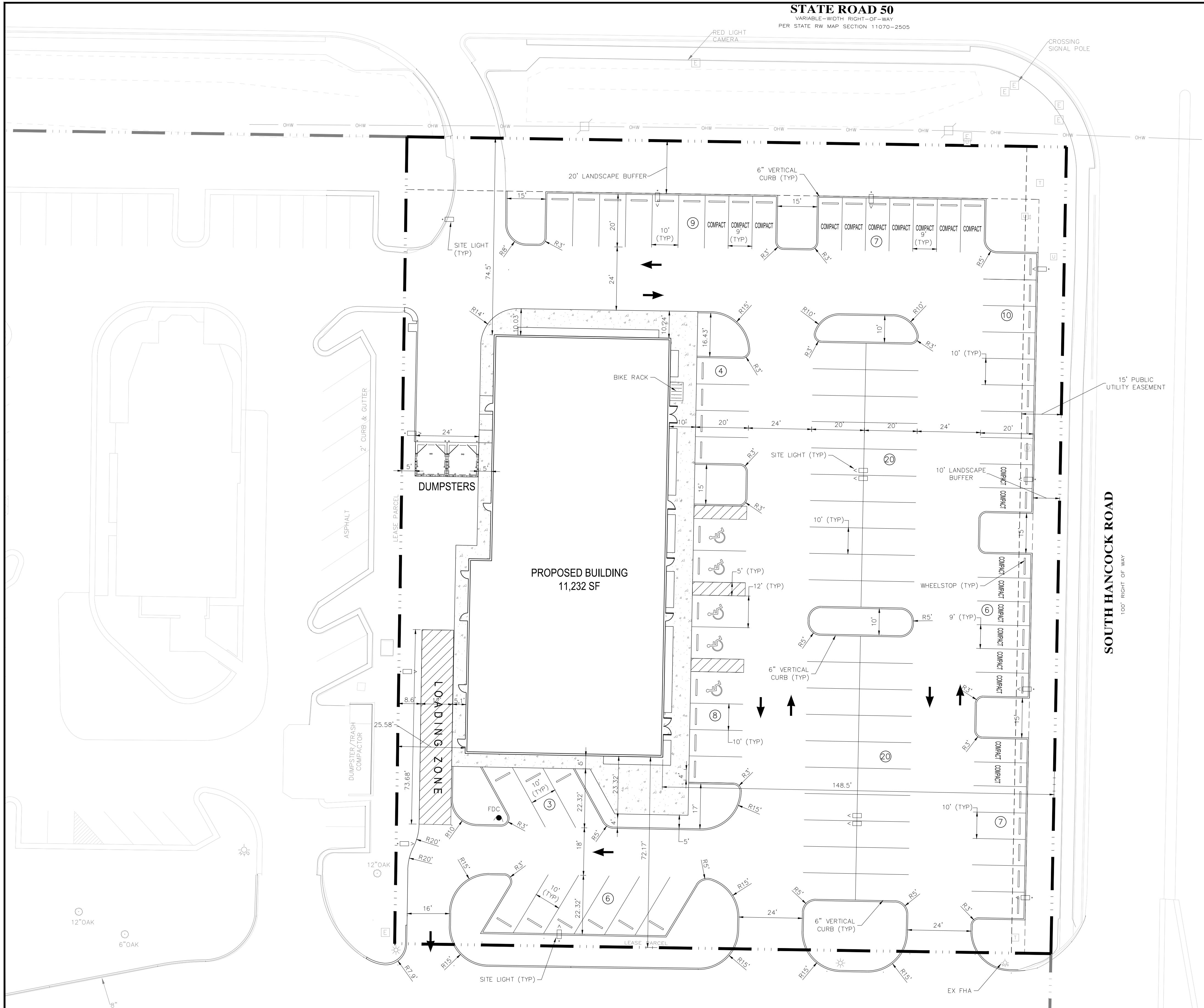
THE SITE APPEARS TO BE IN FLOOD ZONE "X"
ACCORDING TO THE FEDERAL
EMERGENCY MANAGEMENT AGENCY, FLOOD
INSURANCE RATE MAP,
COMMUNITY PANEL NUMBER 12069C0590E
DATED DECEMBER 18, 2012.

DATUM NOTE :

ALL ELEVATIONS ARE BASED ON BENCHMARK,
NGS BRASS DISK STAMPED K 621 2005,
PUBLISHED ELEVATION = 233.24 FEET, NORTH
AMERICAN VERTICAL DATUM OF 1988 (NAVD 88).
CONVERSION: (NAVD + 0.879' = NGVD 1929
DATUM.)

LEGEND

- | | | | |
|---|--------------------------|---|----------------------|
|  | OAK TREE |  | MITERED END |
|  | BACKFLOW PREVENTER |  | SET IRON ROD AND CAP |
|  | BOLLARD |  | SET NAIL AND DISK |
|  | CATCH BASIN |  | SIGN |
|  | CLEANOUT |  | SANITARY MANHOLE |
|  | CONC POLE |  | SANITARY SEWER VALVE |
|  | ELECTRIC BOX |  | STORM MANHOLE |
|  | FOUND NAIL AND DISK |  | TELEPHONE PED |
|  | FIRE HYDRANT |  | UTILITY MARKER |
|  | GAS VALVE |  | WATER METER |
|  | IRRIGATION CONTROL VALVE |  | WOOD POWER POLE |
|  | EXISTING LIGHT POLE |  | WATER VALVE |
|  | PROPOSED LIGHT POLE | | |

[illegible]

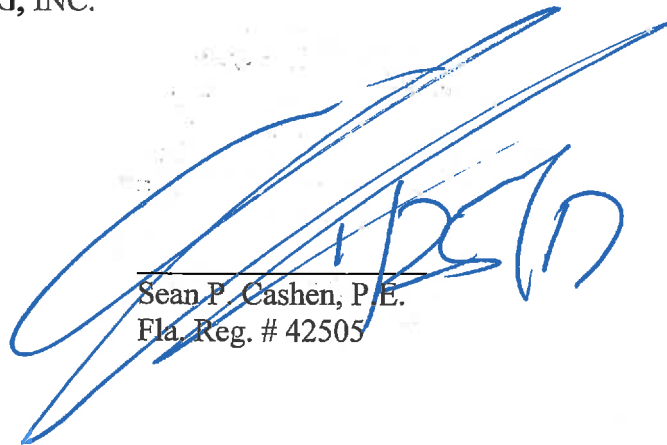
**PARKING STUDY
FOR
PROPOSED RETAIL OUTPARCEL
COLLEGE STATION SHOPPING CENTER
CLERMONT, FLORIDA**

PREPARED FOR:
EQUITY, INC.

PREPARED BY:
GULF COAST CONSULTING, INC.
JANUARY 2017
PROJECT # 16-068.01



Robert Pergolizzi, AICP/PTP
AICP #9023/PTP #133



Sean P. Cashen, P.E.
Fla. Reg. # 42505

I. INTRODUCTION

The applicant is seeking approval to develop a 1.75 acre site located at #2575 East SR 50 that is an out parcel of the College Station Shopping Center. The parcel is located directly on the southwestern corner of the SR 50 / Hancock Road intersection with direct access to SR 50 and internal access to a service road and other adjacent retail shops. (See Figure 1) The development of the property is the subject of a parking variance to utilize adjacent parking supply within College Station. This application requires an assessment of the parking adequacy for the operation and it was determined a parking study should be completed.

As part of the development a parking lot will be constructed to include a total of 103 parking spaces. The building is proposed to contain 11,232 square feet of floor space and will include two restaurants (3,500 SF + 3,000 SF) and 4,732 SF of retail shops. Under strict interpretation of the Clermont Code the project would require 106 parking spaces, and therefore reliance upon adjacent unused parking is required. A cross-parking easement exists between the two parcels.

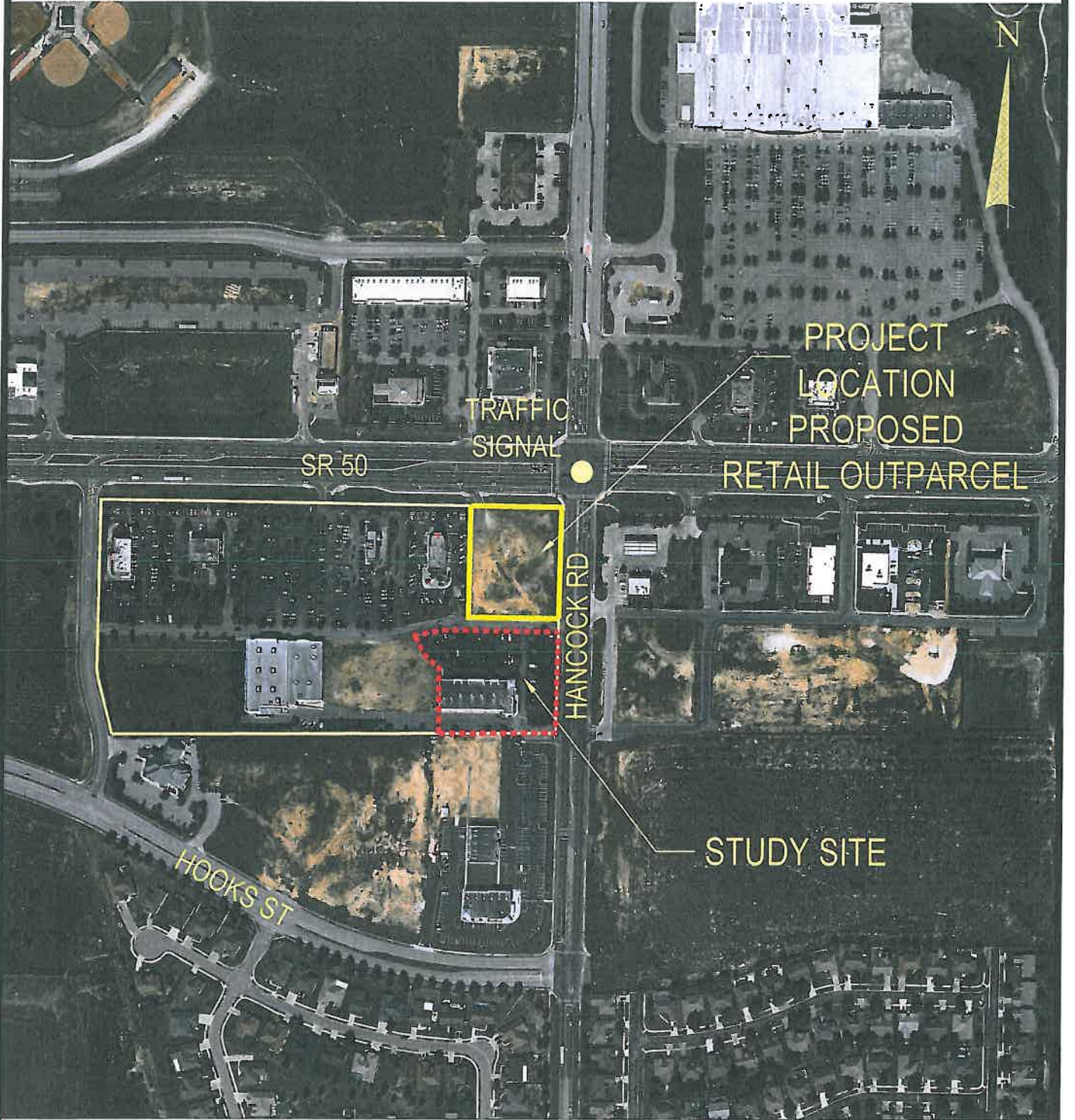
II. METHODOLOGY

This study is being prepared to ascertain the available parking spaces in the parcel immediately south of the proposed project site "subject site". This parcel "study site" contains 112 parking spaces and is under common ownership with the subject site. It was requested that GCC should conduct a parking accumulation study of the "study site" on a normal weekday between 7 AM and 9 PM. The study site observed is an existing retail plaza containing 14,200 SF and contains several small shops, restaurants, and personal service establishments. Hourly observations of accumulated parking demand were made and the data recorded.

Per the Clermont Code there is a minimum parking requirement of 5 spaces per 1,000 square feet of retail space and 1 space per 50 SF of restaurant space devoted to patron use + 1 space per 4 restaurant employees. According to strict interpretation of the code, the parking requirements are as follows:

4,737 SF of retail space =	24 parking spaces.
Restaurant "A" 3,500 SF (2,235 SF patron use) =	45 parking spaces
Restaurant "A" 12 employees=	3 parking spaces
Restaurant "B" 3,000 SF (1,500 SF patron use) =	30 parking spaces
Restaurant "B" 12 employees =	4 parking spaces
TOTAL CODE REQUIRED =	106 parking spaces

The applicant believes the nature of the proposed uses being located adjacent to an existing retail plaza with ample parking that there is excess parking available within easy walking distance to the proposed project.



PROJECT LOCATION

PROJECT NO:
16-068



Gulf Coast Consulting, Inc.
Land Development Consulting

DATE:
01/2017

DRAWN BY:
MKC

FIGURE:

1

III. EXISTING PARKING CONDITIONS OF STUDY SITE

Existing conditions were established by conducting parking lot counts between the hours of 7:00 AM and 9:00 PM on Wednesday January 18, 2017. The parking lot was checked every hour for the number of spaces that were occupied. The number of occupied spaces was noted and an accumulated total was obtained. The existing stores consist of Subway, MetroPCS, Ace Cash Express, Mattress Firm, South Lake Wellness Center (Chiropractic), and Regal Nails. The hours of operation are included in Appendix A and a survey of the study site showing parking spaces is included in Appendix A.

Wednesday January 18, 2017

On Wednesday (normal weekday) parking demand varied significantly throughout the study period from a low of 2 occupied spaces (2%) at 7 AM to a peak demand of 38 occupied spaces (34%) at 12 noon and again at 2 PM. Table 1 provides an hourly tabulation and Figure 2 provides a graph of hourly parking space occupancy.

Based on the data collected there are a minimum of 74 unused parking spaces at the adjacent site at the peak usage time. As such, the parking demand for the proposed development could be satisfied by these unused spaces.

IV. FUTURE CONDITIONS WITH REDEVELOPMENT

The proposed development would result in 103 on-site parking spaces. The code requirement is for 106 parking spaces for the proposed development resulting in a deficiency of 3 spaces. The proposed site plan is shown in Appendix A.

Using the data obtained from a the study site in Table 1, a minimum of 74 parking spaces are available at all times of the study period to satisfy any additional demand. Therefore, there is adequate parking available to support the proposed development on the subject site.

V. CONCLUSION

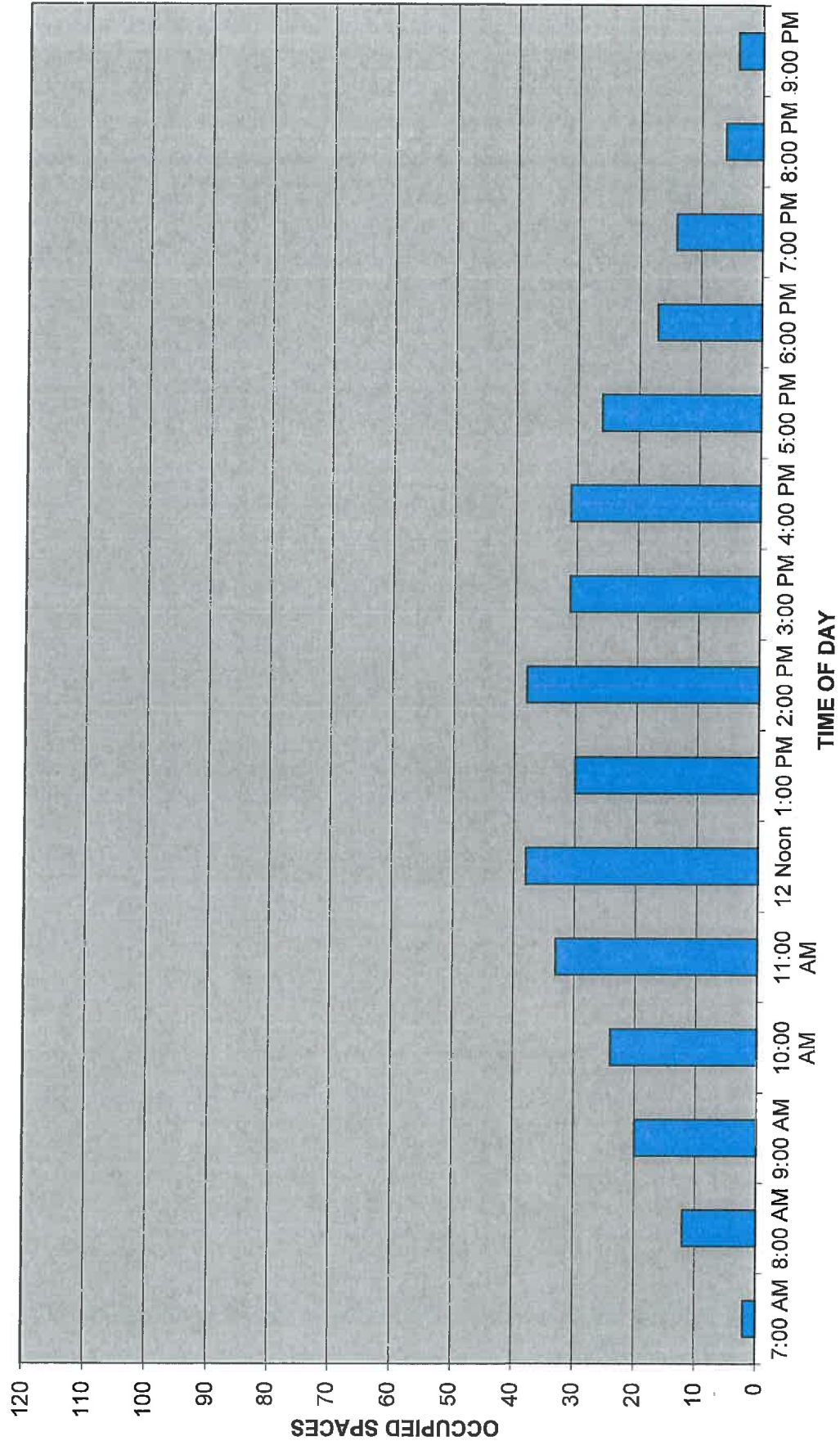
This analysis was conducted in accordance with a specific methodology used for parking studies by GCC throughout west central Florida. This analysis demonstrates a maximum of 38 parking spaces were occupied during any hour of the study period at the adjacent retail plaza “study site” which may be used to accommodate any overflow from the proposed development on the “subject site.”

With the development of the subject site providing 103 parking spaces, and the available parking on the adjacent retail parcel, the code required parking demand can easily be accommodated.

TABLE 1
WEDNESDAY JANUARY 18, 2017

TIME	RETAIL SHOPS PARKING LOT		
	OCC.	TOTAL	% OCCUPIED
7:00 AM	2	112	2%
8:00 AM	12	112	11%
9:00 AM	20	112	18%
10:00 AM	24	112	21%
11:00 AM	33	112	29%
12 Noon	38	112	34%
1:00 PM	30	112	27%
2:00 PM	38	112	34%
3:00 PM	31	112	28%
4:00 PM	31	112	28%
5:00 PM	26	112	23%
6:00 PM	17	112	15%
7:00 PM	14	112	13%
8:00 PM	6	112	5%
9:00 PM	4	112	4%

FIGURE 2 - JANUARY 18, 2017



APPENDIX A

Existing Stores Hours of Operation

Subway

Mon-Thu 7a-10p
Fri 7a-11p
Sat 8a-11p
Sun 9a-10p

Metro PCS

Mon-Sat 9a-8p
Sun 10a-7p

Ace Cash Express

Mon-Thu 8a-8p
Fri 8a-9p
Sat 8a-6p
Sun 10a-4p

Mattress Firm

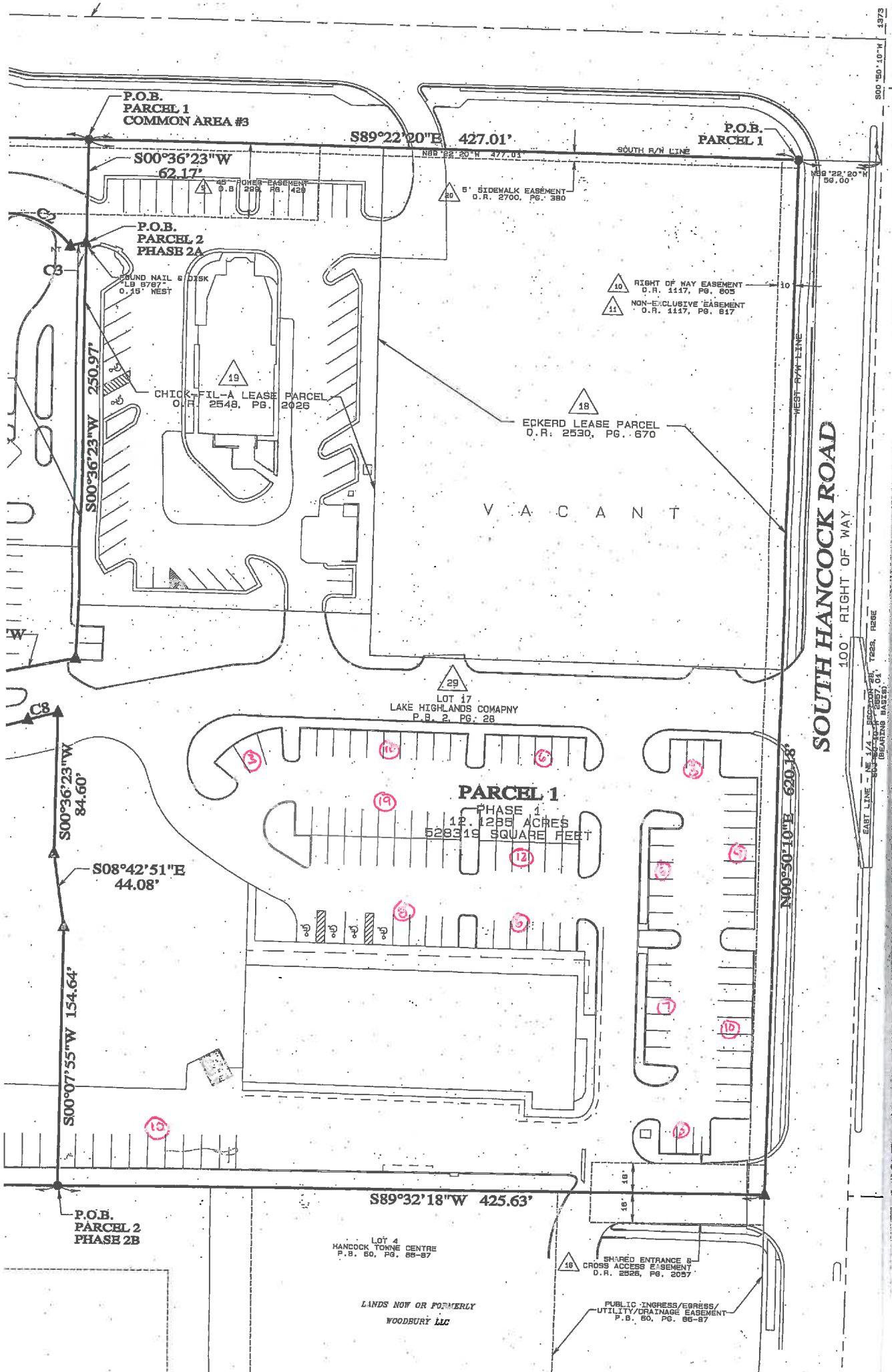
Mon-Sat 10a-8p
Sun 12p-6p

South Lake Wellness Center (Chiropractic)

Mon 8a-1p & 2p-5p
Tue 1p-6p
Wed 8a-1p & 2p-5p
Thu 1p-6p
Fri 8a-1p

Regal Nails

Mon-Sat 9:30a-7:30p
Sun 11a-5p



STUDY
SITE
PARKING LOT



CITY OF CLERMONT
VARIANCE
Application

DATE: _____

FEE: \$200.⁰⁰

PROJECT NAME (if applicable): College Station Outparcel

APPLICANT: Clermont College Station, LLC c/o Equity, LLC

CONTACT PERSON: Mr. Phil Kirkpatrick

Address: 4107 W. Spruce Street, Suite 101

City: Tampa State: FL Zip: 33607

Phone: (813) 490-8903 Fax: _____

E-Mail: pkirkpatrick@equity.net

OWNER: John P. Adams and Ann D. Adams - Family Limited Partnership

Address: 2500 Dundee Road

City: Winter Haven State: FL Zip: 33884

Phone: (863) 324-4576 Fax: _____

Address of Subject Property: 2575 East Highway 50, Clermont

General Location: Southwest corner of SR 50/Hancock Road intersection - 1.75 acres

Legal Description (include copy of survey): See attached Legal Description & Survey

Subject site is 1.75 acres in the N.E. corner of the Clermont College Station Center

Land Use (City verification required): Commercial

Zoning (City verification required): C-2 General Commercial District



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 98-14 / Parking spaces

Section 118-37d / Perimeter Landscape buffer on interior site (west side)

What are you proposing to do that would require a variance and why? Development of outparcel with retail/restaurants for which "on-site" parking cannot be accommodated.

How does the Code create a hardship? Required parking per code exceeds amount that can fit on-site. Adjacent parking lot has unused parking spaces that can satisfy any overflow from subject site.

*** * * * The following justifications must be completed * * * * ***
for any variance requested:

Variance requested – subject and code section: Parking / Section 98-14

Perimeter Landscape Buffers / Section 118-37d

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;

Subject site is constrained by adjacent development and public roads. Existing buffer adjacent to Chick-Fil-A varies from 5 feet to 9 feet on subject site. Chick-Fil A has 10 feet for a total of 15-19 feet combined.

- (2) The condition giving rise to the requested variance has not been created by any person presently having an interest in the property;

Requested variance is minor (difference of three (3) parking spaces). Parking "requirement" is too high given adjacent uses and probability of shared parking. Landscape buffer varies between 5-9 feet on subject site.



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;

Literal interpretation would require parking that cannot reasonably fit on-site, while site is being developed at a reasonable FAR (proposed FAR 0.15). Other property owners may apply for similar variances.

(4) The variance request is not based exclusively upon a desire to reduce the cost of developing the site or otherwise economically founded;

It is not an economically driven request. There is ample parking available in adjacent retail parcel that can accommodate any overflow for adjacent site. See Parking Study.

(5) The variance, if granted, is the minimum variance necessary to make possible the reasonable use of the land, building or structure;

The variances are minimal.

(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;

No special privilege is conferred that cannot be requested by any other user in the General Commercial District.

(7) The proposed variance will not substantially diminish property value in, or alter the essential character of, the area surrounding the site; and

The surrounding uses are retail/restaurants. Ample parking is available in adjacent retail parcel and a cross-parking easement exists. The reduced buffer is interior between Chick-Fil-A and subject site and the combined landscape area is 15-19 feet total.



CITY OF CLERMONT
VARIANCE
Application
Page 4

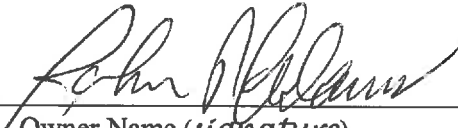
(8) The granting of the variance will be in harmony with the general intent and purpose of this land development code, and will not be injurious to the surrounding properties or detrimental to the public welfare.

Variances will not materially impact surrounding properties and will not be a detriment to the public welfare.

Philip S. Kirkpatrick
Applicant Name (print)

X 
Applicant Name (*signature*)

John P. Adams
Owner Name (print)

X 
Owner Name (*signature*)

*** * * * * 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

Select Language ▼

Property Record Card

General Information

Owner Name:	JOHN P ADAMS & ANN D ADAMS FAMILY LP	Alternate Key:	3540964
Mailing Address:	PO BOX 1667 WINTER HAVEN, FL 33882-1667 Update Mailing Address	Parcel Number:	09-22-26- 120501700000
		Millage Group and City:	000C (CLERMONT)
		Total Certified Millage Rate:	18.0915
		Trash/Recycling/Water/Info:	My Public Services Map ⓘ
Property Location:	CLERMONT FL 34711 Update Property Location ⓘ	Property Name:	-- Submit Property Name ⓘ
		School Locator:	School and Bus Map ⓘ
Property Description:	CLERMONT, LAKE HIGHLANDS 28-22-26 FROM NE COR OF NE 1/4 RUN S 0-50-10 W 1373.53 FT, N 89-22-20 W 50 FT TO INTERSECTION OF S'LY R/W LINE OF SR 50 & W'LY R/W LINE OF SOUTH HANCOCK RD FOR POB, RUN S 0-50-10 W 305.69 FT, N 89-23-37 W 248.79 FT, N 0-36-23 E 281.78 FT, S 89-22-20 E 250.01 FT TO POB, BEING PART OF TRACT 17 PB 2 PG 28 ORB 1486 PG 856		

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class Value	Land Value
1	VACANT COMMERCIAL (1000)	0	0		76251.78	SF	\$0.00	\$915,021.00

Miscellaneous Improvements

There is no improvement information to display.

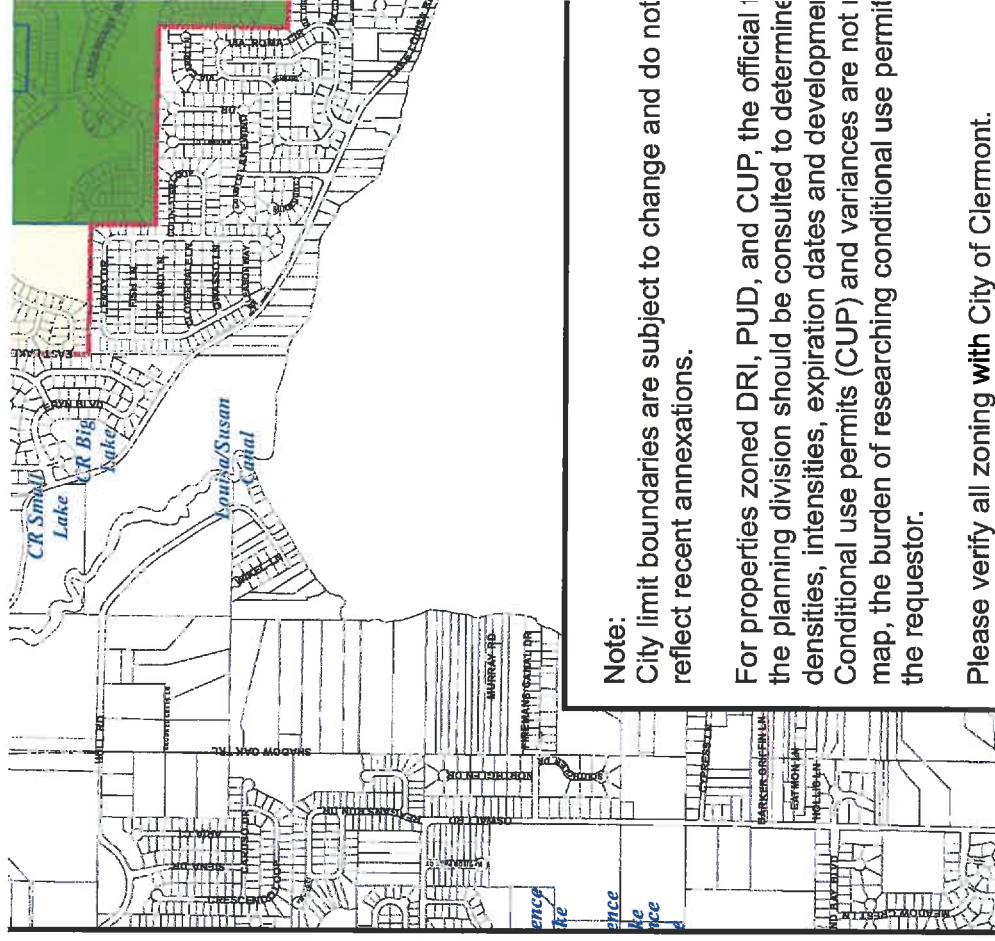
Copyright © 2014 Lake County Property Appraiser. All rights reserved.
Property data last updated on 08 January 2017.
Site Notice

COLLEGE STATION OUTPARCEL
1.75 ACRES
LEGAL DESCRIPTION

CLERMONT, LAKE HIGHLANDS 28-22-26 FROM NE COR OF NE 1/4 RUN |
S 0-50-10 W 1373.53 FT, N 89-22-20 W 50 FT TO INTERSECTION |
OF S'LY R/W LINE OF SR 50 & W'LY R/W LINE OF SOUTH HANCOCK |
RD FOR POB, RUN S 0-50-10 W 305.69 FT, N 89-23-37 W 248.79 |
FT, N 0-36-23 E 281.78 FT, S 89-22-20 E 250.01 FT TO POB, |
BEING PART OF TRACT 17 PB 2 PG 28 |
ORB 1486 PG 856 |

Zoning Designations

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



Note:

City limit boundaries are subject to change and do not reflect recent annexations.

For properties zoned DRI, PUD, and CUP, the official planning division should be consulted to determine densities, intensities, expiration dates and development Conditional use permits (CUP) and variances are not map, the burden of researching conditional use permit the requestor.

Please verify all zoning with City of Clermont.

LEGAL NOTICE

Notice is hereby given that the City Council of the City of Clermont will consider the request for the following variances: (1) to allow for a reduction of seventeen (17) parking spaces for a proposed commercial development instead of the number as required by the Land Development Code, Section 98-14 – Minimum Parking Spaces, (2) to allow for a reduced perimeter landscape buffer between abutting properties instead of the minimum ten-foot wide landscape buffer, as required by the Land Development Code, Section 118-37 – Landscape Buffers, (3) to allow for a total of 20% compact parking spaces instead of 10% compact parking spaces as required by the Land Development Code, Section 98-6 Compact Parking Spaces Ratio at the following location:

LOCATION:

Vacant 1.75-acre lot
at the southwest corner of Hancock Road and SR 50
Portion of Alt. Key 3540964

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, March 28, 2017 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, MMC
City Clerk

Daily Commercial
March 21, 2017



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date			
Tuesday, April 11, 2017			
Agenda Item Name			
Ordinance No. 2017-15 <i>Final</i> <i>Anderson Hill Annexation</i>			
Requested Action			
Recommend approval of Ordinance 2017-15.			
Staff Report			
This request was originally scheduled to be heard by the Council on Mar. 14, 2017 but was tabled at the applicant's request to allow additional time to prepare for the final hearing. The applicant, Avid Group, is requesting annexation of the subject property. The property is located west of U.S. Highway 27 and north of Anderson Hill Road. The City limits are across the U.S. Highway 27 right-of-way to the east. This is considered adjacent under Chapter 171 of the Florida Statutes for annexation. The southwest portion of the property was previously used by St. Matthias Episcopal Church and a parking lot is remaining. The northern portion has a 10,000-square-foot building that was formerly West Star gym, but it is currently vacant. This building will be renovated. The property is approximately 9.5 acres in size and is in the City's sewer service area. Water to the site will be provided by the private utility provider in this service area. The property is located within the Interlocal Service Boundary Agreement (ISBA) and the Joint Planning Area (JPA). The applicant wishes to receive services from the City in order to develop the property into a commercial retail center with up to 58,000 square feet of C-2 General Commercial uses. This request is being heard concurrently with requests for a Small Scale Comprehensive Plan Amendment, rezoning, and a Conditional Use Permit to allow for a building greater than 20,000 square feet. The related request for a Comprehensive Plan Amendment would change the future land use from Lake County's Urban Low Density to the City's Commercial designation. The rezoning request is to change the zoning from Urban Estate (currently Planned Commercial District and Community Facility District in Lake County) to the City's C-2 General Commercial zoning classification. The subject property is adjacent to the City limits and is within the Interlocal Service Boundary Agreement and the Joint Planning Agreement. 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 2017-15.doc
2.	Maps	Anderson Hill Retail Maps.pdf
3.	Lake County BCC Letter 3-13-17	Lake County BCC Letter March 13 2017.pdf
4.	Letters of opposition	Letters of Opposition CC.pdf
5.	Application	ANN application.pdf
6.	Legal ad	ANN Anderson Hill legal ad.docx

CITY OF CLERMONT
ORDINANCE No. 2017-15

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

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

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

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

SECTION 1.

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

Legal Description

Tract 27 together with a portion of Tract 22, as shown on the Lake Highland Company plat of Section 32, Township 22 South, Range 26 East, Plat Book 3, Page 24, public records of Lake County, Florida. Being more particularly described as:

Begin at the Southwest corner of Tract 22 as shown on the Lake Highland Company plat of Section 32, Township 22 South, Range 26 East, recorded in Plat Book 3, Page 24, of the public records of Lake County, Florida; thence along the West line of Tract 22 N00°31'25"E, a distance of 61.46 feet; thence N63°34'33"E, a distance of 393.00 feet to a point on the West Right-of-Way line of US Highway 27; thence along said West Right-of-Way line, S24°35'30"E, a distance of 269.86 feet to a point on the South line of Tract 22; thence continue along said West Right-of-Way line S24°35'30"E, a distance of 366.85 feet; thence S00°27'49"W, a distance of 266.03 feet to a point on the North Right-of-Way line of Anderson Hill Road; thence

CITY OF CLERMONT
ORDINANCE No. 2017-15

N89°03'43"W along the said North Right-of-Way line of said Anderson Hill Road, a distance of 620.93 feet to a point on the West line of Tract 27 as shown on said the Lake Highland Company plat of Section 32, Township 22 South, Range 26 East; thence along said West line of said Tract 27, N00°31'46"E, a distance of 598.50 feet to the Southwest corner of said Tract 22 and the Point of Beginning.

Containing a total of 9.47 acres, more or less.

SECTION 2.

That the aforescribed property shall be and hereby is made part and parcel of the City of Clermont, Lake County, 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, Lake County, Florida 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.

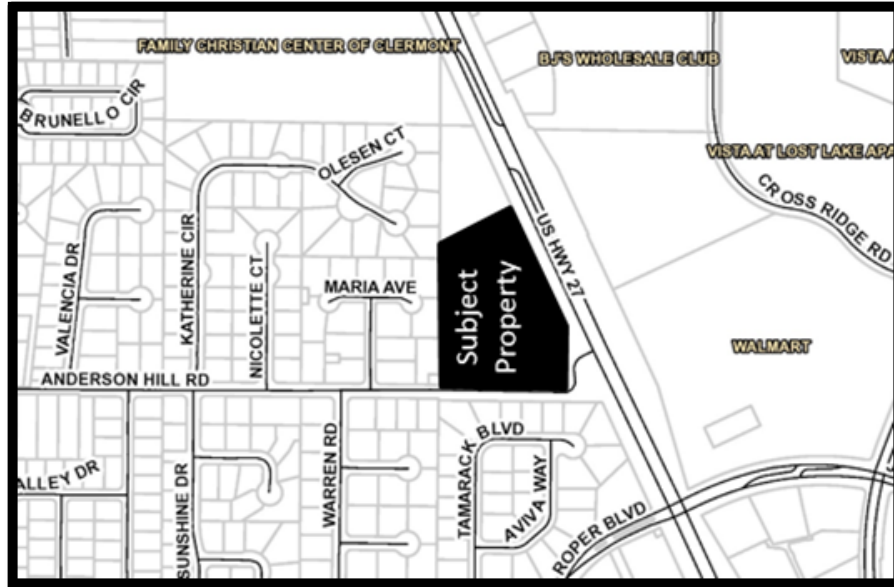
This Ordinance shall be recorded in the Public Records of Lake County, Florida.

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. 2017-15

Location map:



CITY OF CLERMONT
ORDINANCE No. 2017-15

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 11th day of April, 2017.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Denise Noak, Acting City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Exhibit - Location Map – Anderson Hill Retail

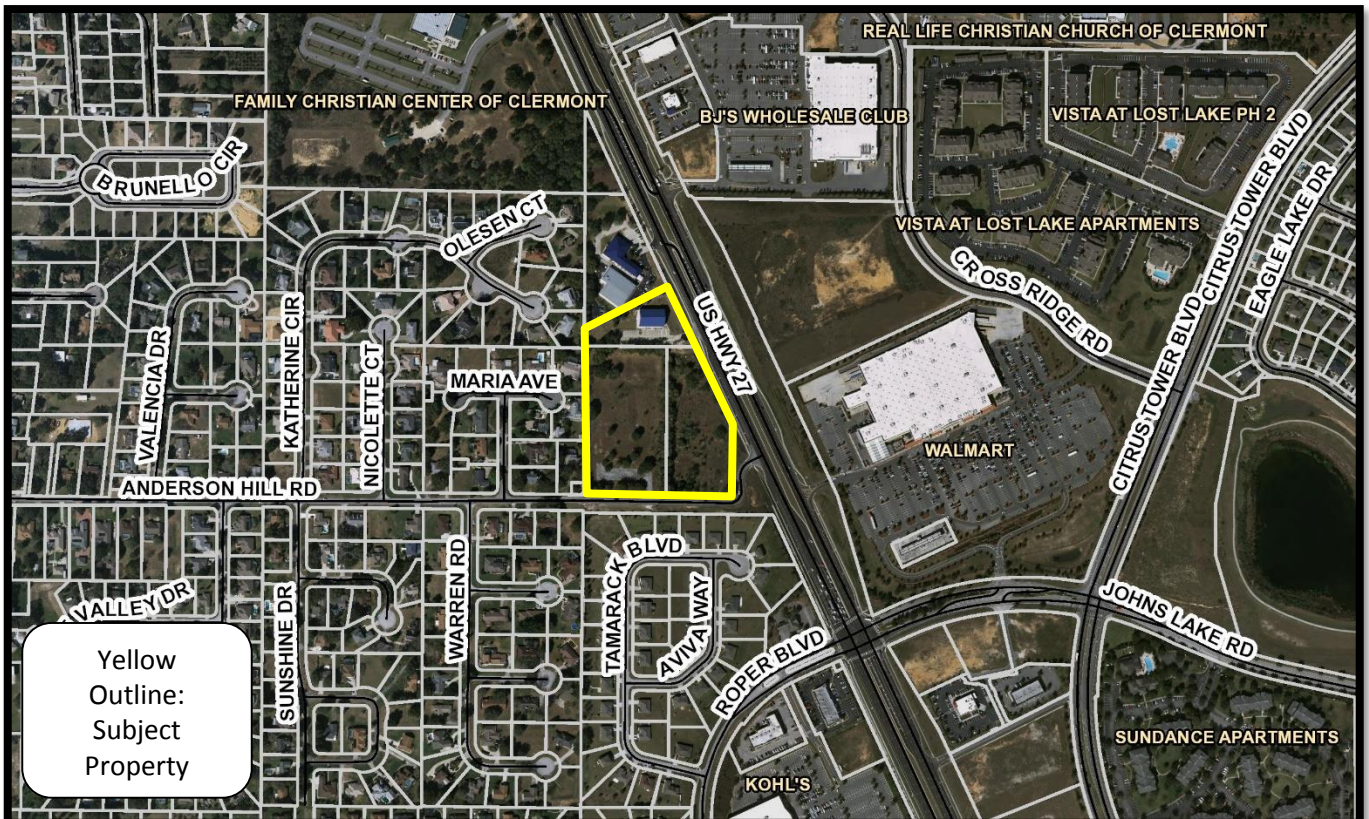
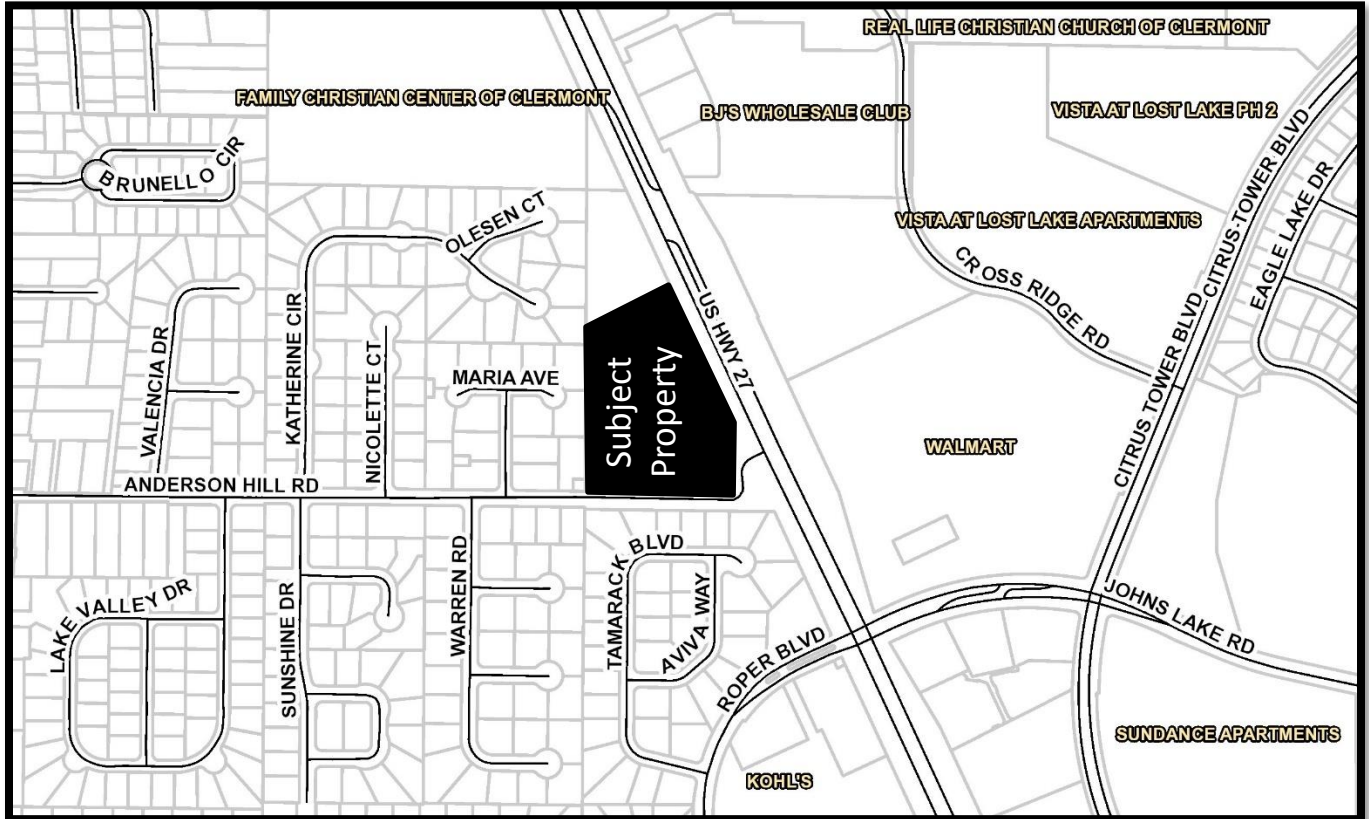


Exhibit – Future Land Use Map – Anderson Hill Retail

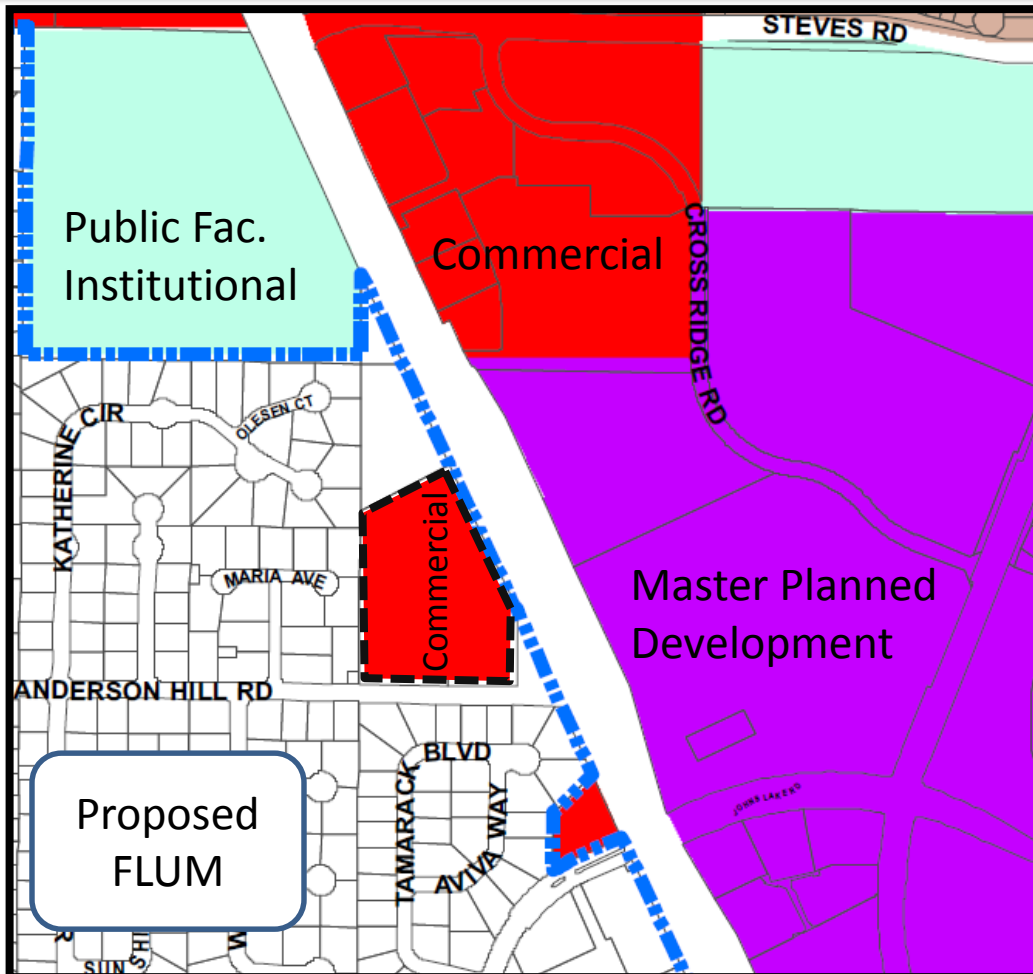


Exhibit – Zoning Map – Anderson Hill Retail

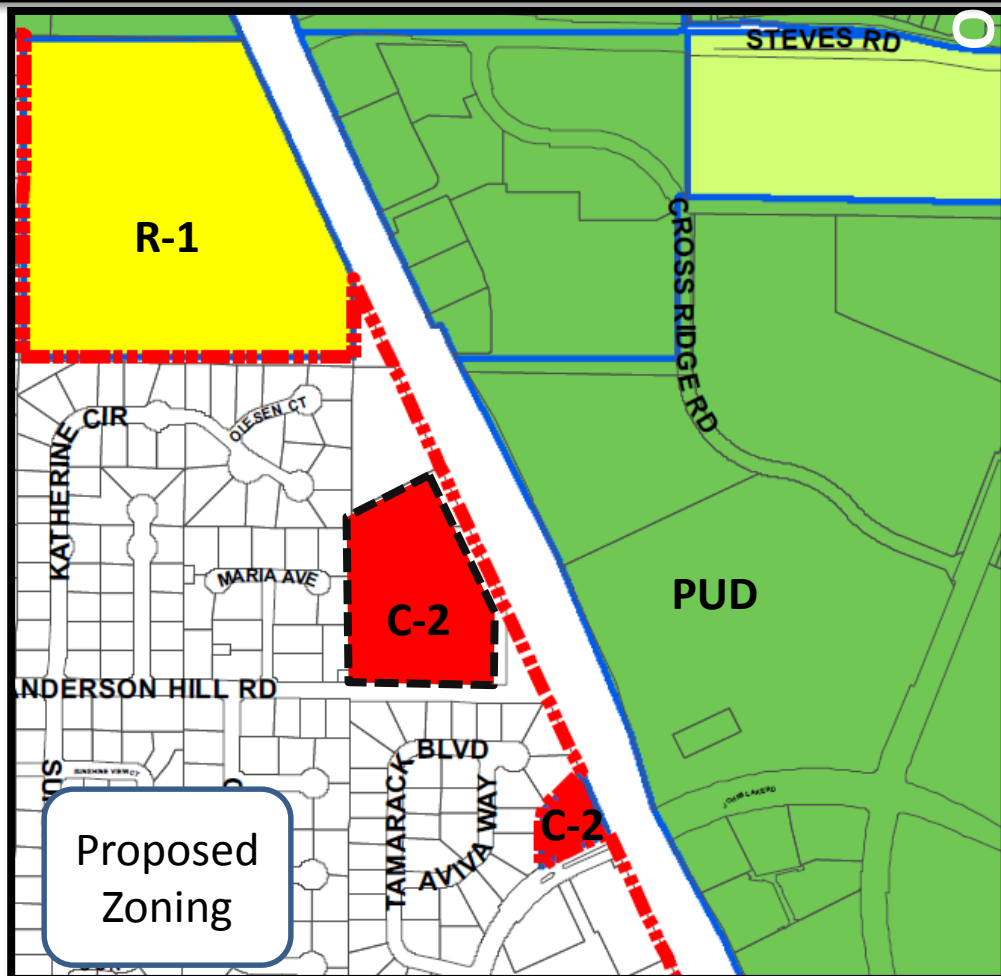
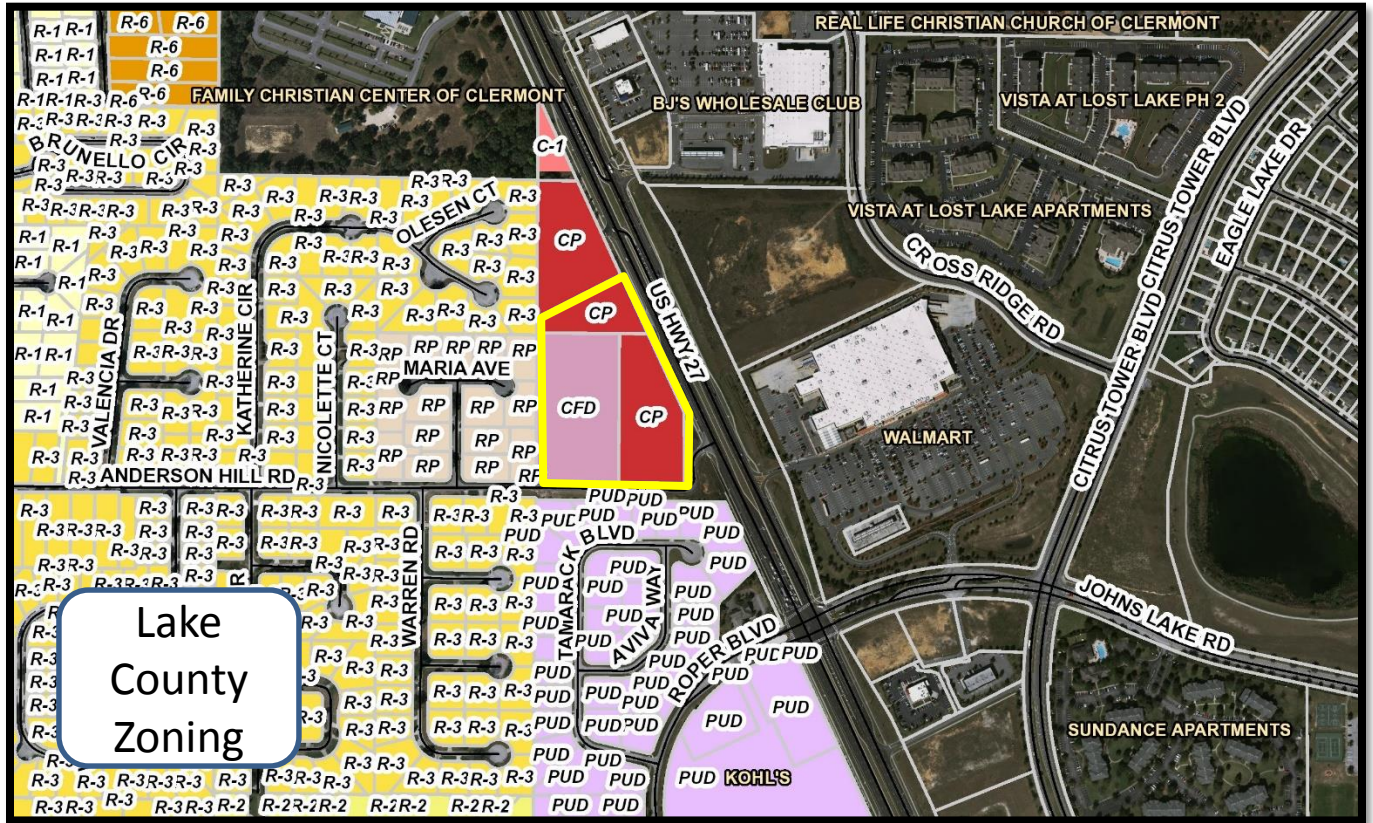
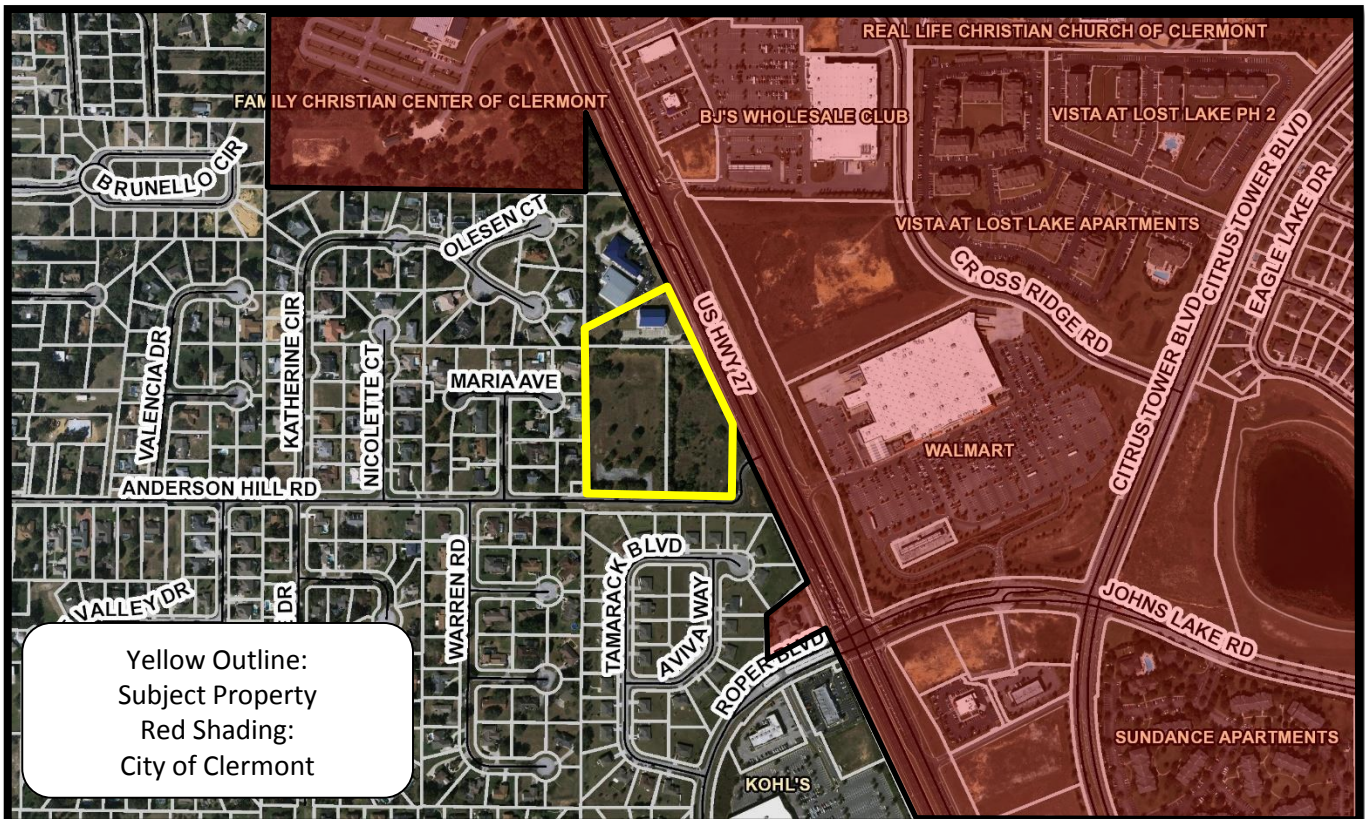
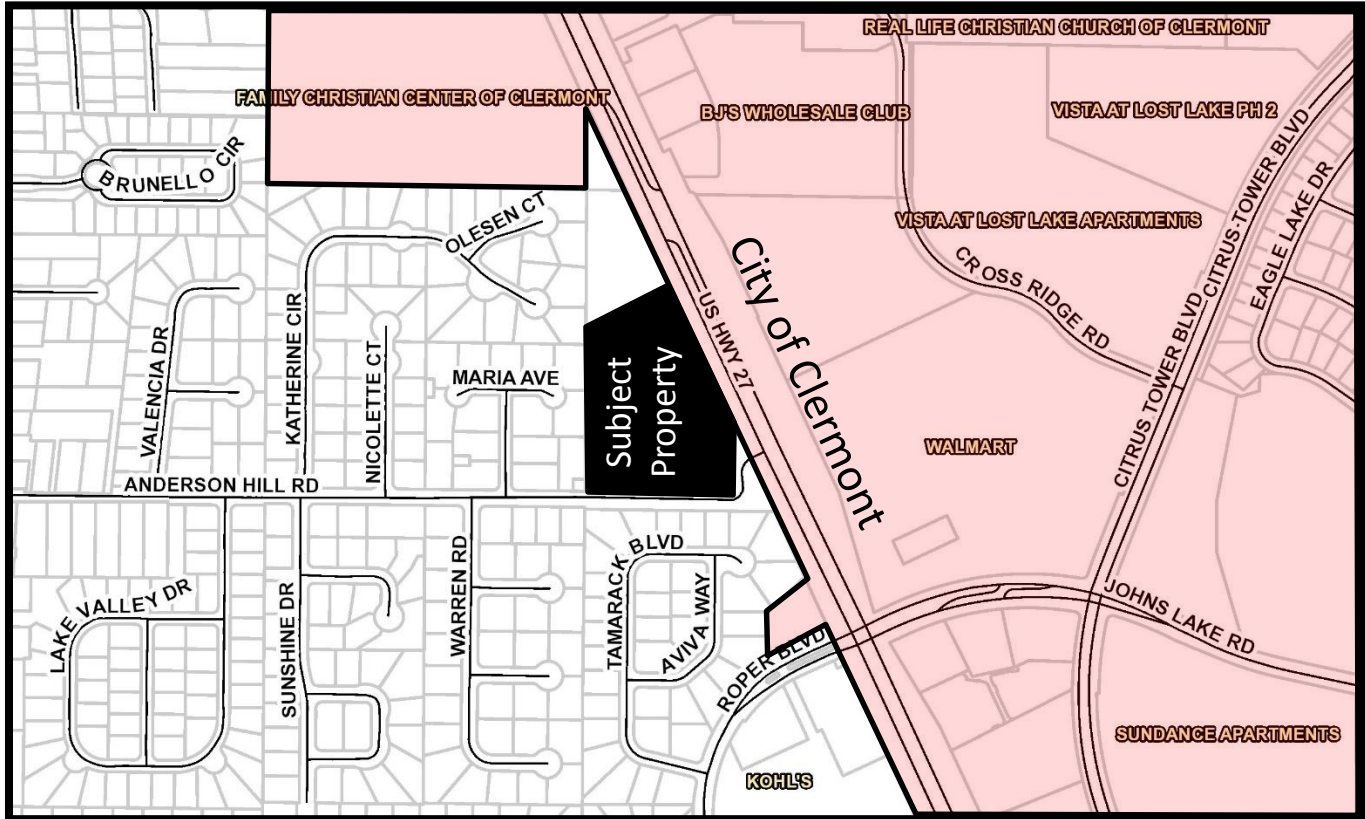


Exhibit - Annexation Map – Anderson Hill Retail





March 13, 2017

Mayor Gail Ash
City of Clermont
City Hall 685 W. Montrose St.
Clermont, FL 34711

Re: Anderson Hill Commercial Project – Millennial Partners

Mayor Ash:

On behalf of the Lake County Board of County Commissioners, we wish to express our concerns regarding the annexation of the proposed 58,000 square foot commercial retail site located at the corner of Anderson Hill Road and US Highway 27 (alt key #3828239, 2826541, and 1453496).

The Board of County Commissioners has concerns regarding the increased traffic, traffic safety, and the adverse effects that would occur to Anderson Hill Road. This proposed project would increase traffic on both Lakeshore Drive and Anderson Hill Road. The increase in traffic would raise safety concerns to the pedestrian and bicyclist currently using the road. The road condition would be negatively affected with the increase of traffic coming off of US Highway 27 through the curves and the steep grade to the proposed entrance cause concern for the community and the County.

Should the City of Clermont approve the annexation, the Lake County Board of County Commissioners respectfully requests the City to require the following requirements as conditions for the rezoning of the subject property:

- The Developer shall provide sidewalks from US 27 and along Anderson Hill Road along the property to meet ADA, City of Clermont and Lake County Standards.
- Any proposed buildings shall be required to be placed in proper Complete Street context by locating the structures along US Highway 27 and subsequent parking areas located behind those structures.
- Adherence to Dark Sky principles and criteria.
- A Lake County Right-Of-Way Utilization Permit will be required for any utility work, sidewalk, and other offsite road or right-of-way improvements.
- Access to Anderson Hill Road from the proposed commercial development shall be prohibited except for emergency vehicle access. Should this not be possible, the following shall be required:

BOARD OF COUNTY COMMISSIONERS' OFFICE
P.O. BOX 7800 ♦ 315 W. MAIN ST. ♦ SUITE 316 ♦ TAVARES, FLORIDA 32778-7800 ♦ P 352.343.9850 ♦ F 352.343.9495
Board of County Commissioners ♦ www.lakecountyfl.gov

- The Developer shall reconstruct the roadway and switch back curves of Anderson Hill Rd from US 27 to the west approximately 900 linear feet to near the development western boundary line. The road should be graded and realigned with a gentler profile and curves meeting current roadway standards for 35 mph design speed.
- Traffic calming will be required along Anderson Hill Road. The traffic calming should include a minimum of three roundabouts, or Splitter islands, with additional speed tables or other calming devices required by Lake County Public Works.
- The speed limit for Anderson Hill Road may need to be adjusted to accommodate the increase in traffic with traffic calming and speed control, depending upon an engineering study by the developer.
- Additional offsite turn lanes, or traffic calming, will be required at the intersection of Lakeshore Drive and Anderson Hill Road.
- A Lake County Commercial Driveway Connection permit will be required for the driveway connection to Anderson Hill Road.

Please feel free to contact me if you have any questions.

Sincerely,



Timothy I. Sullivan
Chairman

Cc: Darren Gray, City Manager
Board of County Commissioners



February 8, 2017

Curt Henschel, Planning Manager
City of Clermont
685 W. Montrose St
Clermont, FL 34711

Re: Anderson Hill Commercial – Millenia Partners

Dear Mr. Henschel:

Lake County has received concerns from the surrounding communities about the future commercial retail site proposed at the corner of Anderson Hill Rd and US 27. The concerns are related to increased traffic, traffic safety, and the adverse effects to the existing road. The site would increase traffic on both Lakeshore Dr and Anderson Hill Rd. The increase in traffic would raise safety concerns to the pedestrian and bicyclist currently using the road. The road condition would be negatively affected with the increase traffic for a road that is functioning as a local road for the residential area. The increase of traffic coming off of US 27 through the curves and the steep grade to the proposed entrance cause concern for the community and the county.

Lake County has conditional requirements for the Millenia Partners property also known as Anderson Hill Commercial. These conditional requirements will apply for the development, if access to the commercial site will be off of Anderson Hill Rd. Our preference is for this development to not connect to Anderson Hill Rd. If the development does not access off Anderson Hill Rd then the conditions below may not all be applicable.

Lake County request the City of Clermont to require and include the following requirements as conditions in the ordinance for the rezoning of the Millenia Property.

- The Developer shall provide sidewalks from US 27 along the property to meet ADA, City of Clermont and Lake County standards.

PUBLIC WORKS DEPARTMENT • ENGINEERING DIVISION
P.O. BOX 7800 • TAVARES, FL 32778 • P 352.253.6000 • F 352.253.9082
Board of County Commissioners • www.lakecountyfl.gov

TIMOTHY I. SULLIVAN
District 1

SEAN M. PARKS, AICP, QEP
District 2

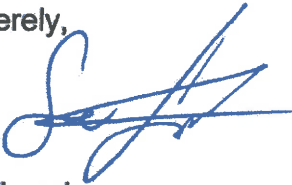
WENDY R. BREEDEN
District 3

LESLIE CAMPIONE
District 4

JOSH BLAKE
District 5

- Traffic calming shall be required along Anderson Hill Rd. The traffic calming will include a minimum of three roundabouts.
- Additional road striping consisting of both centerline and edge line striping will be required from US 27 to Lakeshore Dr.
- The speed limit for Anderson Hill Rd will need to be adjusted to accommodate the increase in traffic with traffic calming and speed control.
- Additional offsite turn lanes will be required at the intersection of Lakeshore Dr and Anderson Hill Rd.
- A Commercial Driveway Connection permit will be required for the driveway connection to Anderson Hill Rd.
- A Right-of-way Utilization permit will be required for any utility work, sidewalk, and other offsite road or right-of-way improvements.

Sincerely,



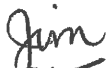
Seth Lynch,
Engineer III
Lake County Public Works Department
Engineering Division
Design and Development Section
(352) 253-9052
slynch@lakecountyfl.gov

Cc: Commissioner Sean Parks
David Heath, County Manager
Jim Stivender, PE, Public Works Director
Fred Schneider, PE, County Engineer
Tim McClendon, AICP, Planning and Zoning division Manager
William White, PE, Engineer IV - Design and Development Supervisor
Barbara Hollerand, Development Services Director

Jennifer M. Cotch
12522 Valencia Drive
Clermont, FL 34711
407-616-6588
jcotch@yahoo.com

February 13, 2016

Mr. Jim Stivender, P.E.
Lake County Public Works Director
P.O. Box 7800
Tavares, Florida 32778


Dear Mr. Stivender,

As you are aware, the City of Clermont has received an application for a 58,000+/- square foot commercial development with access of Anderson Hill Road. The property is currently located within unincorporated Lake County and the applicant has requested annexation by the City of Clermont.

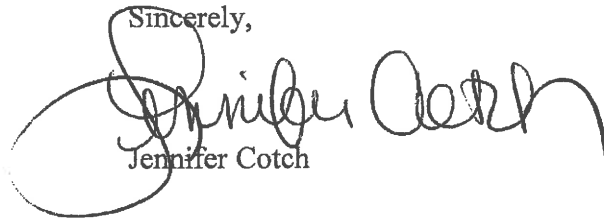
I have lived off of Anderson Hill Road for almost 16 years, 11 years in my current residence on Valencia Drive. My parents, as well as my sister and her family, also live on streets that are only accessible via Anderson Hill Road. One of the perks of living so closely is having the ability to walk to each other's homes. We also enjoy meeting up and talking our dogs for evening walks around the neighborhood. A few years ago, our walks became practically nonexistent due to the heavy and often speed traffic on Anderson Hill Road. While I still brave "the hill" each morning to walk my dogs, it is becoming a true safety hazard. I cannot even imagine the children who have to walk to their school bus stop each day! I hold my breath when I see them and often will advise the children to walk on the grass to ensure they are not hit.

I tell you this because I am fearful of what the commercial will bring to Anderson Hill Road. As you know, there is no curb, no shoulder, and no sidewalks on Anderson Hill Road. Drivers use the road as a cut-thru and the proposed commercial will only make it worse. Therefore, I am begging the County and City work together to resolve these issues before approving any additional traffic impacts to Anderson Hill Road. In the past, the Sherriff's office has sent out officers to patrol the area and that helps for a short time (until they leave). Your office has also been out to do traffic studies and as a result reduced the posted speed limit from 35 MPH to 30 MPH on Anderson Hill Road. While we residents appreciate that, the drivers do not adhere and will often go double the posted speed limit. To be fair, unless you keep your foot on the break, you will easily go over 45 MPH, let alone 30 MPH. However, they also speed up the hill. What do they care? They are just cutting through to get to US HWY 27.

Therefore, I am formally requesting that the County explore the possibility of creating a four-way stop at the middle of Anderson Hill Road to force traffic to slow down. I believe this can be achieved by adding 2 stop signs on Anderson Hill Road where it intersects with Sunshine and Kathrine. I am also requesting that sidewalks be installed in the existing right-of-way along the south side of Anderson Hill Road. While I understand there may be gaps in the existing ROW, I believe the residents will be willing to work with the County to gain the additional ROW needed.

I thank you for your time and consideration of my request. Should you wish to discuss in further detail, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Jennifer Cotch". The signature is fluid and cursive, with a large loop at the beginning and a long, sweeping tail that extends to the right. Below the signature, the name "Jennifer Cotch" is printed in a small, black, sans-serif font.

cc (via e-mail):

Commissioner Sean Parks, AICP
Mayor Gail Ash
David Heath, County Manger
Darren Gray, City Manager
Barbara Hollerand, Development Services Director
Robert Chandler, Economic Growth Director
Seth Lynch, County Engineer

John E. Kruse

From: Barbara Hollerand
Sent: Tuesday, February 14, 2017 4:36 PM
To: Rae Chidlow; John E. Kruse; Curt Henschel
Subject: FW: Anderson Hill Applications



Barbara B. Hollerand
Development Services Director
685 W. Montrose St., Clermont, FL 34711
Tel 352-241-7307 | Fax 352-394-3542
bhollerand@clermontfl.org
www.cityofclermontfl.com

*Our mission: To preserve and enhance the quality of life for the
Clermont community by providing exceptional services.*

From: Megan Jones [mailto:megan@orlandorentz.com]
Sent: Tuesday, February 14, 2017 4:30 PM
To: Gail Ash <gash@clermontfl.org>; Ray Goodgame <rgoodgame@clermontfl.org>; Keith Mullins <kmullins@clermontfl.org>; Timothy Bates <tbates@clermontfl.org>; Diane Travis <dtravis@clermontfl.org>
Cc: Darren Gray <dgray@clermontfl.org>; sparks@lakecountyfl.gov; Barbara Hollerand <BHollerand@clermontfl.org>
Subject: Anderson Hill Applications

Clermont City Council members,

As I am sure you are aware, your staff has received a request for annexation, comprehensive plan amendment, rezoning, and conditional use over 9.58 acres located at the corner of HWY 27 and Anderson Hill Road (the "Property") that will be heard before the City Council today, February 14 and March 14, 2017. While I have anticipated the commercial uses to be developed on the five-acre parcel that has frontage to HWY 27, please let me explain why I believe the request coming before you is overreaching and does not meet the requirements of the City's Comprehensive Plan or Land Development Code.

According to the Interlocal Service Boundary Agreement (ISBA) that the City and County have entered into, "any application for development received by CLERMONT for land within CLERMONT and within five hundred feet (500') of land that is located in the unincorporated area, CLERMONT or County, as the case may be, will immediately (Emphasis added) provided a copy of the application to the other." According to documentation obtained by the County, the applications were transmitted to County staff after the City's Planning and Zoning Board meeting was held and after County staff received numerous calls regarding the project and requested to see the applications. Furthermore, the ISBA states that "CLERMONT and COUNTY shall work together to minimize any conflicts in regulations and to make the permitting process as efficient as can be." The County has great concerns regarding the proposed projects access of Anderson Hill Road, as reflected in the letter sent to Mr. Curt Henschel dated February 8, 2017. It is my intention to ensure all of the requirements of the ISBA are adhered to, not just the ones that help developers.

The Applicant has requested a comprehensive plan amendment to the Commercial future land use designation, the City's most intense land use aside from Industrial. The current future land use in the County is Urban Low Density. While the County's land use designation does permit some

commercial uses, the uses are not as detrimental to our community on Anderson Hill Road as those uses in the proposed Commercial land use. City Comprehensive Plan Policy 1.2.1 states "the City shall consider compatibility of adjacent (Emphasis added) future land use categories during the land use plan amendment process. The City shall consider potential maximum densities and intensities the appropriate transitions of uses, densities and intensities." Below is a chart comparing the County's Urban Low Density designation to the City's Commercial designation based on the City's Policy.

	City Commercial FLU	County Urban Low Density
Maximum Density	12 du/acre	4 du/acre
Maximum Intensity	.25 Floor Area Ratio (FAR)	.25 FAR
	Hotels and Resorts can obtain a CUP in this category and have a maximum of 3.0 (FAR) in addition to nursing homes and assisted living facilities with PUD zoning.	

The City's staff report relies on the commercial uses located across HWY 27, a divided U.S. highway. Large major arterial roadways dividing property is hardly adjacent and should not be used to support the approval of isolated land use categories. I would direct your attention to the staff's own Future Land Use Map Exhibit which shows the adjacent land, all within unincorporated Lake County are within the Urban Low Density land use category. Furthermore, the commercial located across HWY 27 was part of a 426 acre multi-use Development of Regional Impact (DRI). Hardly comparable to 3 small parcels that do not even total 10 acres.

The existing County's land use designation contains minimum open space amounts, building height limitations maximum Impervious Surface Ratio (ISR) and the type of commercial uses allowed, none of which are included in the City's Commercial land use policies. So you can imagine my surprise when the Planning and Zoning Board recommended approval of the requests because they were afraid of giving the County control and ultimately letting the developer get more. This is simply untrue. For this Property, the County currently has more control and regulations regarding the development of the Property. For those reasons, I do not believe the request for a comprehensive plan amendment to the City's Commercial land use category should be adopted by the City.

The Applicant is requesting the Property be rezoned from County Planned Commercial (CP) and Community Facility District (CFD) to City General Commercial (C-2), the City's most intense commercial zoning category. If the Applicants request is granted, some uses that would be permitted by right include gas stations, convenience stores, laundry mats, night clubs, carwashes and hotels. These uses will be adjacent existing single-family lots at a density of 2 dwelling units per acre. Should a commercial zoning be approved for the Property, it would be more compatible to authorize the Light Commercial (C-1) zoning district or better yet, a Planned Unit Development (PUD) zoning that can be conditioned, like the existing County zonings. According to the City's Land Development Code, the intent of the C-1 district is "to provide light retail sales and services which would not be detrimental to adjacent residential districts." Why is this zoning district not being considered? I believe the Applicant is request too much for this Property, inconsistent with the City Codes and the requested rezoning to C-2 should be denied.

The final request is for a Conditional Use Permit (CUP). The CUP is for a single building that is more than 20,000 square feet. The proposed building is 20,400 square feet, only 400 square feet over the City's threshold for needing a CUP. After all, it is only the CUP request that can be

conditioned if you approve the proposed comprehensive plan amendment and rezoning. The Applicant can easily remove the CUP request from before you. Frankly, I don't think it will get by your traffic and safety review anyway due to it's location at the S-curve. That is why the Planning and Zoning Board's recommendation was so disappointing, it lacks any teeth.

It is my opinion that the Applicants representative provided incorrect information to the Planning and Zoning Board on several occasions. For example, they stated that the Florida Department of Transportation does not grant more than one driveway permit per parcel and that the project would be pedestrian friendly. Pedestrians friendly to who exactly? Those of us who live on and off Anderson Hill Road have no sidewalks, not even a paved shoulder. We would be risking our lives dodge all the speeding vehicles before we would even arrive to the sidewalks the Applicant would be required to install along the Property line. Additionally, the proposed site plan includes a drive-thru. I don't understand how that is pedestrian friendly. Are there that many walkers along Hwy 27 looking to walk around a drive thru restaurant? It was also mentioned that there would be a six foot wall blocking the adjacent neighbors. When questions about the lighting, the Board was told that the 15' light posts would be below the finished grade of the adjacent residential lots. How can a six foot wall be a visibility barrier and a 15' pole with a light on it will be below grade? All the six foot walls they are proposing are retaining walls needed for development, not a barrier for the neighbors. Futhermore, there is a wider landscape buffer between HWY 27 and the Property (20') than is between the Property and the residential (10').

For those reasons, I ask you to please deny the Applicants request.

I thank you for your time and consideration on this matter and encourage you work with the County to do the right thing for the residents of Anderson Hill Road.

Sincerely,

Megan Jones
12303 Sunshine Drive

John E. Kruse

From: Barbara Hollerand
Sent: Tuesday, February 14, 2017 3:24 PM
To: John E. Kruse; Curt Henschel
Subject: FW: Commercial at Anderson Hill Rd and 27



Barbara B. Hollerand
Development Services Director
685 W. Montrose St., Clermont, FL 34711
Tel 352-241-7307 | Fax 352-394-3542
bhollerand@clermontfl.org
www.cityofclermontfl.com

Our mission: To preserve and enhance the quality of life for the Clermont community by providing exceptional services.

From: Darren Gray
Sent: Tuesday, February 14, 2017 2:58 PM
To: Barbara Hollerand <BHollerand@clermontfl.org>
Cc: Tracy Ackroyd <TAckroyd@clermontfl.org>
Subject: FW: Commercial at Anderson Hill Rd and 27

FYI

From: Breeden, Wendy [<mailto:WBreeden@lakecountyfl.gov>]
Sent: Tuesday, February 14, 2017 2:37 PM
To: Darren Gray <dgray@clermontfl.org>
Cc: Kennard, Andrea <AKennard@lakecountyfl.gov>
Subject: FW: Commercial at Anderson Hill Rd and 27

Hi, Darren,

This is the first one I received.

Wendy R. Breeden
Lake County Commissioner, District 3
315 W. Main Street
Tavares, FL 32778
(352) 343-9850 Office
(352) 343-9450 Fax
wbreeden@lakecountyfl.gov

From: McClendon, Tim
Sent: Friday, February 10, 2017 2:53 PM
To: Breeden, Wendy <WBreeden@lakecountyfl.gov>

Cc: Kennard, Andrea <AKennard@lakecountyfl.gov>

Subject: RE: Commercial at Anderson Hill Rd and 27

Commissioner,

I've responded to the resident yesterday afternoon. And for your information, the project mentioned below is actually being annexed in to the city of Clermont. Clermont will either approve or the deny the development.

-tm

From: Breeden, Wendy

Sent: Friday, February 10, 2017 2:34 PM

To: McClendon, Tim <tmccclendon@lakecountyfl.gov>

Cc: Kennard, Andrea <AKennard@lakecountyfl.gov>

Subject: Fwd: Commercial at Anderson Hill Rd and 27

Tim,

I'm not sure what this one is about.

Sent from my iPhone

Begin forwarded message:

From: Philip Masse <pmasse13@hotmail.com>

Date: February 9, 2017 at 10:07:41 AM EST

To: <wbreeden@lakecountyfl.gov>

Subject: Commercial at Anderson Hill Rd and 27

Dear Commissioner Breeden, Why should the Residents have to give up anything to accommodate a Commercial interest ? We pay our taxes and abide by the rules. Since when is our way of life less important than the Commercial interest ? I am Totally and Completely Opposed, to any such Commercial Strip Mall, at the end of AHR ! Isn't this a Violation of Zoning Laws whereby we, the Residents will be Deprived of their "Right to Quiet Enjoyment" ? This is a Nuisance as described below and actionable by a Lawsuit to prevent such action from taking place ! Please read: <https://en.wikipedia.org/wiki/Nuisance> Nuisance - Wikipedia
[en.wikipedia.org](https://en.wikipedia.org/wiki/Nuisance) Nuisance (from archaic nocence, through Fr. nuisance, nuisance, from Lat. nocere, "to hurt") is a common law tort. It means that which causes offence, annoyance ... Do we need to get lawyers involved to Completely STOP this from happening ? Thank You for Your Consideration. Philip Masse

Susy Gibson
12310 Sunshine Drive
Clermont, Fl. 34711

February 24, 2017

City of Clermont
Mayor Gail Ash
685 W. Montrose St
Clermont, Fl. 343711

Dear Mayor Ash:

Re: Item No. 27 2017-15 Introduction Anderson Hill Annexation

I am opposed to this annexation based on the inadequacy of the Millennia Partners site plan, the dangers it poses to the Anderson Hill and U.S. 27 area and the current level of service on those roads.

The City of Clermont and Lake County have spent much time and effort installing 4 stop signs on Lakeshore Drive. This site plan accesses onto Anderson Hill, allowing additional traffic to flow down to Lakeshore Drive. This is precisely what the City and County have tried to control and have jointly worked on. Several traffic studies were required so that we could substantiate the need for the stop signs.

As it stands now the level of service is inadequate and dangerous; you cannot make a right turn from Anderson onto U.S. 27 unless the light at Steve's Road & U.S. Hwy 27 has turned to red. The visibility is extremely poor due to the gradient hill topography creating a situation of a blinded turn on to S. U. S. 27. This situation was the exact reason the DOT closed the cross access (left turn) with the U.S. Hwy 27 widening several years ago. The DOT at the time determined that a "Cross Access" would be too dangerous and made the Anderson Hill Road exit a "Right in Right Out" only.

The current site plan for Millennia Partners calls for an additional Left turn lane just over the crest of the hill, again causing a dangerous traffic situation. U.S. Hwy 27 is a Federal Truck route and Tractor Trailer trucks cannot stop after accelerating for the steep gradient on this stretch of the road with signal lights on Steve's Rd & Johns Lake Rd. In order for traffic to work with this topography, a signal light would need to be installed at the top of the hill or Millennia Partners property entrance. At this time, a signalized intersection does not meet DOT criteria and qualifiers.

Re: Item No. 28 2017-16 Anderson Hill Small-Scale Comprehensive Plan Amendment

Consider ordinance to change the future land use from Lake County Urban Low Density to City of Clermont Commercial for property located at the northwest corner of U.S. Highway 27 and Anderson Hill Road.

I am opposed to changing the zoning from Lake County Urban Low Density to Clermont Commercial, along with an additional zoning request that is then being tacked on. Muni Code states that the intent is protection of adjacent roads and community. This is a clear violation.

(Sec. 122-201) Intent

The purpose of the C-1 district is to provide light retail sales and services which would not be detrimental to adjacent residential districts.

Item No. 29 Ordinance 2017-17 Anderson Hill Re-Zoning

Consider ordinance to change the zoning from Urban Estate to C2 General Commercial for property located at the North West corner of U.S. Highway 27 and Anderson Hill Road.

This is detrimental on several levels; lowering the level of service for traffic, not addressing the S curve on Anderson Hill, allowing the applicant to just jump over the C-1 designation to C-2. See definition of C-2 right below.

Division 11 – C-2 General Commercial District

Sec. 122-221 Intent.

The C-2 district is intended for full-scale retail sales and service needs of the community.

(Code 1998, s 122-221; Ord. No 281-C, s 1 (ch. 7), 11-8-1994)

This site plan would increase the failure of the current level of service for the adjacent roads and will generate a level of traffic that is unsustainable.

I have served on Clermont's Citizen Advisory Committee for the Lake/Sumter Metropolitan Planning Organization since it's inception in 2003. Prior to that I served as Chairman of the Lake County Transportation Committee from 1996 to about 2002. Lake County did not qualify for an MPO until after the 2000 census. This committee work has educated me on many transportation issues, and I thank you for that opportunity.

I have been reviewing site plans since 1989 when I arranged to have my own home built.

As a past president of the South Lake Chamber of Commerce I am not against development if it is done correctly. Millennia Partners purchased this property with full knowledge of the current Land Use and traffic situation to the property. The developer does not have the right to degrade property values by creating a dangerous and unsustainable traffic situation that the Anderson Hill Road area has been battling for several decades.

This site plan is trying to place an elephant in a bird cage; a short cut to cheaper utilities and underestimating all of our past efforts to improve this area.

Respectfully Submitted,

Susy Gibson

cc:	Mayor Gail L. Ash City of Clermont	gash@clermontfl.org
	Mayor Pro-Tem Diane Travis City of Clermont	dtravis@clermontfl.org
	Council Member Ray Goodgame City of Clermont	rgoodgame@clermontfl.org
	Council Member Timothy Bates City of Clermont	tbates@clermontfl.org
	Council Member Keith Mullins City of Clermont	kmullins@clermontfl.org
	Clermont City Manager Darren Gray	dgray@clermontfl.org
	City of Clermont Development Services Director Barbara Hollerand	bhollerand@clermontfl.org
	Lake County Commissioner Sean Parks	sparks@lakecounty6fl.gov
	Lake County Seth Lynch Engineer III Lake County Public Works Dept.	slynch@lakecountyfl.gov



APPLICATION & PETITION

DATE: Nov 17, 2016

FEE: \$50.⁰⁰

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

PROJECT NAME (if applicable): Anderson Hill Commercial

APPLICANT: AVID Group, ATTN: Peter Pensa, AICP

Address: 2300 Curlew Road, Suite 201

City: Palm Harbor State: FL Zip: 34683

Phone: 727-789-9500 x181 Fax: n/a

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

OWNER: Anderson Hill DLSU, LLC

Address: 625 State Road 100

City: Palatka State: FL Zip: 32177

Phone: 386 329-4000 Fax:

AGENT NAME (Affidavit required): AVID Group, ATTN: Peter Pensa, AICP

Address: 2300 Curlew Road, Suite 201

City: Palm Harbor State: FL Zip: 34683

Phone: 727-789-9500 x181 Fax: n/a

E-Mail: peter.pensa@avidgroup.com

Property address and/or general location: NWC of US Highway 27 & Anderson Hill Road
(no address - Parcel# 09-22-26140002700000; 13301 Anderson Hill Rd - Parcel#
09-22-26140002700001; & 12629 US Highway 27 - Parcel# 09-22-26140002200001)

Area of property: 9.58 +/- acres, and/or +/- sq. ft.

The property is PRESENTLY used for: Fitness center (9,450 SF) and vacant commercial land

The property is PROPOSED to be used for: Commercial development. See attached project
description and justification statement.



Existing Lake County Land Use* : Urban Low Density

Existing Lake County Zoning* : CP & CFD

*** 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: _____
One parcel has a 9,450 SF, 2-story building that was previously occupied by a
fitness center. The other two parcels are vacant commercial land.

State the reason or basis for this request: Commercial development. See attached
project description and justification statement.

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

Section 32, Township 22 S, Range 26 E

See attached 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



OWNER / AGENT AFFIDAVIT (ANNEXATION)

Date: Dec 21, 2016

Before me, the undersigned authority personally appeared Quintus I. Roberts, Sr.
(owner(s) name), who being by me duly sworn on oath,
deposes and says:

1. That said authority is the fee-simple owner of the property legally described in this application.
2. That said authority desires an ANNEXATION to allow:
commercial development of the property
3. That said authority (owner) has appointed (agent's name) AVID Group
(Peter R. Pensa, AICP) to act in its behalf to accomplish the above, and before me the undersigned authorized agent personally appeared and being by me duly sworn on oath, deposes and says:

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

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

X [Signature]
Owner (signature)

X [Signature]
Agent's (signature)

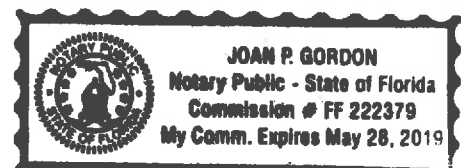
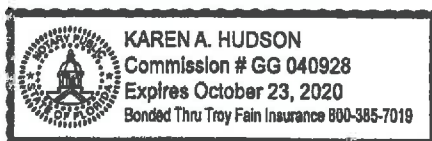
Sworn to and subscribed before
me this 22nd day of December
20 16.

Karen A. Hudson
Notary Public, State of FL
My commission expires:

Sworn to and subscribed before
me this 23rd day of December
20 16.

Joan P. Gordon
Notary Public, State of FL
My commission expires: May 28, 2019

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





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

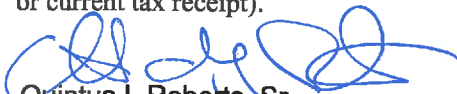
WE, the undersigned landowner(s) pursuant to the provisions of Chapter 59-1497 (Senate Bill No. 912), Laws of Florida, Regular Session 1959, entitled

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 22nd day of December, 2016.

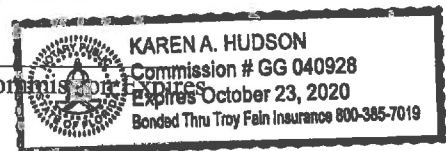
Legal description of the property: (Type, print in black ink, or attach a copy of the warranty deed or current tax receipt).


Quintus I. Roberts, Sr.
Landowner (Petitioner)

12-22-2016
Date


Notary Public

My Commission Expires



LETTER OF AUTHORIZATION

To Whom It May Concern:

This letter does hereby authorize AVID Group to act as our agent for and with all regulatory agencies, departments, and their personnel for the City of Clermont, Lake County, Florida Department of Economic Opportunity, Florida Department of Transportation, St. Johns River Water Management District, Florida Department of Environmental Protection, US Army Corps of Engineers, and any other utility providers or regulatory agencies in an effort to receive all approvals necessary for developing the proposed project on an approximately 9.48 acres, m.o.l. tract that is generally located on the west side of U.S. Highway 27, north of Anderson Hill Road in the City of Clermont (annexation proposed), Lake County, Florida.

Parcel ID Number:	Site Acreage	Street Address (if assigned):
09-22-26140002700000	3.24, acres m.o.l.	No Address, US Highway 27 Clermont, FL 34711
09-22-26140002700001	4.69, acres m.o.l.	13301 Anderson Hill Rd Clermont, FL 34711
09-22-26140002200001	1.55, acres m.o.l.	12629 US Highway 27 Clermont, FL 34711

Property Owner:

ad d. 22

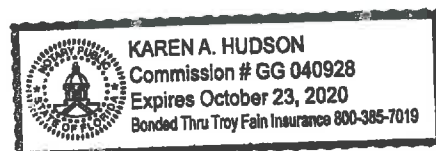
Name: Quintus I. Roberts, Sr.
Title: Managing Member
Anderson Hill DLSU, LLC
625 State Road 100
Palatka, FL 32177

STATE OF Florida COUNTY OF Putnam On
this the 22nd day of December 20 16 before me, the undersigned Notary Public of
the State of Florida, personally appeared Quintus I. Roberts and whose
name(s) is/are subscribed to the within instrument, and acknowledge that he/she/they executed
it. The individual(s) are X personally known to me, or presented the following
identification:

WITNESS MY HAND AND SEAL:

**NOTARY SEAL &
COMMISSION EXPIRATION:**

Karen A. Hudson
NOTARY SIGNATURE





CIVIL ENGINEERING
LAND PLANNING
TRAFFIC/TRANSPORTATION
SURVEYING
GIS
2300 CURLEW ROAD STE 201
PALM HARBOR, FLORIDA
34683
PHONE (727) 789-9500
FAX (727) 784-6662
AVIDGROUP.COM

LOCATION MAP ANDERSON HILL RETAIL CLERMONT, FLORIDA

1"=500'

Anderson Hill Retail

Overall Legal Description:

Tract 27 together with a portion of Tract 22, as shown on the Lake Highland Company Plat of Section 32, Township 22 South, Range 26 East, Plat Book 3, Page 24, Public Records of Lake County, Florida. Being more particularly described as:

Begin at the Southwest Corner of Tract 22 as shown on the Lake Highland Company Plat of Section 32, Township 22 South, Range 26 East, recorded in Plat Book 3, Page 24, of the public records of Lake County, Florida; thence along the West line of Tract 22, N00°31'25"E, a distance of 61.46 feet; thence N63°34'33"E, a distance of 393.00 feet to a point on the west right-of-way line of US Highway 27; thence along said west right-of-way line, S24°35'30"E, a distance of 269.86 feet to a point on the south line of Tract 22; thence continue along said west right-of-way line S24°35'30"E, a distance of 366.85 feet; thence S00°27'49"W, a distance of 266.03 feet to a point on the north right-of-way line of Anderson Hill Road; thence N89°03'43"W along the said north right-of-way line of said Anderson Hill Road, a distance of 620.93 feet to a point on the west line of Tract 27 as shown on said the Lake Highland Company Plat of Section 32, Township 22 South, Range 26 East; thence along said west line of said Tract 27, N00°31'46"E, a distance of 598.50 feet to the Southwest corner of said Tract 22 and the Point of Beginning.

Containing a total of 9.47 acres more or less.

RETURN

THIS INSTRUMENT PREPARED BY AND RETURN TO:

Quintus Irving Roberts
625 State Road 100
Palatka, Florida, 32177

Property Appraisers Parcel Identification (Folio) Number: 092226-1400-027-00000

SPACE ABOVE THIS LINE FOR RECORDING DATA

THIS WARRANTY DEED, made the 19th day of October, 2012 by Quintus Irving Roberts as Trustee of The V.S. Roberts Family Trust - QIR, a Simple Trust, whose post office address is 625 State Road 100, Palatka, Florida 32177 herein called the grantor, to Anderson Hill DLSU, LLC., a Florida Limited Liability Company whose post office address is 625 State Road 100, Palatka, Florida 32177, hereinafter called the Grantee: (Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee all that certain land situate in LAKE County, State of Florida, viz.:

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART
HEREOF.

Subject to easements, restrictions and reservations of record and taxes for the year 2012 and
thereafter.

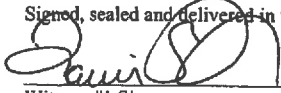
TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise
appertaining.

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

AND, the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple;
that the grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said
land and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above
written.

Signed, sealed and delivered in the presence of:


Witness #1 Signature

TRAVIS S. THOMAS

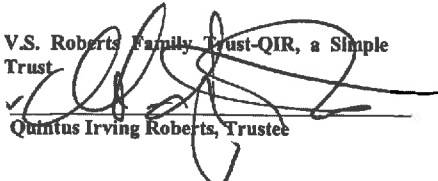
Witness #1 Printed Name


Witness #2 Signature

JOYCE C. NORRIS

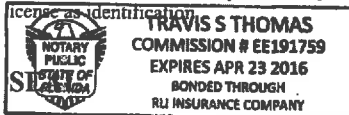
Witness #2 Printed Name

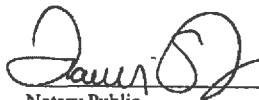
V.S. Roberts Family Trust-QIR, a Simple
Trust


Quintus Irving Roberts, Trustee

STATE OF FLORIDA
COUNTY OF PUTNAM

The foregoing instrument was acknowledged before me this 19th day of October, 2012 by Quintus Irving Roberts as
Trustee of The V.S. Roberts Family Trust - QIR a Simple Trust who is personally known to me or has produced
driver's




Notary Public TRAVIS S. THOMAS

Printed Notary Name

My Commission Expires:

Exhibit "A"

TRACT 27, AS SHOWN ON THE LAKE HIGHLAND COMPANY PLAT OF SECTION 32, TOWNSHIP 22 SOUTH, RANGE 26 EAST, PLAT BOOK 3, PAGE 24, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

LESS THE FOLLOWING:

BEGIN AT THE SOUTHWEST CORNER OF TRACT 27 AS SHOWN ON THE LAKE HIGHLAND COMPANY PLAT OF SECTION 32, TOWNSHIP 22 SOUTH, RANGE 26 EAST, RECORDED IN PLAT BOOK 3, PAGE 24, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA: THENCE NORTH $00^{\circ}31'46''$ EAST ALONG THE WEST LINE OF SAID TRACT 27, A DISTANCE OF 638.50 FEET TO THE NORTHWEST CORNER OF SAID TRACT; THENCE SOUTH $88^{\circ}53'09''$ EAST ALONG THE NORTH LINE OF SAID TRACT 27, A DISTANCE OF 341.41 FEET; THENCE SOUTH $00^{\circ}31'46''$ WEST 637.45 FEET TO THE SOUTH LINE OF SAID TRACT 27; THENCE NORTH $89^{\circ}03'43''$ WEST ALONG THE SAID SOUTH LINE OF SAID TRACT 27, A DISTANCE OF 341.40 FEET TO THE POINT OF BEGINNING.

LESS ROAD RIGHT OF WAYS.

AKERMAN SENTERFITT
PO BOX 231
ORLANDO FL 32802



PREPARED BY AND RETURN TO:
SCOTT M. PRICE, ESQUIRE
AKERMAN LLP
420 South Orange Avenue
Suite 1200
Orlando, Florida 32801

INSTRUMENT #2016114504
OR BK 4858 PG 593 - 594 (2 PGS)
DATE: 11/3/2016 9:50:50 AM
NEIL KELLY, CLERK OF THE CIRCUIT COURT
LAKE COUNTY
RECORDING FEES \$18.50 DEED DOC \$8750.00

SPECIAL WARRANTY DEED

THIS WARRANTY DEED made this 27th day of October, 2016, between CLERMONT SYNERGY, LLC, a Florida limited liability company, whose post office address is 2345 West Sand Lake Road, Suite 100, Orlando, Florida 32809, hereinafter called the Grantor, to ANDERSON HILL DLSU, LLC, a Florida limited liability company, whose post office address is 625 State Road 100, Palatka, Florida 32177, hereinafter called the Grantee.

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH:

That the Grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situate in LAKE County, Florida, viz:

A portion of that part of Tract 22, lying West of U.S. Highway No. 27 in "LAKE HIGHLANDS COMPANY", a Plat of record in Plat Book 3, Page 24, Public Records of Lake County, Florida, located in Section 32, Township 22 South, Range 26 East, Tallahassee Meridian, Lake County, Florida, being more particularly described as follows:

Beginning at the Southwest corner of said Tract 22; thence along the West line thereof, North 00 degrees 12 minutes 07 seconds West, 61.46 feet; thence leaving said line, North 62 degrees 51 minutes 01 second East, 393.08 feet to the West right of way line of said U.S. Highway 27; thence along said line, South 25 degrees 21 minutes 30 seconds East, 270.00 feet to the South line of said Tract 22; thence along said line, North 89 degrees 36 minutes 41 seconds West, 465.20 feet to the Point of Beginning.

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 said Grantee that it is lawfully seized of said land in fee simple; that it has good right and lawful authority to sell and convey said land; that it hereby warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under Grantor, but against none other; and that said land is free of all encumbrances except for *ad valorem* taxes for 2016 and all subsequent years, and matters appearing of record in the Public Records of Lake County, Florida; provided, however, that this reference shall not serve to re-impose same.

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

Signed, sealed and delivered
in the presence of:

CLERMONT SYNERGY, LLC,
a Florida limited liability company

By: Twistee, LLC,
a Florida limited liability company,
as managing member

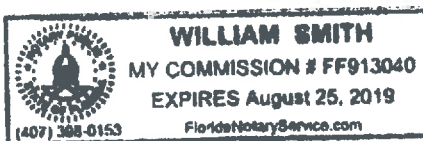
By: Alan C. Charron
ALAN C. CHARRON
MANAGER

William Smith
Print Name: William Smith
Mike Charron
Print Name: MIKE CHARRON

STATE OF FLORIDA)
COUNTY OF Orange) ss:

The foregoing instrument was acknowledged before me this 26th day of October, 2016, by Alan C. Charron, as Manager of Twistee, LLC, a Florida limited liability company, as managing member of Clermont Synergy, LLC, a Florida limited liability company, on behalf of the company, who is:

- ☒ personally known to me; or
- ☐ produced a driver's license issued by the _____ Department of Highway Safety and Motor Vehicles as identification; or
- ☐ produced the following identification: _____



William Smith
NOTARY PUBLIC, STATE OF FLORIDA

(Print, Type or Stamp Commissioned Name of Notary Public)

**Narrative & Justification Statement
Annexation/Small-Scale Comp Plan/Rezoning/
Conditional Use Permit Applications**

**Anderson Hill Commercial
NWC of US Highway 27 & Anderson Hill Road, Clermont, FL**

Project Description:

Subject property is comprised of three parcels totaling 9.58 acres of land located at the northwest corner of US Highway 27 and Anderson Hill Road in unincorporated Lake County. The properties are owned by Anderson Hill DLSU, LLC, who will combine the properties for (re)development as a multi-tenant retail/commercial shopping center.

The two parcels fronting US Highway 27 are currently zoned CP (Commercial Parkway) and the rear parcel is zoned CFD (Community Facility District) in unincorporated Lake County. All three parcels have a future land use map designation of Urban Low Density. The property owner/developer seeks annexation of the three parcels into the City of Clermont with C-2 (General Commercial District) zoning and Commercial future land use map designation. The northern parcel is currently developed with a 9,472 sq.ft., two-story commercial building that was previously occupied by West Star fitness center. The existing building and some of the associated site improvements (parking and retention pond) will be retained as part of the redevelopment.

The conditional use site plan is attached, which shows the overall layout as anticipated but the building footprints may change somewhat depending on the needs of specific tenants. Permitted uses within the development shall be those that are permitted within the City's C-2 (General Commercial District) zoning district.

Small-Scale Comprehensive Plan Amendment and Rezoning Evaluation Criteria:

Pursuant to Land Development Code (LDC) Section 82-226, the Planning Commission and City Council shall consider the following criteria. In furtherance of this requirement, the applicants' professional land planning and engineering consultant has made the following findings in support of the project:

Review Criteria

- 1. Consistency with the comprehensive plan, or, in the case of a plan amendment, consistency with the remainder of the plan and its goals, objective and policies.**

Applicant's finding: The properties can be (re)developed consistent with the goals, objectives and policies of the City's comprehensive plan. The conditional use permit site plan has been submitted for concurrent review and approval to demonstrate the developer's intent and ability to do so.

Subject property is being annexed into the City of Clermont and therefore needs to have a City future land use map designation and zoning district assigned. The proposed C-2 (General Commercial District) zoning and Commercial future land use map designation are appropriate given the physical characteristics and location of the property and the development pattern of the surrounding area. One of the subject parcels is already commercially developed, as is the majority of this segment of the US Highway 27 corridor (from State Road 50 to the north to Hammock Ridge Road/Citrus Tower Boulevard to the south). For example, the property across US Highway 27 is located in the City and is developed as a WalMart Super Center. And, the adjacent property to the north is located in the County and developed as an automobile repair shop.

2. Consistency with applicable sections of this land development code.

Applicant's finding: The properties can be (re)developed consistent with the applicable sections of the City's land development code. The conditional use permit site plan has been submitted for concurrent review and approval to demonstrate the developer's intent and ability to do so.

3. Additionally, as to rezoning amendments:

- a. **Whether justified by changed or changing conditions.**
- b. **Whether adequate sites already exist for the proposed district uses.**
- c. **Whether specific requirements of this land development code are adequate to ensure compatibility with adjoining properties as required by the comprehensive plan.**

Applicant's finding:

- a. The changing condition that triggered the need for this land use amendment and rezoning is the pending annexation of these properties in order to (re)develop and connect to the City's central sewer system. Thus, rezoning within the City of Clermont is both necessary and justified.
- b. Two of the three parcels are already zoned for commercial uses within Lake County. The third parcel is currently church owned and thus has master plan zoning in the County that allows for institutional uses. Consolidation of all three parcels for the proposed commercial development project makes sense because it provides adequate site area and depth to address changes in topography and it overcomes the irregular shapes and depths of the existing commercial parcels.
- c. The project can be developed consistent with the City's land development code requirements, which by design are intended to provide use-based compatibility measures such as minimum building setbacks and landscape buffering between different uses.

Conditional Use Permit Evaluation Criteria:

Pursuant to Land Development Code (LDC) Section 86.144.(c), the Planning Commission and City Council may grant by resolution a conditional use permit that meets the following four general criteria and seven specific development standards. In furtherance of this requirement, the applicants' professional land planning and engineering consultant has made the following findings in support of the project:

General Criteria

- 1. The granting of the conditional use permit will not adversely affect the officially adopted comprehensive plan of the city;**

Applicant's finding: The development will not adversely affect the City's comprehensive plan. The conditional use permit is requested for the purpose of annexing and (re)developing the property within the City of Clermont on central water and sewer service. Two of the three parcels are already zoned for commercial uses in Lake County.

- 2. Such use will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity;**

Applicant's finding: The proposed commercial development will comprise of uses typically found in a shopping center such as retail businesses, personal service establishments, fitness centers, restaurants, and offices. The range of permitted uses shall be as allowed within the City's C-2 General Commercial District (LDC Sec. 122-223).

- 3. The proposed use will comply with the regulations and conditions specified in the codes for such use; and**

Applicant's finding: The development will comply with the regulations and conditions specified for said uses within the City's C-2 General Commercial District (LDC Sec. 122-223).

- 4. The proposed use may be considered desirable at the particular location.**

Applicant's finding: The proposed commercial uses are considered desirable at this location. There is a need for more shopping center tenant space in the area, as demonstrated by retailer interest in the project.

Specific Development Standards

1. ***Density or intensity, character and type of development.*** The density or intensity, character and type of development shall be in conformance with the city's comprehensive plan, future land use map, future land use district designation and zoning district classification.

Applicant's finding: The proposed commercial development is consistent with the character and type of development that is allowed within the requested City land use and zoning classifications of Commercial and C-2 General Commercial District, respectively, which allow a maximum density of 12 du/ac (none proposed) and a maximum intensity of 0.25 FAR and 0.80 ISR. There are no residential units proposed and the conditional use permit site plan shows the project's proposed intensity of 53,972 sq.ft. (0.13 FAR).

2. ***Compatibility of development.*** The compatibility of the development with terrain and surrounding development as to type and size of unit and height shall be considered. The development shall be so located and designed to avoid undue noise, odor, traffic or other nuisances and dangers to abutting property owners.

Applicant's finding: The development is compatible with the terrain and surrounding development pattern. Consolidation of the three parcels for redevelopment allows the property to be graded and developed consistent with the City's grading standards. In addition to traditional compatibility measures such as minimum building setback and landscape buffer requirements, the design further enhances compatibility because of the site needing to be terraced and lowered (relative to the residential lots to the west), which in turn further increases the building setbacks and buffering, further reduces light and noise associated with traffic circulation since vehicles will be below the abutting residential grade level, and ensures that stormwater runoff is directed away from the neighborhood.

3. ***Transportation.*** The city transportation system or streets must be of sufficient width and capacity to serve the demands created by the development. Dedication of rights-of-way, frontage or reverse frontage roads and other necessary improvements shall be considered and addressed.

Applicant's finding: The right-of-way width and streets are adequate to serve the project. There was previously a 40' right-of-way dedication along Anderson Hill Road. The developer is proposing to construct left and right turn lane access improvements on US Highway 27 as shown on the site plan to serve the demands of the development.

4. ***Utilities.*** Sanitary sewer, potable water, reuse water, fire hydrants and other utilities must be available and have capacity to serve the development. For commercial or industrial development, the quality of the wastewater must be in conformance with section 66-76 et seq.

Applicant's finding: Utilities are available to serve the development. Potable water is adjacent to the site and provided by Utilities Inc. The developer will install water and fire service connections as needed to serve the development. The developer will be installing an on-site lift station and an off-site sewer main extension in order to connect to the City of Clermont's existing sanitary sewer system. Wastewater discharge shall comply with the requirements of Code Section 66-76.

5. ***Stormwater management.*** The capability, capacity and location of the city storm sewer system for serving the development must be considered, as well as adequacy of project design to provide retention and positive outfall of stormwater.

Applicant's finding: The development does not outfall into a City-maintained system. It drains into the FDOT right-of-way. The project's design will abide by all of the stormwater release rate and volume criteria of FDOT, SJRWMD, and the City.

Due to the fact that the existing site contains significant depressional storage, the existing site does not release much of its stormwater runoff. The design of the proposed development will have to mimic the same low-discharge scenario. Very little runoff from the developed site is expected to leave the site. Almost all of the project's runoff will be retained and percolated.

The rates and volumes of water to be discharged from the property were anticipated in the design of FDOT's US 27 drainage system. The project is not anticipated to overburden any downstream drainage systems.

The project will include an outfall structure to allow its permitted discharges, as well as allowing runoff from storms greater than the design storm to exit the site without creating adverse on-site flooding conditions.

6. ***Site planning.*** The development shall be planned and designed to consider:
- a. Effectiveness of plotting or building layout (street patterns, required yards, etc.).
 - b. Orientation of units (setback, open space).
 - c. Avoidance of environmentally sensitive areas (floodplain, steep slopes, unstable soil, drainage or wetland areas).
 - d. Consideration of visual resources (view and aesthetics).
 - e. Landscaping, buffering and screening (for privacy and to screen parking or undesirable features).
 - f. Provision of open space areas or private recreation areas.
 - g. Off-street parking and loading areas, where required, with particular attention to noise, glare or odor as they may affect adjoining properties. Adequate off-street parking shall be provided in conformance with city codes. Residential construction must be provided with required off-street parking in all districts.

- h. Ingress and egress to property and proposed structures thereon, with particular reference to automobile and pedestrian safety, traffic flow and control and access in case of fire. Access to refuse collection areas shall be provided.

Applicant's finding: All of these items have been taken into consideration in the planning and design of the development. The buildings, drive-thru facilities, and outdoor patio areas are located toward the front of the site in order to orient activity toward the street and away from the neighborhood. The stormwater pond/open space and parking are primarily oriented toward the rear of the site for increased separation from the neighborhood. Site access is limited to one driveway per street to minimize impacts on traffic flow and there are multiple routes for safe and convenient vehicular circulation within the development. Sidewalks are provided for pedestrian safety and interconnectivity between all uses/buildings within the development and from the two abutting streets.

7. ***Solid waste disposal.*** For commercial and industrial development, the capacity to dispose of solid waste, with particular reference to any hazardous wastes generated.

Applicant's finding: There is adequate capacity to dispose of solid waste from the development. Hazardous waste generation is not anticipated since the development is a shopping center with typical uses such as retail businesses, personal service establishments, fitness centers, restaurants, offices, and bank/ATM facilities.

Prepared by:
AVID Group



Peter Pensa, AICP
Director of Planning

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, March 14, 2017 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. 2017-15

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:

West and northwest of the intersection of US Highway 27 and Anderson Hill Road
Alternate keys 1453496, 3828239, and 2826541

LEGAL DESCRIPTION

Tract 27 together with a portion of Tract 22, as shown on the Lake Highland Company plat of Section 32, Township 22 South, Range 26 East, Plat Book 3, Page 24, public records of Lake County, Florida. Being more particularly described as:

Begin at the Southwest corner of Tract 22 as shown on the Lake Highland Company plat of Section 32, Township 22 South, Range 26 East, recorded in Plat Book 3, Page 24, of the public records of Lake County, Florida; thence along the West line of Tract 22 N00°31'25"E, a distance of 61.46 feet; thence N63°34'33"E, a distance of 393.00 feet to a point on the West Right-of-Way line of US Highway 27; thence along said West Right-of-Way line, S24°35'30"E, a distance of 269.86 feet to a point on the South line of Tract 22; thence continue along said West Right-of-Way line S24°35'30"E, a distance of 366.85 feet; thence S00°27'49"W, a distance of 266.03 feet to a point on the North Right-of-Way line of Anderson Hill Road; thence N89°03'43"W along the said North Right-of-Way line of said Anderson Hill Road, a distance of 620.93 feet to a point on the West line of Tract 27 as shown on said the Lake Highland Company plat of Section 32, Township 22 South, Range 26 East; thence along said West line of said Tract 27, N00°31'46"E, a distance of 598.50 feet to the Southwest corner of said Tract 22 and the Point of Beginning.

Containing a total of 9.47 acres, more or less.

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.

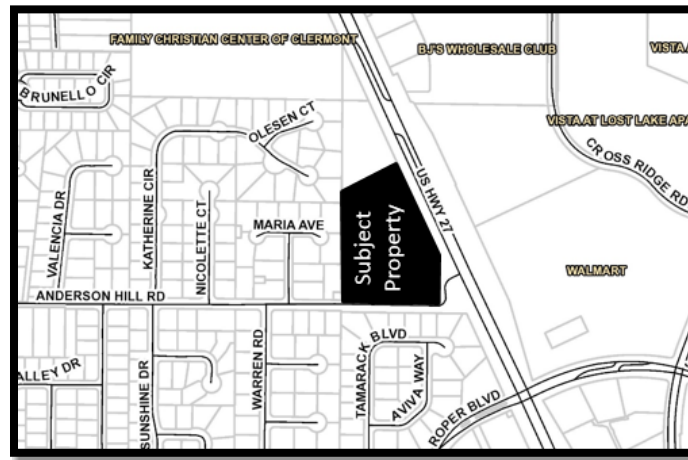
Please be advised that, under State law, if you should decide to appeal a decision made with respect to this matter, you will need a record of the proceedings, and may need to ensure that a verbatim record is made.

Tracy Ackroyd Howe, MMC

City Clerk
Daily Commercial

February 21 and 28, 2017

Location Map:





CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, April 11, 2017		
Agenda Item Name		
Ordinance No. 2017-16 <i>Final</i> <i>Anderson Hill Small-Scale Comprehensive Plan Amendment</i>		
Requested Action		
Recommend approval of Ordinance 2017-16.		
Staff Report		
This request was originally scheduled to be heard by the Council on March 14, 2017 but was tabled at the applicant's request to allow additional time to prepare for the final hearing. The applicant, Avid Group, is requesting a Small Scale Comprehensive Plan Amendment for the subject property. The property is approximately 9.5 +/- acres in size. This request is being heard concurrently with requests for annexation, rezoning, and a Conditional Use Permit. The applicant wishes to develop the property and have City services available. The Small Scale Comprehensive Plan Amendment would change the future land use from Lake County's Urban Low to the City's Commercial designation. The Commercial designation is supported by the property's physical characteristics and its U.S. Highway 27 frontage. The property is adjacent to a major arterial roadway and has existing commercial uses to the north and across U.S. Highway 27 to the east. Staff recommends approval of the Small Scale Comprehensive Plan Amendment to change the future land use from Lake County Urban Low to Commercial in the City. At the February 7, 2017 Planning and Zoning Commission meeting, Commissioner Cuqui Whitehead moved to recommend approval of the Small Scale Comprehensive Plan Amendment; seconded by Commissioner Carol Thayer. The vote was unanimous 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	CPA Ord. 2017-16.doc
2.	Maps	Anderson Hill Retail Maps.pdf
3.	Application	CPA application.pdf
4.	Minutes	P&Z Commission minutes.pdf

5. Legal ad

CPA Anderson Hill legal ad.docx

CITY OF CLERMONT
ORDINANCE No. 2017-16

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

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

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

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

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

Section 1.

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

LEGAL DESCRIPTION

Tract 27 together with a portion of Tract 22, as shown on the Lake Highland Company plat of Section 32, Township 22 South, Range 26 East, Plat Book 3, Page 24, public records of Lake County, Florida. Being more particularly described as:

Begin at the Southwest corner of Tract 22 as shown on the Lake Highland Company plat of Section 32, Township 22 South, Range 26 East, recorded in Plat Book 3, Page 24, of the public records of Lake County, Florida; thence along the West line of Tract 22 N00°31'25"E, a distance of 61.46 feet; thence N63°34'33"E, a distance of 393.00 feet to

CITY OF CLERMONT
ORDINANCE No. 2017-16

a point on the West Right-of-Way line of US Highway 27; thence along said West Right-of-Way line, S24°35'30"E, a distance of 269.86 feet to a point on the South line of Tract 22; thence continue along said West Right-of-Way line S24°35'30"E, a distance of 366.85 feet; thence S00°27'49"W, a distance of 266.03 feet to a point on the North Right-of-Way line of Anderson Hill Road; thence N89°03'43"W along the said North Right-of-Way line of said Anderson Hill Road, a distance of 620.93 feet to a point on the West line of Tract 27 as shown on said the Lake Highland Company plat of Section 32, Township 22 South, Range 26 East; thence along said West line of said Tract 27, N00°31'46"E, a distance of 598.50 feet to the Southwest corner of said Tract 22 and the Point of Beginning.

Containing a total of 9.47 acres, more or less.

Alternate Key 1453496, 3828239, and 2826541.

CHANGE IN FUTURE LAND USE CLASSIFICATION

FROM COUNTY URBAN LOW DENSITY
TO CITY OF CLERMONT COMMERCIAL

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.

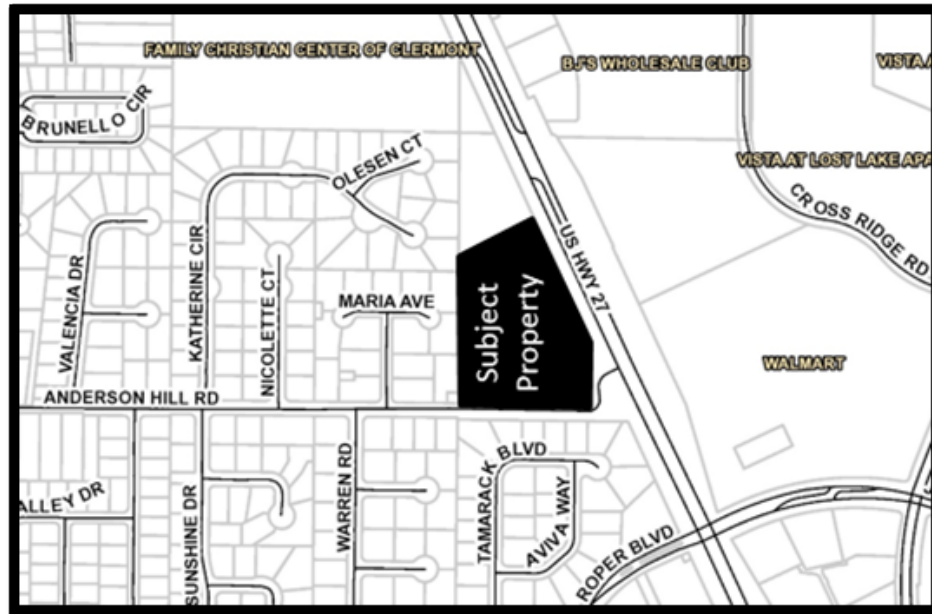
All ordinances or parts of ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

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. 2017-16

Location map:



CITY OF CLERMONT
ORDINANCE No. 2017-16

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida, this 11th day of April, 2017.

Gail L. Ash, Mayor

ATTEST:

Denise Noak, Acting City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Exhibit - Location Map – Anderson Hill Retail

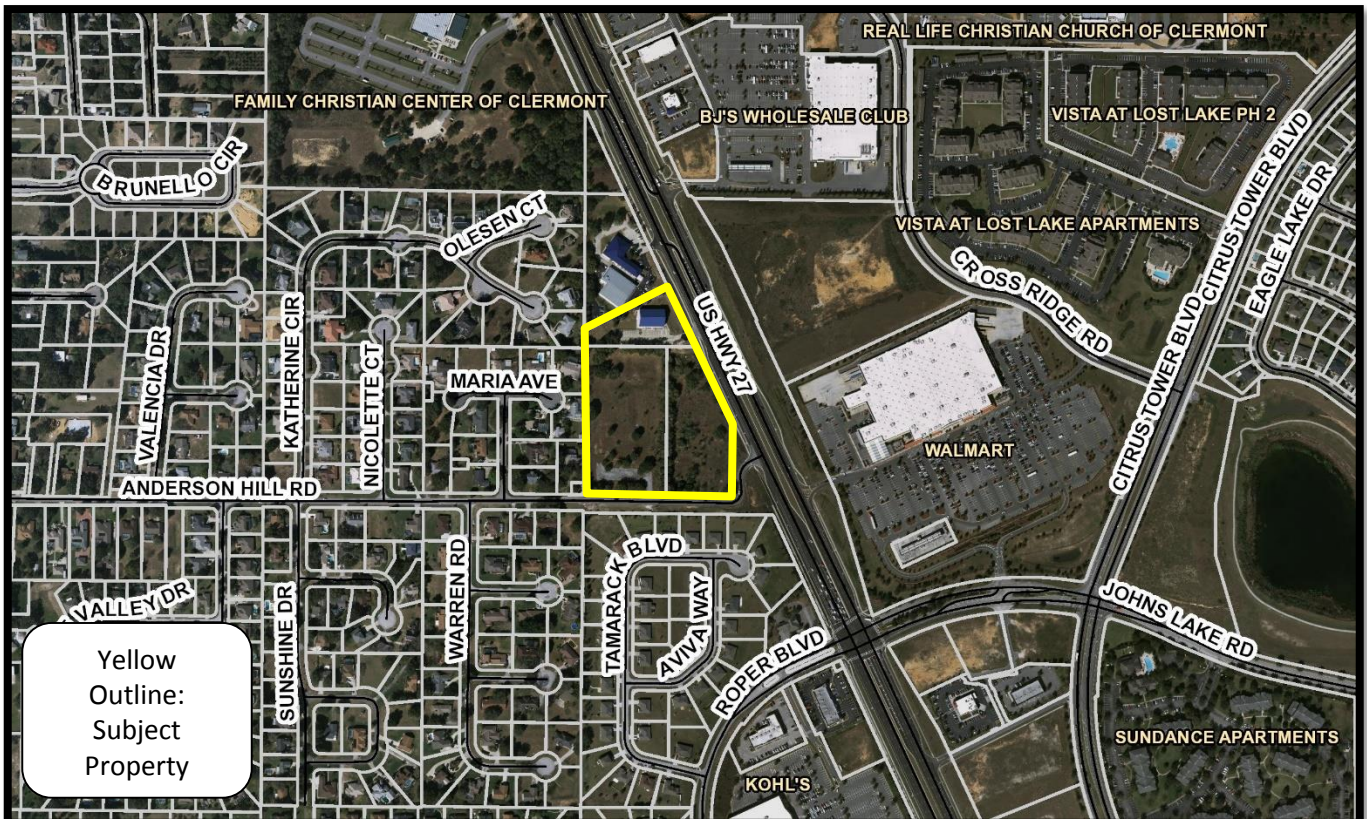
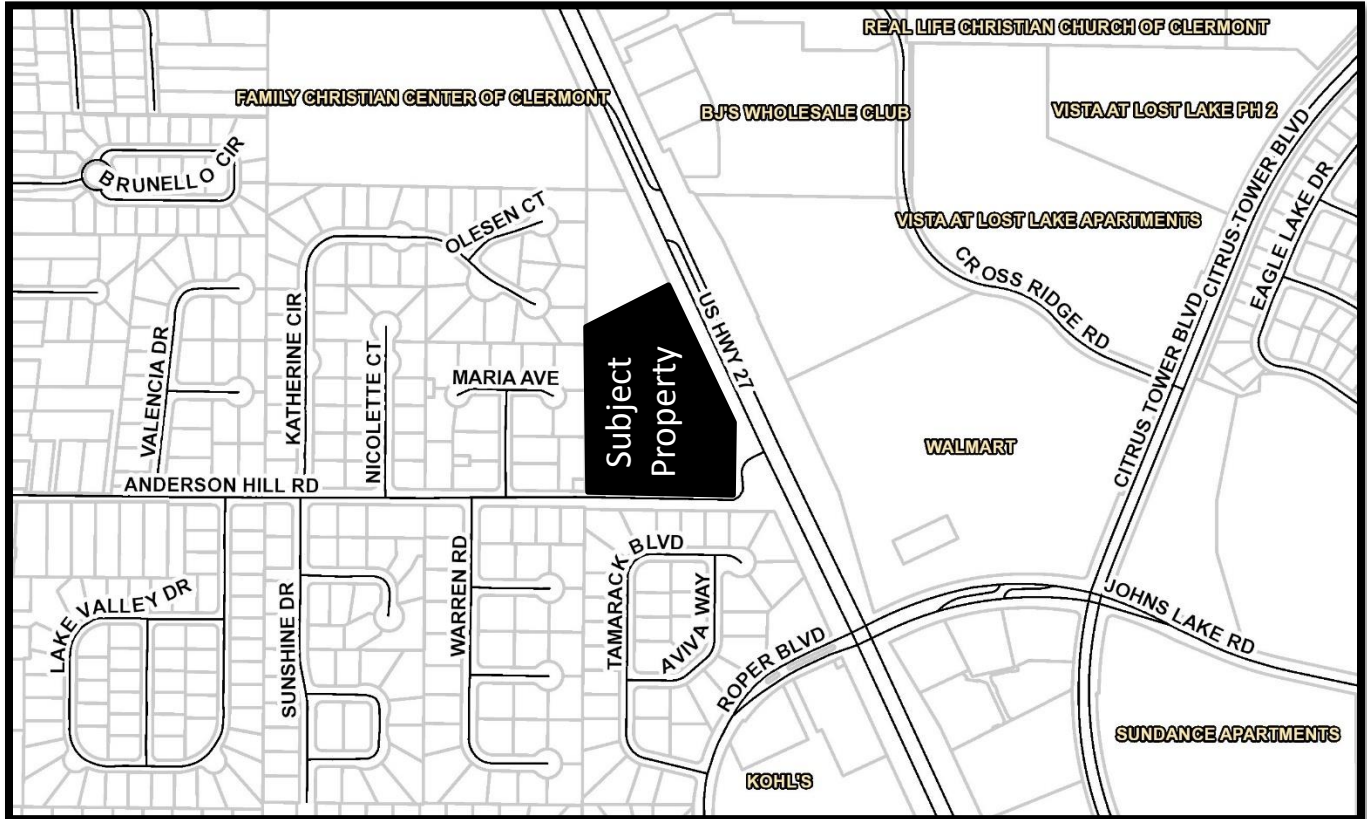


Exhibit – Future Land Use Map – Anderson Hill Retail

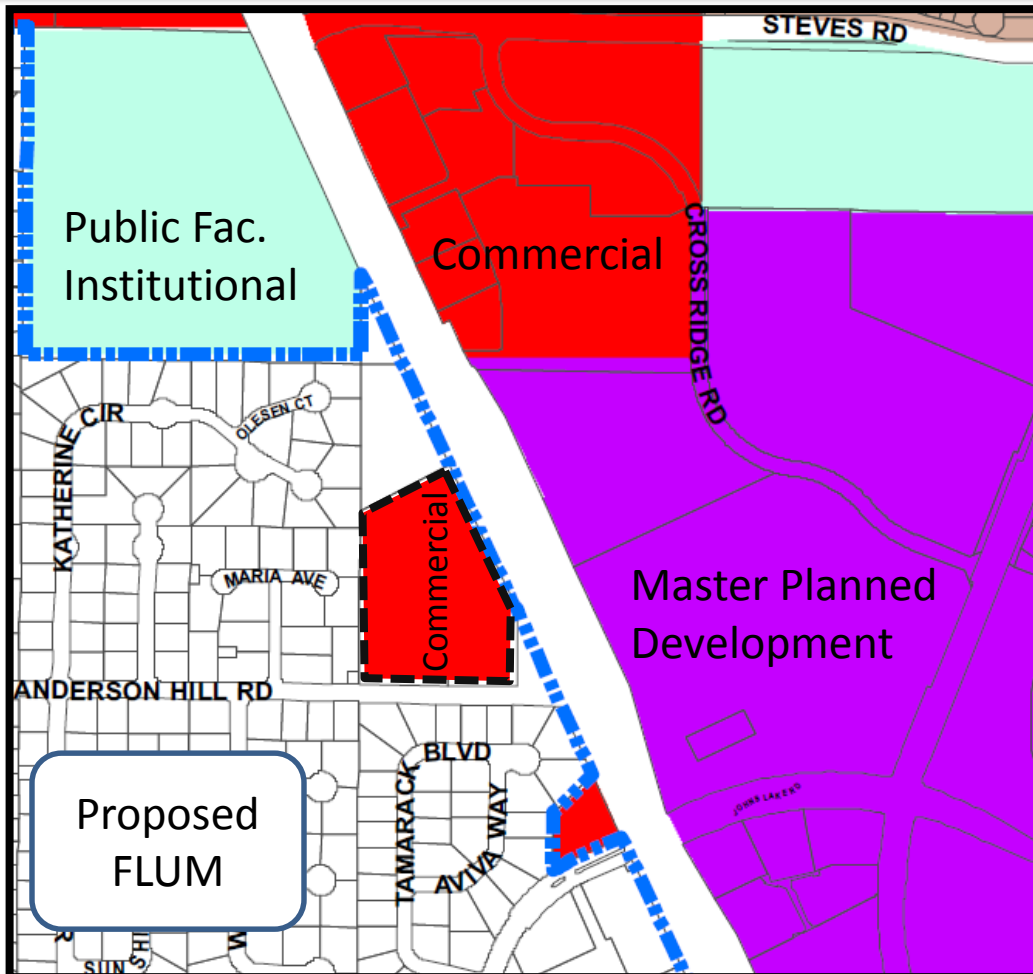


Exhibit – Zoning Map – Anderson Hill Retail

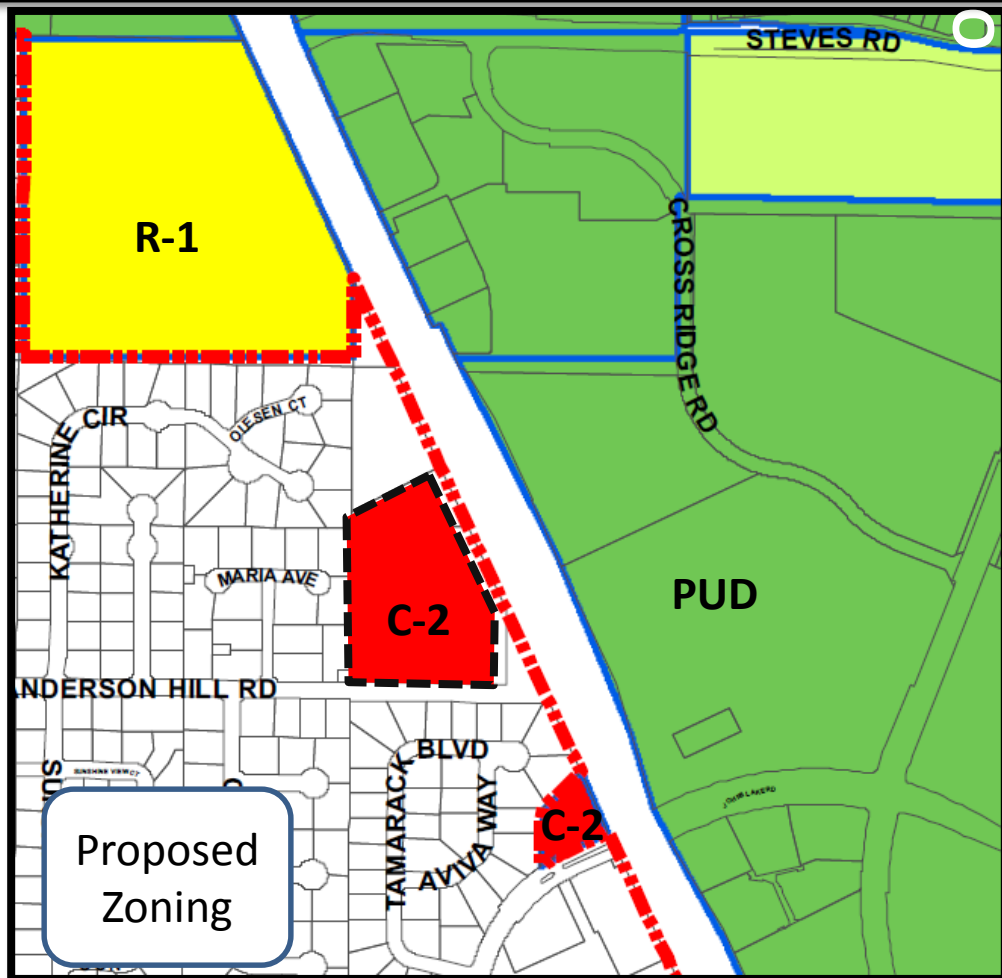
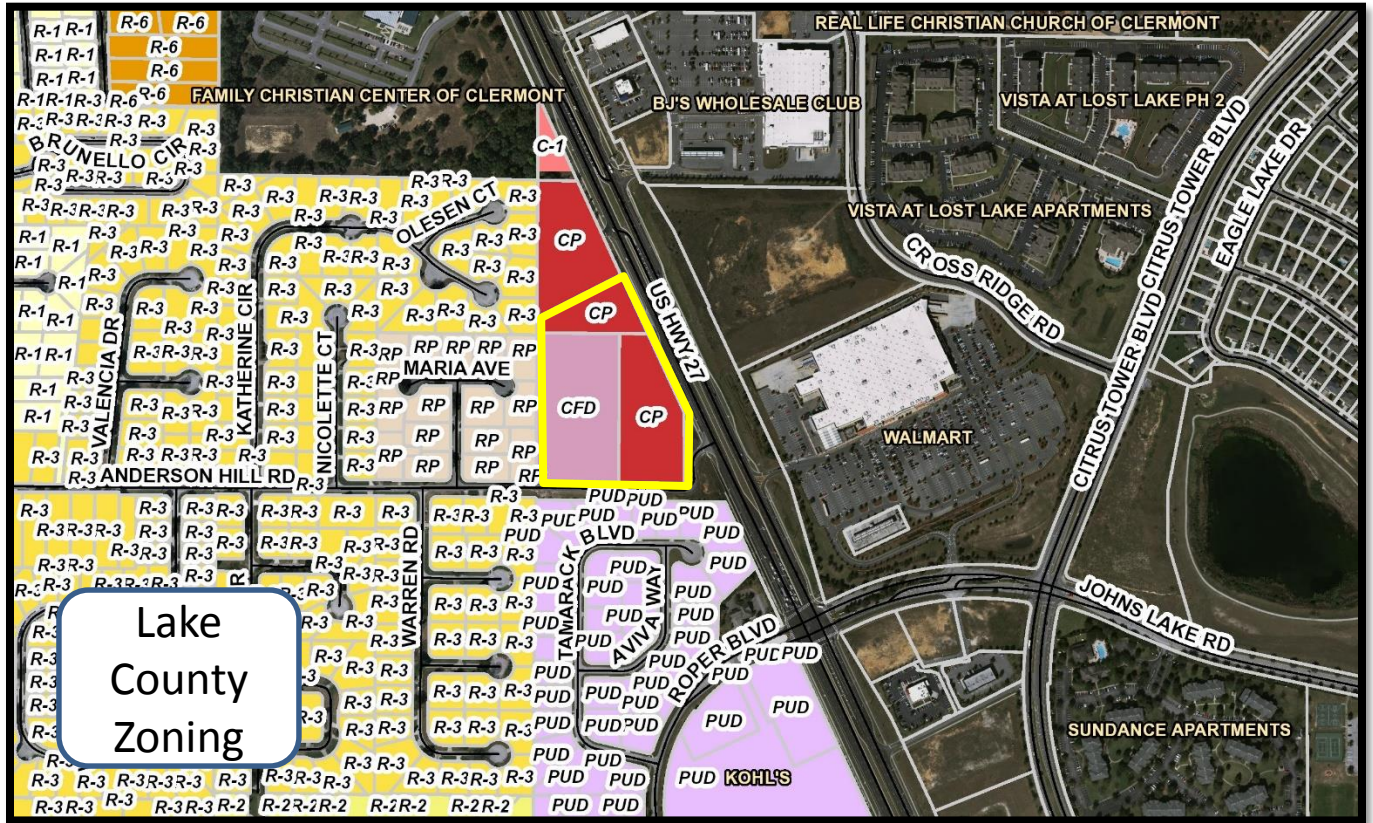
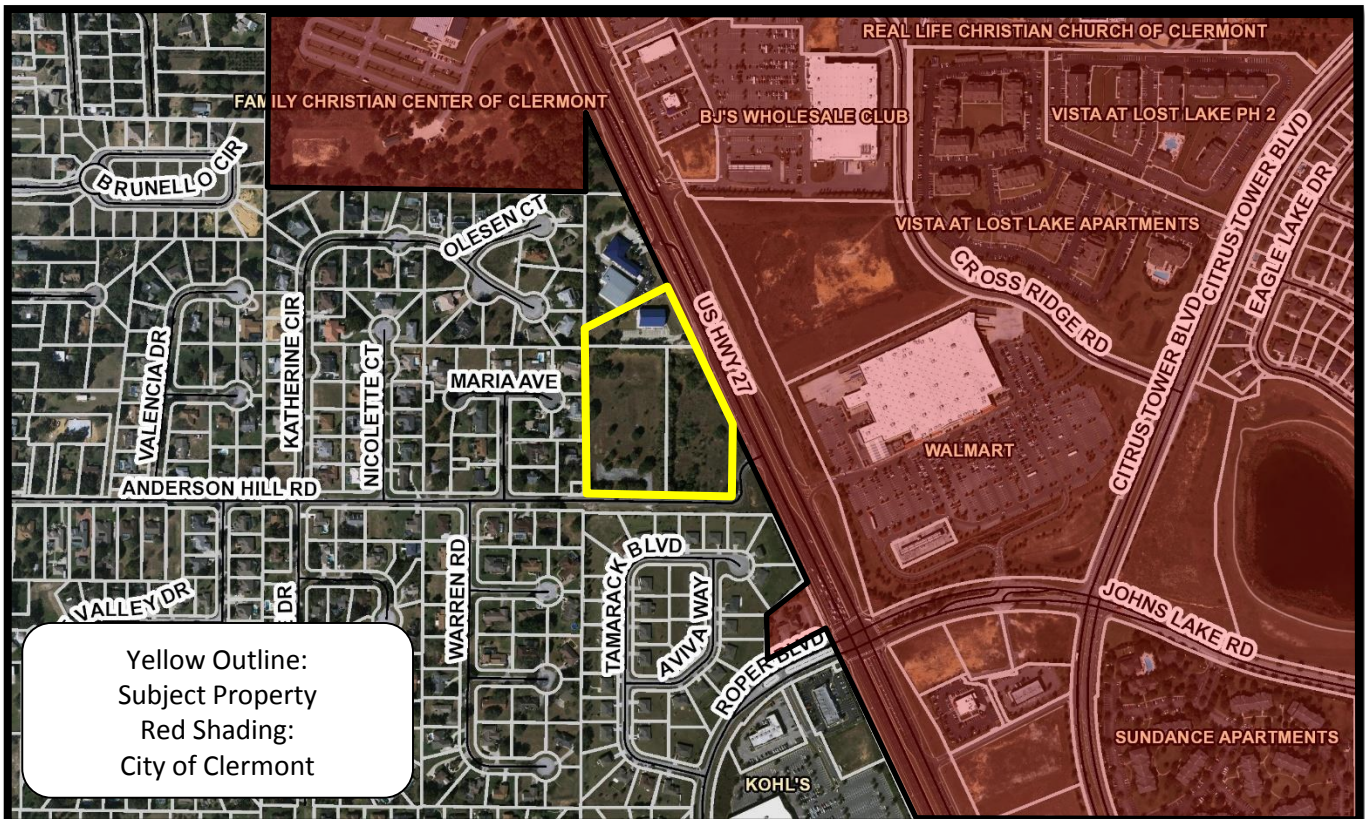
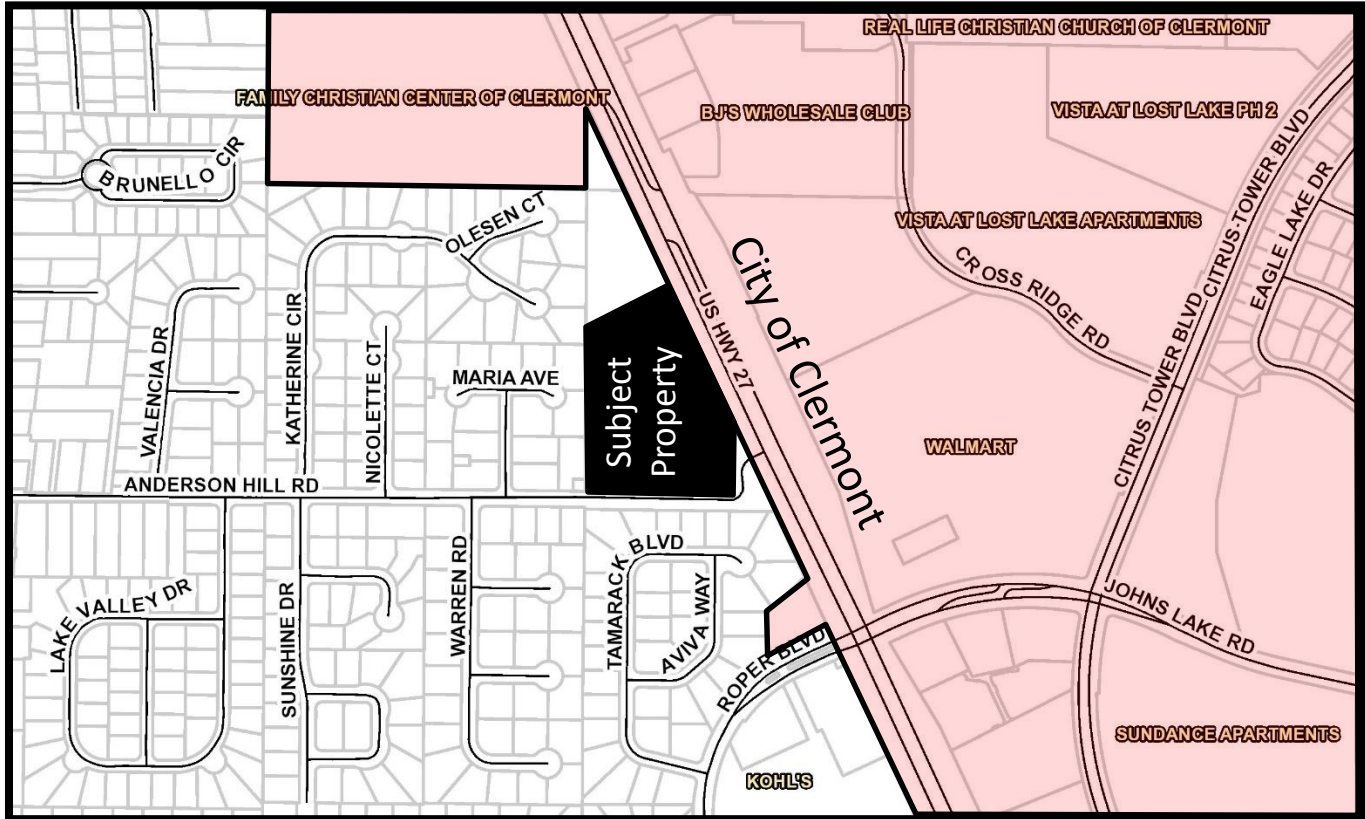


Exhibit - Annexation Map – Anderson Hill Retail





CITY OF CLERMONT
COMPREHENSIVE PLAN AMENDMENT
Application

DATE: Dec 21, 2016

FEE: \$500.00

Project Name (if applicable): Anderson Hill Commercial

Applicant: AVID Group

Contact Person: Peter Pensa, AICP

Address: 2300 Curlew Road, Suite 201

City: Palm Harbor State: FL Zip: 34683

Phone: 727-789-9500 x181 Fax: n/a

E-Mail: peter.pensa@avidgroup.com

OWNER: Anderson Hill DLSU, LLC

Address: 625 State Road 100

City: Palatka State: FL Zip: 32177

Phone: 386 329-4000 Fax: _____

E-Mail: qrobertscpi@yahoo.com

General Location: NWC of US Highway 27 & Anderson Hill Road
(no address - Parcel# 09-22-26140002700000; 13301 Anderson Hill Rd - Parcel#
09-22-26140002700001; & 12629 US Highway 27 - Parcel# 09-22-26140002200001)

Legal Description (include copy of survey): See attached legal description

Property size (in acres or square feet): 9.58 +/-

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

Existing (Actual) Land Use: _____

Existing Zoning: CP & CFD (County)

Existing Future Land Use: Urban Low Density (County)

Proposed Future Land Use: Commercial (City)

Type of development proposed: Commercial



Proposed density (dwelling units/acre) or intensity: _____

Proposed Zoning District: C-2 (General Commercial District)

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).

See attached project description and justification statement.

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
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APPLICANT'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE:

Before me, the undersigned authority personally appeared

Peter R. Pensa, who being

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

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

Peter R. Pensa

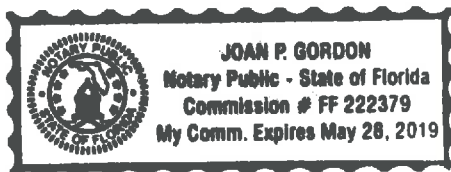
Affiant - Applicant Name (print)
Director of Planning
AVID Group

X

Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by Peter R. Pensa

or personally known by me this 23rd day of December, 2016.



X

Notary Public, State of Florida at Large

My Commission Expires: May 28, 2019



OWNER'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE:

Before me, the undersigned authority personally appeared

Quintus I. Roberts, Sr., who being

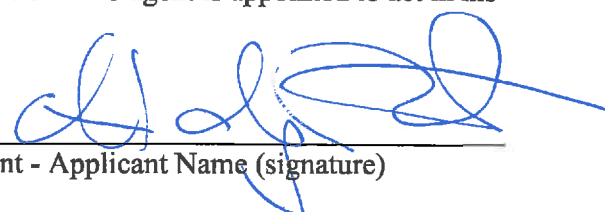
by me first duly sworn on oath, deposes and says:

1. That he (she) is the fee-simple owner of the property legally described on the attachment of this application.
2. That he (she) desires a Future Land Use Amendment from Urban Low Density (Lake County) to Commercial (City of Clermont) for the property legally described on the attachment of this application.
3. That the owner of said property has appointed AVID Group to act as agent on his (her) behalf to accomplish the above. The owner is required to complete the **APPLICANT'S AFFIDAVIT** of this application if no agent is appointed to act in his (her) stead.

Quintus I. Roberts, Sr.

Affiant - Applicant Name (print)

X

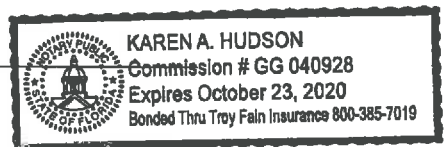

Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by Quintus I. Roberts, Sr.

or personally known by me this 22nd day of December, 2016.

X Karen A. Hudson
Notary Public, State of Florida at Large

My Commission Expires:



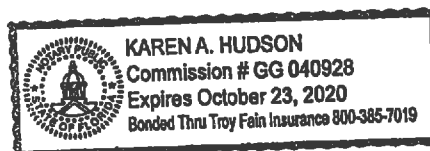
To Whom It May Concern:

Parcel ID Number:	Site Acreage	Street Address (if assigned):
09-22-26140002700000	3.24, acres m.o.l.	No Address, US Highway 27 Clermont, FL 34711
09-22-26140002700001	4.69, acres m.o.l.	13301 Anderson Hill Rd Clermont, FL 34711
09-22-26140002200001	1.55, acres m.o.l.	12629 US Highway 27 Clermont, FL 34711



STATE OF Florida COUNTY OF Putnam On
this the 22nd day of December 20 16 before me, the undersigned Notary Public of
the State of Florida, personally appeared Quintus I Roberts and whose
name(s) is/are subscribed to the within instrument, and acknowledge that he/she/they executed
it. The individual(s) are X personally known to me, or presented the following
identification:

Karen A. Hudson
NOTARY SIGNATURE



**Narrative & Justification Statement
Annexation/Small-Scale Comp Plan/Rezoning/
Conditional Use Permit Applications**

**Anderson Hill Commercial
NWC of US Highway 27 & Anderson Hill Road, Clermont, FL**

Project Description:

Subject property is comprised of three parcels totaling 9.58 acres of land located at the northwest corner of US Highway 27 and Anderson Hill Road in unincorporated Lake County. The properties are owned by Anderson Hill DLSU, LLC, who will combine the properties for (re)development as a multi-tenant retail/commercial shopping center.

The two parcels fronting US Highway 27 are currently zoned CP (Commercial Parkway) and the rear parcel is zoned CFD (Community Facility District) in unincorporated Lake County. All three parcels have a future land use map designation of Urban Low Density. The property owner/developer seeks annexation of the three parcels into the City of Clermont with C-2 (General Commercial District) zoning and Commercial future land use map designation. The northern parcel is currently developed with a 9,472 sq.ft., two-story commercial building that was previously occupied by West Star fitness center. The existing building and some of the associated site improvements (parking and retention pond) will be retained as part of the redevelopment.

The conditional use site plan is attached, which shows the overall layout as anticipated but the building footprints may change somewhat depending on the needs of specific tenants. Permitted uses within the development shall be those that are permitted within the City's C-2 (General Commercial District) zoning district.

Small-Scale Comprehensive Plan Amendment and Rezoning Evaluation Criteria:

Pursuant to Land Development Code (LDC) Section 82-226, the Planning Commission and City Council shall consider the following criteria. In furtherance of this requirement, the applicants' professional land planning and engineering consultant has made the following findings in support of the project:

Review Criteria

- 1. Consistency with the comprehensive plan, or, in the case of a plan amendment, consistency with the remainder of the plan and its goals, objective and policies.**

Applicant's finding: The properties can be (re)developed consistent with the goals, objectives and policies of the City's comprehensive plan. The conditional use permit site plan has been submitted for concurrent review and approval to demonstrate the developer's intent and ability to do so.

Subject property is being annexed into the City of Clermont and therefore needs to have a City future land use map designation and zoning district assigned. The proposed C-2 (General Commercial District) zoning and Commercial future land use map designation are appropriate given the physical characteristics and location of the property and the development pattern of the surrounding area. One of the subject parcels is already commercially developed, as is the majority of this segment of the US Highway 27 corridor (from State Road 50 to the north to Hammock Ridge Road/Citrus Tower Boulevard to the south). For example, the property across US Highway 27 is located in the City and is developed as a WalMart Super Center. And, the adjacent property to the north is located in the County and developed as an automobile repair shop.

2. Consistency with applicable sections of this land development code.

Applicant's finding: The properties can be (re)developed consistent with the applicable sections of the City's land development code. The conditional use permit site plan has been submitted for concurrent review and approval to demonstrate the developer's intent and ability to do so.

3. Additionally, as to rezoning amendments:

- a. Whether justified by changed or changing conditions.
- b. Whether adequate sites already exist for the proposed district uses.
- c. Whether specific requirements of this land development code are adequate to ensure compatibility with adjoining properties as required by the comprehensive plan.

Applicant's finding:

- a. The changing condition that triggered the need for this land use amendment and rezoning is the pending annexation of these properties in order to (re)develop and connect to the City's central sewer system. Thus, rezoning within the City of Clermont is both necessary and justified.
- b. Two of the three parcels are already zoned for commercial uses within Lake County. The third parcel is currently church owned and thus has master plan zoning in the County that allows for institutional uses. Consolidation of all three parcels for the proposed commercial development project makes sense because it provides adequate site area and depth to address changes in topography and it overcomes the irregular shapes and depths of the existing commercial parcels.
- c. The project can be developed consistent with the City's land development code requirements, which by design are intended to provide use-based compatibility measures such as minimum building setbacks and landscape buffering between different uses.

Conditional Use Permit Evaluation Criteria:

Pursuant to Land Development Code (LDC) Section 86.144.(c), the Planning Commission and City Council may grant by resolution a conditional use permit that meets the following four general criteria and seven specific development standards. In furtherance of this requirement, the applicants' professional land planning and engineering consultant has made the following findings in support of the project:

General Criteria

- 1. The granting of the conditional use permit will not adversely affect the officially adopted comprehensive plan of the city;**

Applicant's finding: The development will not adversely affect the City's comprehensive plan. The conditional use permit is requested for the purpose of annexing and (re)developing the property within the City of Clermont on central water and sewer service. Two of the three parcels are already zoned for commercial uses in Lake County.

- 2. Such use will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity;**

Applicant's finding: The proposed commercial development will comprise of uses typically found in a shopping center such as retail businesses, personal service establishments, fitness centers, restaurants, and offices. The range of permitted uses shall be as allowed within the City's C-2 General Commercial District (LDC Sec. 122-223).

- 3. The proposed use will comply with the regulations and conditions specified in the codes for such use; and**

Applicant's finding: The development will comply with the regulations and conditions specified for said uses within the City's C-2 General Commercial District (LDC Sec. 122-223).

- 4. The proposed use may be considered desirable at the particular location.**

Applicant's finding: The proposed commercial uses are considered desirable at this location. There is a need for more shopping center tenant space in the area, as demonstrated by retailer interest in the project.

Specific Development Standards

1. ***Density or intensity, character and type of development.*** The density or intensity, character and type of development shall be in conformance with the city's comprehensive plan, future land use map, future land use district designation and zoning district classification.

Applicant's finding: The proposed commercial development is consistent with the character and type of development that is allowed within the requested City land use and zoning classifications of Commercial and C-2 General Commercial District, respectively, which allow a maximum density of 12 du/ac (none proposed) and a maximum intensity of 0.25 FAR and 0.80 ISR. There are no residential units proposed and the conditional use permit site plan shows the project's proposed intensity of 53,972 sq.ft. (0.13 FAR).

2. ***Compatibility of development.*** The compatibility of the development with terrain and surrounding development as to type and size of unit and height shall be considered. The development shall be so located and designed to avoid undue noise, odor, traffic or other nuisances and dangers to abutting property owners.

Applicant's finding: The development is compatible with the terrain and surrounding development pattern. Consolidation of the three parcels for redevelopment allows the property to be graded and developed consistent with the City's grading standards. In addition to traditional compatibility measures such as minimum building setback and landscape buffer requirements, the design further enhances compatibility because of the site needing to be terraced and lowered (relative to the residential lots to the west), which in turn further increases the building setbacks and buffering, further reduces light and noise associated with traffic circulation since vehicles will be below the abutting residential grade level, and ensures that stormwater runoff is directed away from the neighborhood.

3. ***Transportation.*** The city transportation system or streets must be of sufficient width and capacity to serve the demands created by the development. Dedication of rights-of-way, frontage or reverse frontage roads and other necessary improvements shall be considered and addressed.

Applicant's finding: The right-of-way width and streets are adequate to serve the project. There was previously a 40' right-of-way dedication along Anderson Hill Road. The developer is proposing to construct left and right turn lane access improvements on US Highway 27 as shown on the site plan to serve the demands of the development.

4. ***Utilities.*** Sanitary sewer, potable water, reuse water, fire hydrants and other utilities must be available and have capacity to serve the development. For commercial or industrial development, the quality of the wastewater must be in conformance with section 66-76 et seq.

Applicant's finding: Utilities are available to serve the development. Potable water is adjacent to the site and provided by Utilities Inc. The developer will install water and fire service connections as needed to serve the development. The developer will be installing an on-site lift station and an off-site sewer main extension in order to connect to the City of Clermont's existing sanitary sewer system. Wastewater discharge shall comply with the requirements of Code Section 66-76.

5. ***Stormwater management.*** The capability, capacity and location of the city storm sewer system for serving the development must be considered, as well as adequacy of project design to provide retention and positive outfall of stormwater.

Applicant's finding: The development does not outfall into a City-maintained system. It drains into the FDOT right-of-way. The project's design will abide by all of the stormwater release rate and volume criteria of FDOT, SJRWMD, and the City.

Due to the fact that the existing site contains significant depressional storage, the existing site does not release much of its stormwater runoff. The design of the proposed development will have to mimic the same low-discharge scenario. Very little runoff from the developed site is expected to leave the site. Almost all of the project's runoff will be retained and percolated.

The rates and volumes of water to be discharged from the property were anticipated in the design of FDOT's US 27 drainage system. The project is not anticipated to overburden any downstream drainage systems.

The project will include an outfall structure to allow its permitted discharges, as well as allowing runoff from storms greater than the design storm to exit the site without creating adverse on-site flooding conditions.

6. ***Site planning.*** The development shall be planned and designed to consider:
- a. Effectiveness of plotting or building layout (street patterns, required yards, etc.).
 - b. Orientation of units (setback, open space).
 - c. Avoidance of environmentally sensitive areas (floodplain, steep slopes, unstable soil, drainage or wetland areas).
 - d. Consideration of visual resources (view and aesthetics).
 - e. Landscaping, buffering and screening (for privacy and to screen parking or undesirable features).
 - f. Provision of open space areas or private recreation areas.
 - g. Off-street parking and loading areas, where required, with particular attention to noise, glare or odor as they may affect adjoining properties. Adequate off-street parking shall be provided in conformance with city codes. Residential construction must be provided with required off-street parking in all districts.

- h. Ingress and egress to property and proposed structures thereon, with particular reference to automobile and pedestrian safety, traffic flow and control and access in case of fire. Access to refuse collection areas shall be provided.

Applicant's finding: All of these items have been taken into consideration in the planning and design of the development. The buildings, drive-thru facilities, and outdoor patio areas are located toward the front of the site in order to orient activity toward the street and away from the neighborhood. The stormwater pond/open space and parking are primarily oriented toward the rear of the site for increased separation from the neighborhood. Site access is limited to one driveway per street to minimize impacts on traffic flow and there are multiple routes for safe and convenient vehicular circulation within the development. Sidewalks are provided for pedestrian safety and interconnectivity between all uses/buildings within the development and from the two abutting streets.

7. ***Solid waste disposal.*** For commercial and industrial development, the capacity to dispose of solid waste, with particular reference to any hazardous wastes generated.

Applicant's finding: There is adequate capacity to dispose of solid waste from the development. Hazardous waste generation is not anticipated since the development is a shopping center with typical uses such as retail businesses, personal service establishments, fitness centers, restaurants, offices, and bank/ATM facilities.

Prepared by:
AVID Group



Peter Pensa, AICP
Director of Planning



CIVIL ENGINEERING
LAND PLANNING
TRAFFIC/TRANSPORTATION
SURVEYING
GIS
2300 CURLEW ROAD STE 201
PALM HARBOR, FLORIDA
34683
PHONE (727) 789-9500
FAX (727) 784-6662
AVIDGROUP.COM

LOCATION MAP
ANDERSON HILL RETAIL
CLERMONT, FLORIDA
1"=500'

Anderson Hill Retail

Overall Legal Description:

Tract 27 together with a portion of Tract 22, as shown on the Lake Highland Company Plat of Section 32, Township 22 South, Range 26 East, Plat Book 3, Page 24, Public Records of Lake County, Florida. Being more particularly described as:

Begin at the Southwest Corner of Tract 22 as shown on the Lake Highland Company Plat of Section 32, Township 22 South, Range 26 East, recorded in Plat Book 3, Page 24, of the public records of Lake County, Florida; thence along the West line of Tract 22, $N00^{\circ}31'25''E$, a distance of 61.46 feet; thence $N63^{\circ}34'33''E$, a distance of 393.00 feet to a point on the west right-of-way line of US Highway 27; thence along said west right-of-way line, $S24^{\circ}35'30''E$, a distance of 269.86 feet to a point on the south line of Tract 22; thence continue along said west right-of-way line $S24^{\circ}35'30''E$, a distance of 366.85 feet; thence $S00^{\circ}27'49''W$, a distance of 266.03 feet to a point on the north right-of-way line of Anderson Hill Road; thence $N89^{\circ}03'43''W$ along the said north right-of-way line of said Anderson Hill Road, a distance of 620.93 feet to a point on the west line of Tract 27 as shown on said the Lake Highland Company Plat of Section 32, Township 22 South, Range 26 East; thence along said west line of said Tract 27, $N00^{\circ}31'46''E$, a distance of 598.50 feet to the Southwest corner of said Tract 22 and the Point of Beginning.

Containing a total of 9.47 acres more or less.

THIS INSTRUMENT PREPARED BY AND RETURN TO:

RETURN

Quintus Irving Roberts
625 State Road 100
Palatka, Florida, 32177

Property Appraisers Parcel Identification (Folio) Number: 092226-1400-027-00000

SPACE ABOVE THIS LINE FOR RECORDING DATA

THIS WARRANTY DEED, made the 19th day of October, 2012 by Quintus Irving Roberts as Trustee of The V.S. Roberts Family Trust - QIR, a Simple Trust, whose post office address is 625 State Road 100, Palatka, Florida 32177 herein called the grantor, to Anderson Hill DLSU, LLC., a Florida Limited Liability Company whose post office address is 625 State Road 100, Palatka, Florida 32177, hereinafter called the Grantee:
(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee all that certain land situate in LAKE County, State of Florida, viz.:

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART
HEREOF.

Subject to easements, restrictions and reservations of record and taxes for the year 2012 and
thereafter.

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 said grantee that the grantor is lawfully seized of said land in fee simple;
that the grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said
land and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above
written.

Signed, sealed and delivered in the presence of:

V.S. Roberts Family Trust-QIR, a Simple
Trust

Quintus Irving Roberts, Trustee

Witness #1 Signature

TRAVIS S. THOMAS

Witness #1 Printed Name

Joyce C. Norris

Witness #2 Signature

JOYCE C. NORRIS

Witness #2 Printed Name

STATE OF FLORIDA
COUNTY OF PUTNAM

The foregoing instrument was acknowledged before me this 19th day of October, 2012 by Quintus Irving Roberts as
Trustee of The V.S. Roberts Family Trust - QIR a Simple Trust who is personally known to me or has produced
driver's license as identification



Notary Public

TRAVIS S. THOMAS

Printed Notary Name

My Commission Expires:

Exhibit "A"

TRACT 27, AS SHOWN ON THE LAKE HIGHLAND COMPANY PLAT OF SECTION 32, TOWNSHIP 22 SOUTH, RANGE 26 EAST, PLAT BOOK 3, PAGE 24, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

LESS THE FOLLOWING:

BEGIN AT THE SOUTHWEST CORNER OF TRACT 27 AS SHOWN ON THE LAKE HIGHLAND COMPANY PLAT OF SECTION 32, TOWNSHIP 22 SOUTH, RANGE 26 EAST, RECORDED IN PLAT BOOK 3, PAGE 24, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA: THENCE NORTH $00^{\circ}31'46''$ EAST ALONG THE WEST LINE OF SAID TRACT 27, A DISTANCE OF 638.50 FEET TO THE NORTHWEST CORNER OF SAID TRACT; THENCE SOUTH $88^{\circ}53'09''$ EAST ALONG THE NORTH LINE OF SAID TRACT 27, A DISTANCE OF 341.41 FEET; THENCE SOUTH $00^{\circ}31'46''$ WEST 637.45 FEET TO THE SOUTH LINE OF SAID TRACT 27; THENCE NORTH $89^{\circ}03'43''$ WEST ALONG THE SAID SOUTH LINE OF SAID TRACT 27, A DISTANCE OF 341.40 FEET TO THE POINT OF BEGINNING.

LESS ROAD RIGHT OF WAYS.

AKERMAN SENTERFITT
PO BOX 231
ORLANDO FL 32802



PREPARED BY AND RETURN TO:
SCOTT M. PRICE, ESQUIRE
AKERMAN LLP
420 South Orange Avenue
Suite 1200
Orlando, Florida 32801

INSTRUMENT #2016114504
OR BK 4858 PG 593 - 594 (2 PGS)
DATE: 11/3/2016 9:50:50 AM
NEIL KELLY, CLERK OF THE CIRCUIT COURT
LAKE COUNTY
RECORDING FEES \$18.50 DEED DOC \$8750.00

SPECIAL WARRANTY DEED

THIS WARRANTY DEED made this 21st day of October, 2016, between CLERMONT SYNERGY, LLC, a Florida limited liability company, whose post office address is 2345 West Sand Lake Road, Suite 100, Orlando, Florida 32809, hereinafter called the Grantor, to ANDERSON HILL DLSU, LLC, a Florida limited liability company, whose post office address is 625 State Road 100, Palatka, Florida 32177, hereinafter called the Grantee.

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH:

That the Grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situate in LAKE County, Florida, viz:

A portion of that part of Tract 22, lying West of U.S. Highway No. 27 in "LAKE HIGHLANDS COMPANY", a Plat of record in Plat Book 3, Page 24, Public Records of Lake County, Florida, located in Section 32, Township 22 South, Range 26 East, Tallahassee Meridian, Lake County, Florida, being more particularly described as follows:

Beginning at the Southwest corner of said Tract 22; thence along the West line thereof, North 00 degrees 12 minutes 07 seconds West, 61.46 feet; thence leaving said line, North 62 degrees 51 minutes 01 second East, 393.08 feet to the West right of way line of said U.S. Highway 27; thence along said line, South 25 degrees 21 minutes 30 seconds East, 270.00 feet to the South line of said Tract 22; thence along said line, North 89 degrees 36 minutes 41 seconds West, 465.20 feet to the Point of Beginning.

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 said Grantee that it is lawfully seized of said land in fee simple; that it has good right and lawful authority to sell and convey said land; that it hereby warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under Grantor, but against none other; and that said land is free of all encumbrances except for *ad valorem* taxes for 2016 and all subsequent years, and matters appearing of record in the Public Records of Lake County, Florida; provided, however, that this reference shall not serve to re-impose same.

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

Signed, sealed and delivered
in the presence of:

CLERMONT SYNERGY, LLC,
a Florida limited liability company

By: Twistee, LLC,
a Florida limited liability company,
as managing member

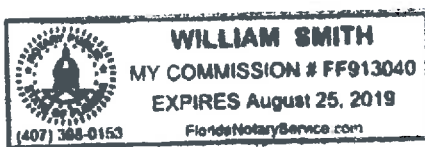
By: ALAN C. CHARRON
MANAGER

William Smith
Print Name: William Smith
Mike Charron
Print Name: MIKE CHARRON

STATE OF FLORIDA)
COUNTY OF Orange) ss:

The foregoing instrument was acknowledged before me this 26th day of October, 2016, by Alan C. Charron, as Manager of Twistee, LLC, a Florida limited liability company, as managing member of Clermont Synergy, LLC, a Florida limited liability company, on behalf of the company, who is:

- ☒ personally known to me; or
- ☐ produced a driver's license issued by the _____ Department of Highway Safety and Motor Vehicles as identification; or
- ☐ produced the following identification: _____



William Smith
NOTARY PUBLIC, STATE OF FLORIDA

(Print, Type or Stamp Commissioned Name of Notary Public)

**City of Clermont
MINUTES
PLANNING AND ZONING COMMISSION
February 7, 2017**

Page 5

Staff recommends approval of the small-scale comprehensive plan amendment to change the future land use from Medium Density Residential to Downtown Mixed Use and approval of the rezoning to CBD Central Business District.

Mark Graff, 1944 Brantley Circle, stated that he is looking to be the first project to make use of the Density Bonus Criteria.

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

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

6. REQUEST FOR COMPREHENSIVE PLAN AMENDMENT

REQUEST: To change the future land use from Lake County Urban Low Density to City of Clermont Commercial

APPLICANT: Anderson Hill Commercial/AVID Group

7. REQUEST FOR REZONING

REQUEST: To change the zoning from UE Urban Estate to C-2 General Commercial

APPLICANT: Anderson Hill Commercial/AVID Group

8. REQUEST FOR CONDITIONAL USE PERMIT

REQUEST: To allow for a structure more than 20,000 square feet in the C-2 General Commercial zoning district.

APPLICANT: Anderson Hill Commercial/AVID Group

Senior Planner Kruse presented the staff report as follows:

The applicant, Avid Group, is requesting a small-scale comprehensive plan amendment for the subject property. This request is being heard concurrently with requests for annexation, rezoning and a conditional use permit. The applicant wishes to develop the property and have City services available.

The small-scale comprehensive plan amendment would change the future land use from Lake County's Urban Low to the City's Commercial designation. The property's physical characteristics and its U.S. Highway 27 frontage support the Commercial designation. The property is adjacent to a major arterial roadway and has existing commercial uses to the north and across U.S. Highway 27 to the east.

**City of Clermont
MINUTES
PLANNING AND ZONING COMMISSION
February 7, 2017**

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Upon annexation, the zoning would default to Urban Estate. The applicant is requesting a change to C-2 General Commercial in order to develop the 9.5-acre property as a multi-tenant retail/commercial shopping center. Under Section 122-223 of the land development code, retail businesses and shopping centers are a permitted use in the C-2 General Commercial district.

Staff believes commercial uses at this location are compatible with the uses in the area. The single-family residential to the west is approximately 15 feet higher than the proposed development and will be buffered by the landscaping on top of the retaining walls. The stormwater pond will also be located in the western portion of the site. The property along U.S. Highway 27 is currently zoned Planned Commercial in Lake County, and the City's C-2 General Commercial is very similar to this use.

The applicant also has applied for a conditional use permit, since one of the buildings will occupy more than 20,000 square feet of floor space. The overall development will have up to 58,000 square feet of C-2 General Commercial use, of which approximately 3,500 square feet will be for outdoor patio use. Section 122-223 (b) of the land development code requires a conditional use permit for any building structure that occupies more than 20,000 square feet. The applicant is proposing one building with 20,400 square feet. The other proposed buildings will be under the 20,000-square-foot threshold.

The site will be developed to meet the City's architectural standards and will be in substantial accordance with the preliminary site plan prepared by Avid Group, revision date January 27, 2017.

Staff has reviewed the application and believes that the proposed use will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, and the proposed use will comply with the regulations and conditions specified. Therefore, staff recommends approval of the request for a building with more than 20,000 square feet in the C-2 zoning district with the conditions contained in Resolution 2017-04. Staff recommends approval of the small-scale comprehensive plan amendment to change the future land use from Lake County Urban Low to Commercial and approval of the rezoning to C-2 General Commercial.

Peter Pensa, Avid Group, stated that the idea is to create a pedestrian-oriented location for various shops and services. He stated they anticipate five restaurants on the parcel including a drive-thru.

Carol Colvin, 12815 Katherine Circle, stated that she lives directly behind this project. She stated that she is concerned that the property is being rezoned from Urban Low to Commercial. She stated that there would be noise issues. She stated that there is no way to prevent people from gaining access to their neighborhood from the shopping center. She stated that the access from Anderson Hill Road would greatly impact their neighbor. She stated that there is already plenty of vacant retail space in Clermont. She stated that she disagrees with the annexation and rezoning request.

**City of Clermont
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Rose Farrell, 13215 Maria Ave., stated that she is opposed to the C-2 General Commercial zoning. She is concerned with the increased traffic.

Jennifer Cotch, 12522 Valencia Dr., stated that her main concern is the traffic. She stated she is asking that the access to Anderson Hill Road be removed from the development. She stated that she would like to see the landscape buffer expanded. She stated that she wants the lighting and hours of operation for the commercial site regulated, and she does not want the drive-thru approved.

Hector Serrano, 13106 Tamarack Blvd., stated that he is the president of the HOA. He stated that they already have issues with lighting, noise and people crossing through their yards.

Commissioner Whitehead asked about the lighting.

Mr. Kruse stated there is standard language in the code that restricts lighting to the site only. He stated that when developers come in for site review, they are required to submit a photometric plan.

Commissioner Martin asked about the height of the light pole.

Mr. Kruse stated he believes the height limit is 12 to 15 feet.

Commissioner Whitehead stated that she is concerned about the landscape buffer and people having access to the residents' properties.

Mr. Kruse stated that at this time the developer meets code.

Mr. Mantzaris stated that the Commission could request a condition for additional buffering.

Commissioner Smith asked if commercial would be allowed if the property stayed in the County.

Mr. Kruse stated that the parcels are Lake County Urban Low, which is the same as Kohl's zoning.

Commissioner Smith stated that he suggests closing the access to and from Anderson Hill Road.

Mr. Kruse stated that the access would be determined by Lake County.

Mr. Pensa stated that FDOT would not allow two entrances from U.S. Highway 27 because it does not meet the spacing requirements. He stated that they would be providing sidewalks along Anderson Hill Road in front of the development out to U.S. Highway 27.

Commissioner Martin asked about the retaining walls.

**City of Clermont
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Mr. Pensa stated that the retaining wall will be a six-foot wall along Anderson Hill Road and would be about three feet tall closer to U.S. Highway 27. He stated that on the rear and western side of the property there will be a double retaining wall.

Commissioner Hubbard asked about acquiring access from Gerber Collision since they already have an entrance on U.S. Highway 27.

Mr. Pensa stated that if each building was developed independently, then FDOT would have to allow access if you could not obtain access from your neighbor.

Chairman Jones stated that his concerns is the loading zone for Commercial F.

Mr. Pensa stated that the loading zone is next to Commercial E. He stated that the idea is that the user for Commercial F will not receive deliveries.

Carole Campbell, 13112 Tamarack Blvd., stated that she lives directly across the road from the proposed development. She stated that she can hear the noises from Walmart and Harley Davidson.

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

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

Commissioner Hubbard moved to recommend approval of the conditional use permit with the elimination of the access to Anderson Hill Road; seconded by Commissioner Smith. The vote was unanimous to recommend approval.

9. REQUEST FOR COMPREHENSIVE PLAN AMENDMENT

REQUEST: To change the future land use from Lake County Regional Commercial to City of Clermont Commercial

APPLICANT: Tommy's of Clermont/Matt Borisch

10. REQUEST FOR REZONING

REQUEST: To change the zoning from UE Urban Estate to C-2 General Commercial

APPLICANT: Tommy's of Clermont/Matt Borisch

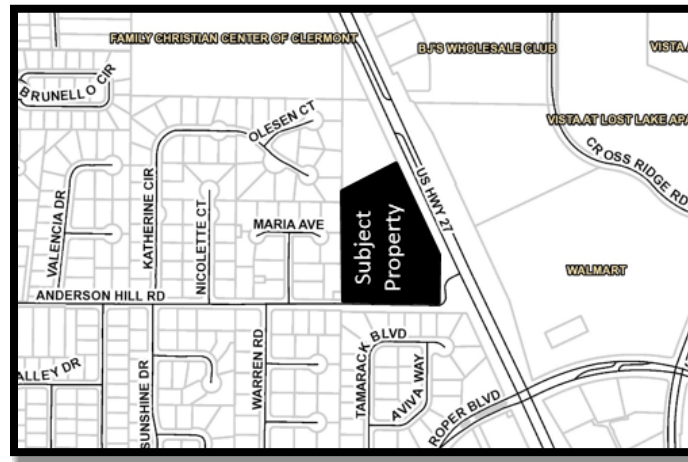
CITY OF CLERMONT

NOTICE OF PROPOSED LAND USE CHANGE

Small-Scale Comprehensive Plan Amendment

ORDINANCE NO. 2017-16

The City of Clermont will hold public hearings on Tuesday, February 7, 2017 at 6:30 p.m. before the Planning and Zoning Commission; and Tuesday, February 14, 2017 at 6:30 p.m. (1st reading of the adoption ordinance) and Tuesday, March 14, 2017 (final reading of the adoption ordinance) at 6:30 p.m. before the City Council to consider a proposed change to the City's Future Land Use Map. The map amendment would change the Future Land Use designation for the 9.58 +/-acre parcel below from Lake County Urban Low Density to City of Clermont Commercial. Alternate Key 1453496, 3828239, and 2826541.



Location:

West and Northwest of the intersection of US Hwy 27 and Anderson Hill Rd
Ordinance #2017-16:

An ordinance of the City Council of the City of Clermont, Lake County, Florida, adopting the small-scale comprehensive plan amendment for the City of Clermont, Florida, pursuant to the Local Government Comprehensive Planning Act, Chapter 163, Part II, Florida Statutes; setting forth the authority for adoption of the small-scale comprehensive plan amendment; setting forth the purpose and intent of the small-scale comprehensive plan amendment; providing for the adoption of the small-scale comprehensive plan amendment; establishing the legal status of the small-scale comprehensive plan amendment; providing a severability clause; and providing an effective date.

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
January 27 and February 28, 2017



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, April 11, 2017		
Agenda Item Name		
Ordinance No. 2017-17 <i>Final</i> <i>Anderson Hill Rezoning</i>		
Requested Action		
Recommend approval of Ordinance 2017-17.		
Staff Report		
This request was originally scheduled to be heard by the Council on March 14, 2017 but was tabled at the applicant's request to allow additional time to prepare for the final hearing. The applicant, Avid Group, is requesting a rezoning of the subject property. This request is being heard concurrently with requests for annexation, Small Scale Comprehensive Plan Amendment, and a Conditional Use Permit. Upon annexation, the zoning would default to Urban Estate. The applicant is requesting a change to C-2 General Commercial in order to develop the 9.5-acre property as a multi-tenant retail/commercial shopping center. Under Section 122-223 of the Land Development Code, retail businesses and shopping centers are a permitted use in the C-2 General Commercial district. The applicant also has applied for a Conditional Use Permit, since one of the buildings will occupy more than 20,000 square feet of floor space. The overall development will have up to 58,000 square feet of C-2 General Commercial use, of which approximately 3,500 square feet will be for outdoor patio use. Staff has reviewed the applicant's proposal and believes commercial uses at this location are compatible with the uses in the area. The single-family residential to the west is approximately 15 feet higher than the proposed development and will be buffered by the landscaping on top of the retaining walls. The stormwater pond will also be located in the western portion of the site. The property along U.S. Highway 27 is currently zoned Planned Commercial in Lake County, and the City's C-2 General Commercial is very similar to this use. Staff recommends approval of the rezoning to C-2 General Commercial. At the February 7, 2017 Planning and Zoning Commission meeting, Commissioner Cuqui Whitehead moved to recommend approval of the rezoning; seconded by Commissioner Tony Hubbard. The vote was unanimous 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 2017-17.doc
2.	Maps	Anderson Hill Retail Maps.pdf
3.	Traffic study	Anderson Hill Traffic Impact Analysis.pdf
4.	Application	REZ application.pdf
5.	Minutes	P&Z Commission minutes.pdf
6.	Legal ad	REZ Anderson Hill legal ad.docx

CITY OF CLERMONT
ORDINANCE No. 2017-17

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

Tract 27 together with a portion of Tract 22, as shown on the Lake Highland Company plat of Section 32, Township 22 South, Range 26 East, Plat Book 3, Page 24, public records of Lake County, Florida. Being more particularly described as:

Begin at the Southwest corner of Tract 22 as shown on the Lake Highland Company plat of Section 32, Township 22 South, Range 26 East, recorded in Plat Book 3, Page 24, of the public records of Lake County, Florida; thence along the West line of Tract 22 N00°31'25"E, a distance of 61.46 feet; thence N63°34'33"E, a distance of 393.00 feet to a point on the West Right-of-Way line of US Highway 27; thence along said West Right-of-Way line, S24°35'30"E, a distance of 269.86 feet to a point on the South line of Tract 22; thence continue along said West Right-of-Way line S24°35'30"E, a distance of 366.85 feet; thence S00°27'49"W, a distance of 266.03 feet to a point on the North Right-of-Way line of Anderson Hill Road; thence N89°03'43"W along the said North Right-of-Way line of said Anderson Hill Road, a distance of 620.93 feet to a point on the West line of Tract 27 as shown on said the Lake Highland Company plat of Section 32, Township 22 South, Range 26 East; thence along said West line of said Tract 27, N00°31'46"E, a distance of 598.50 feet to the Southwest corner of said Tract 22 and the Point of Beginning.

Containing a total of 9.47 acres, more or less.

Alternate keys 1453496, 3828239, and 2826541

FROM Urban Estate
TO C-2 General Commercial

SECTION 2:

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

CITY OF CLERMONT
ORDINANCE No. 2017-17

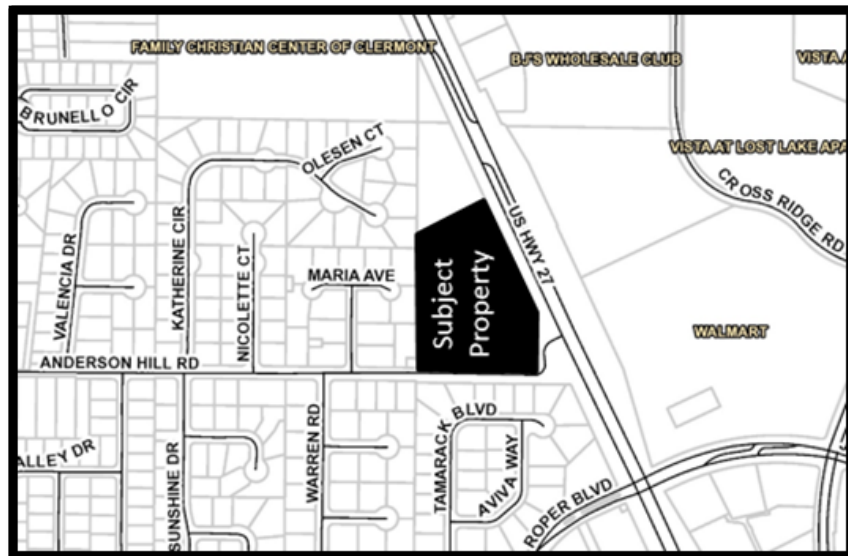
SECTION 3:

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

SECTION 4:

The provisions of this Ordinance shall be effective as provided by law.

Location map:



CITY OF CLERMONT
ORDINANCE No. 2017-17

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 11th day of April, 2017.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Denise Noak, Acting City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Exhibit - Location Map – Anderson Hill Retail

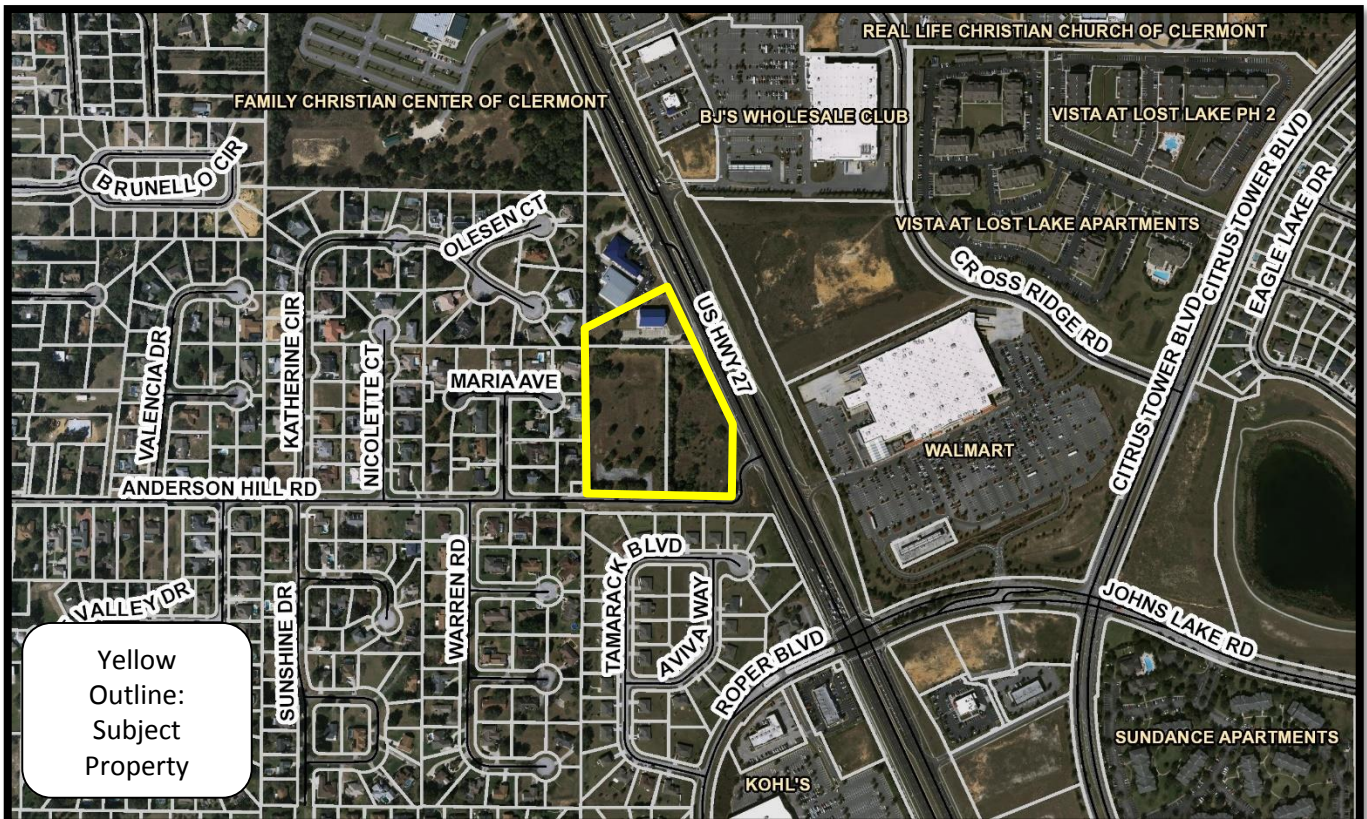
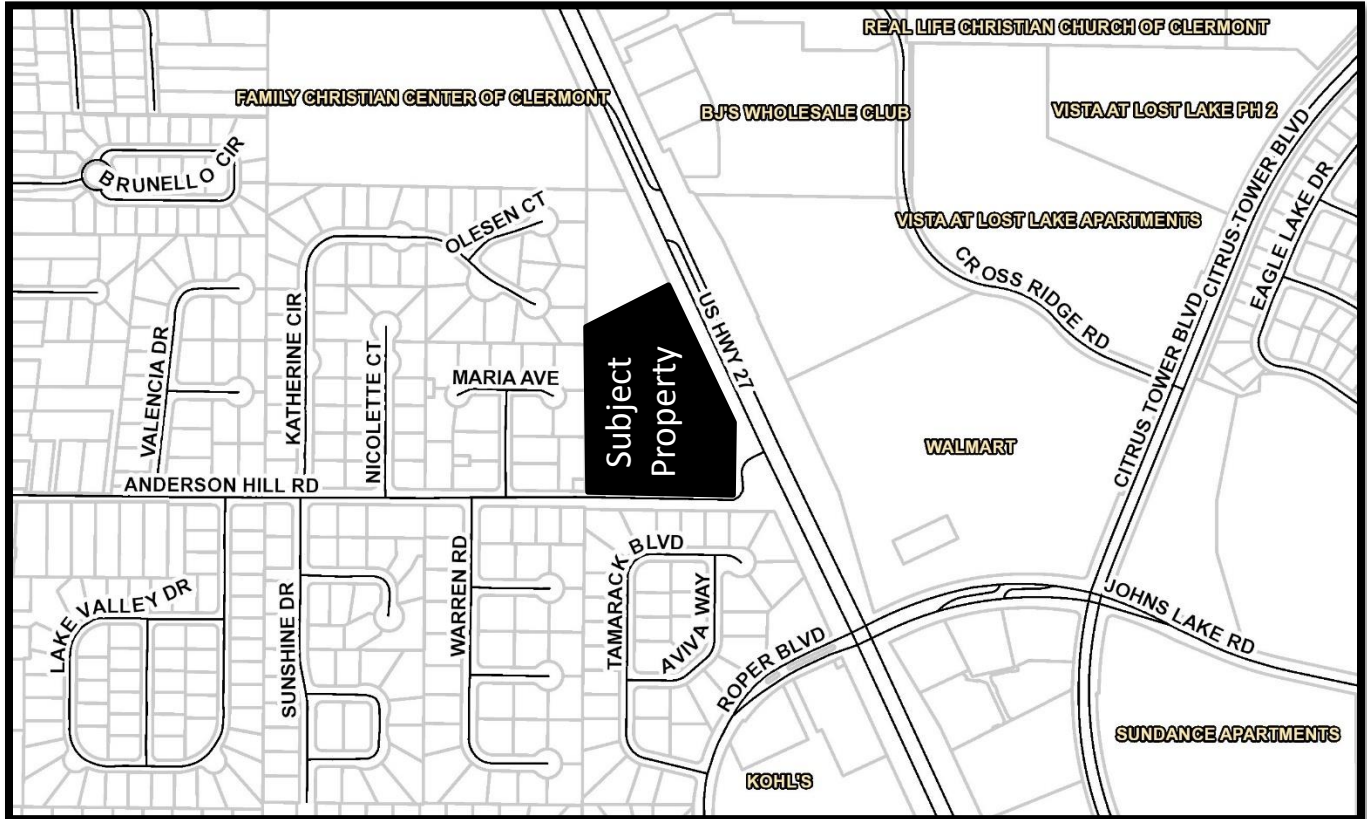


Exhibit – Future Land Use Map – Anderson Hill Retail

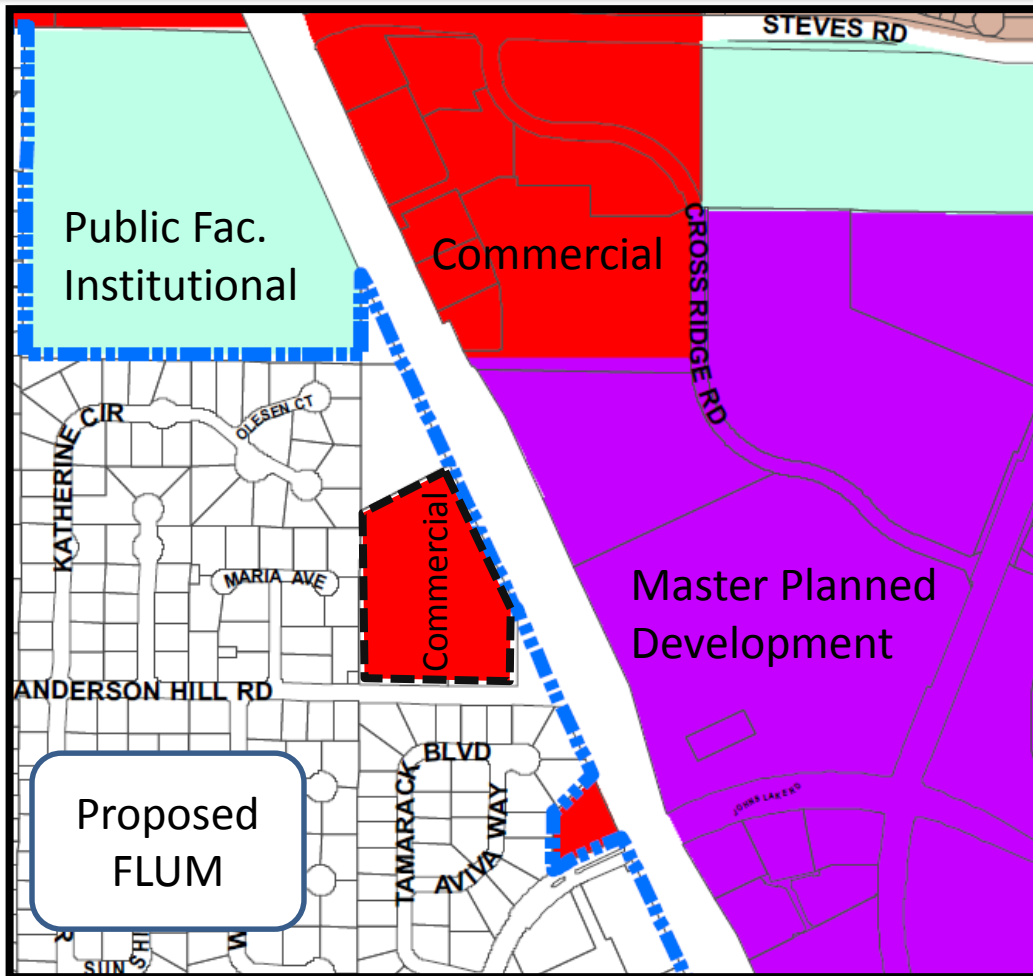


Exhibit – Zoning Map – Anderson Hill Retail

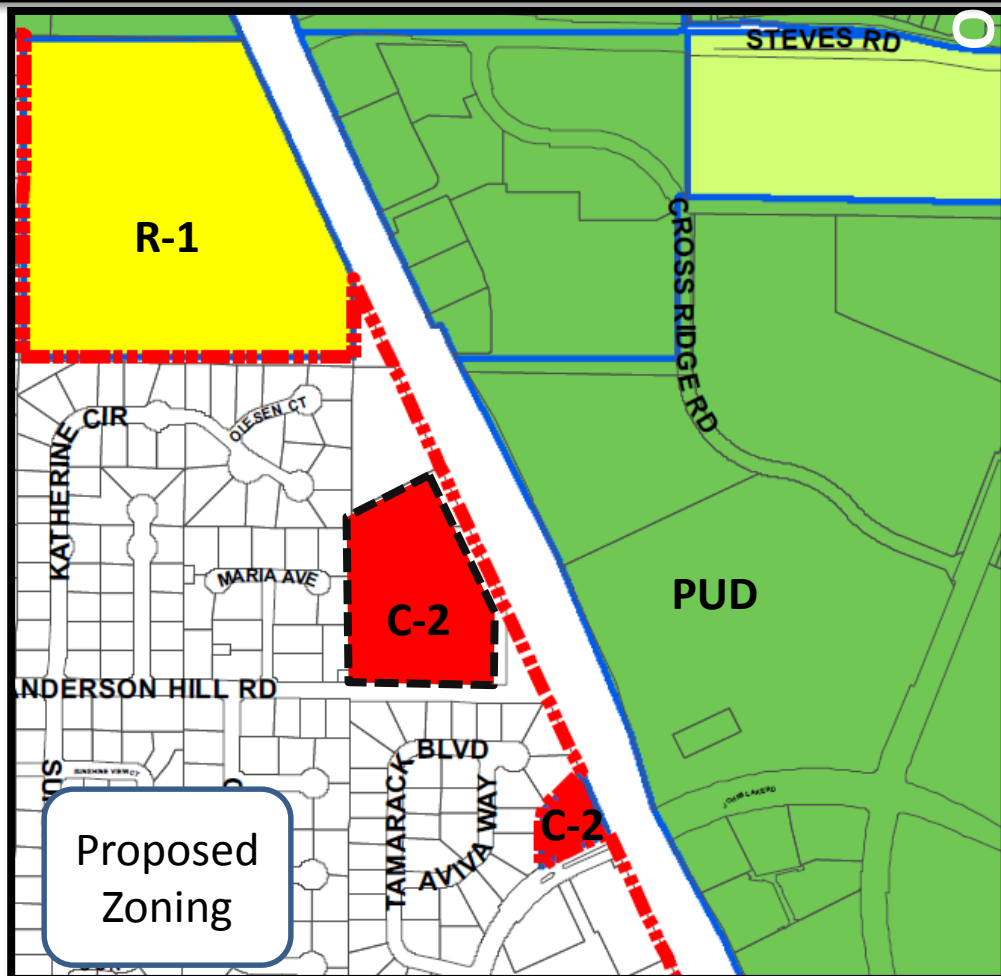
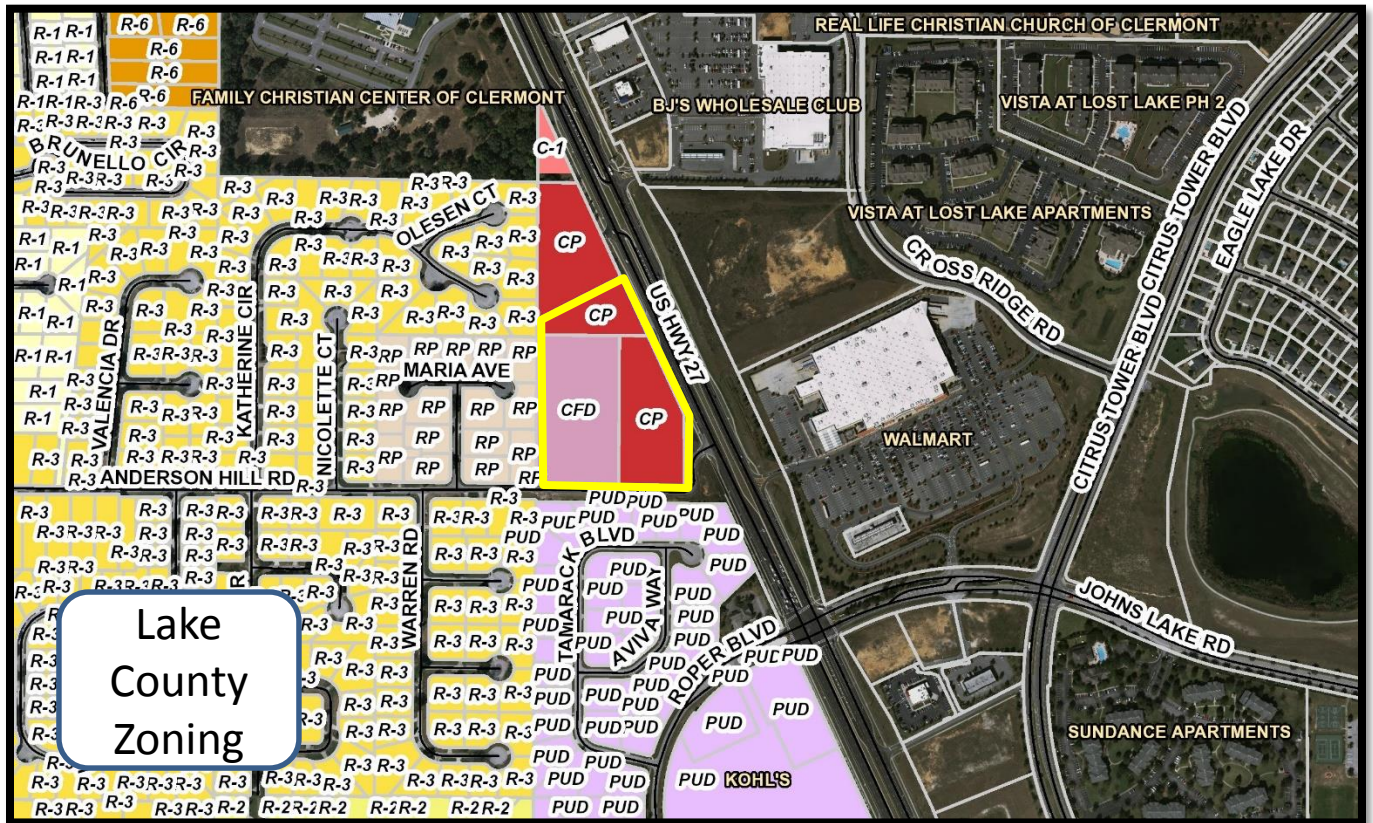
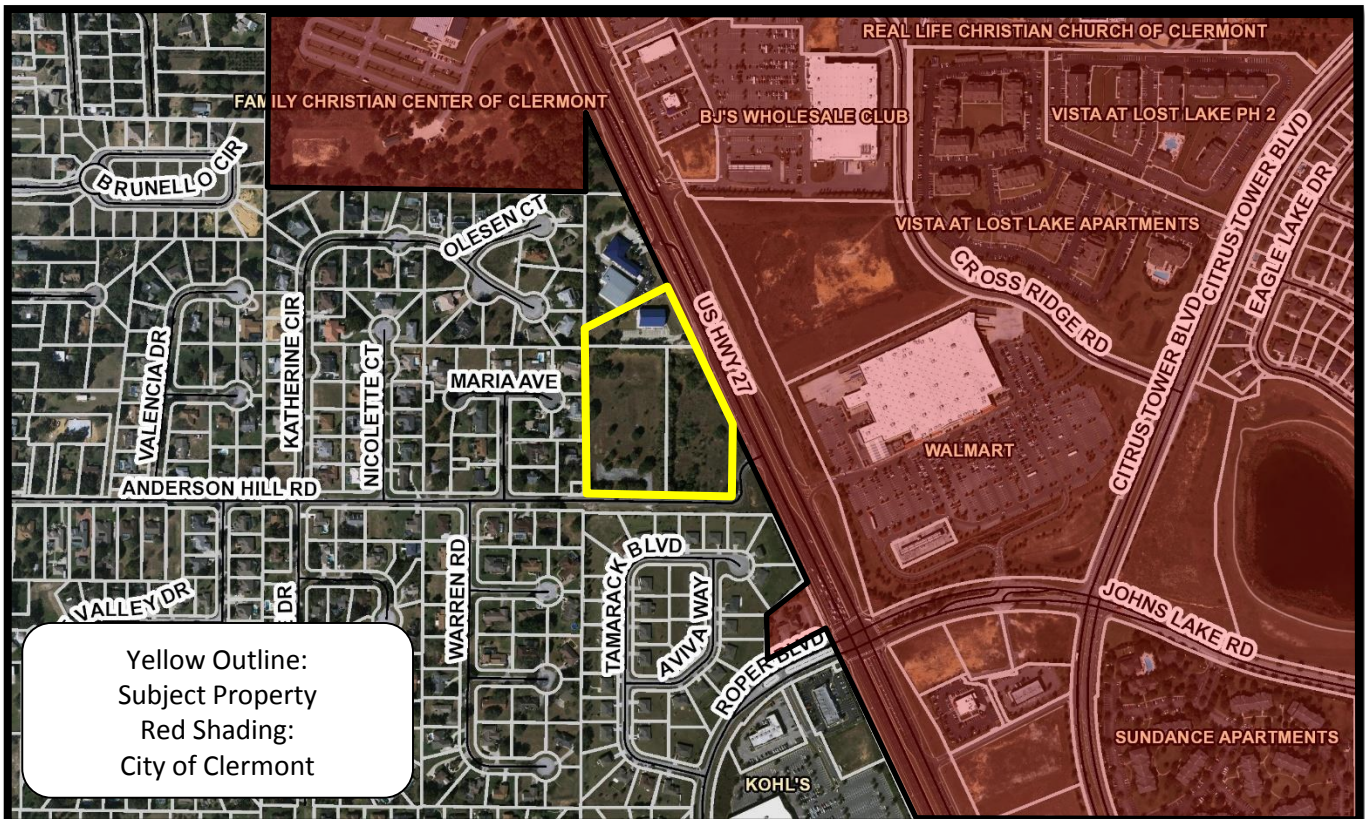
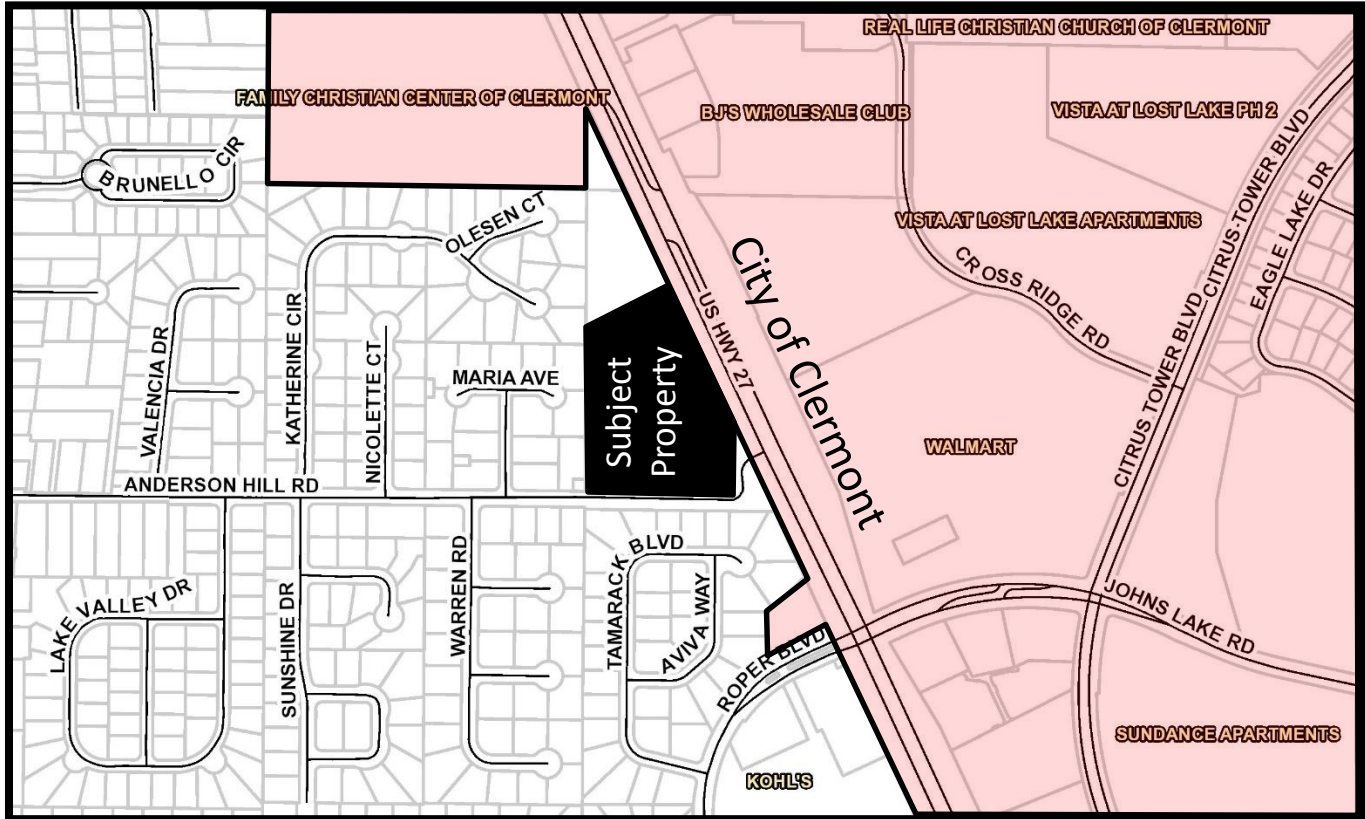


Exhibit - Annexation Map – Anderson Hill Retail



TRAFFIC IMPACT ANALYSIS

LAKE COUNTY RETAIL PROJECT
LAKE COUNTY, FLORIDA



Prepared for:

Anu Management, Inc..
625 SR 100
Palatka, FL 32177

Prepared by:

Traffic Planning and Design, Inc.
535 Versailles Drive
Maitland, Florida 32751
407-628-9955

March 2017

TPD № 4760.2

PROFESSIONAL ENGINEERING CERTIFICATION

I hereby certify that I am a Professional Engineer properly registered in the State of Florida practicing with Traffic Planning & Design, Inc., a corporation authorized to operate as an engineering business, EB-3702, by the State of Florida Department of Professional Regulation, Board of Professional Engineers, and that I have prepared or approved the evaluations, findings, opinions, conclusions, or technical advice attached hereto for:

PROJECT: Lake County Retail Project

LOCATION: Lake County, Florida

CLIENT: Anu Management Inc.

I hereby acknowledge that the procedures and references used to develop the results contained in these computations are standard to the professional practice of Transportation Engineering as applied through professional judgment and experience.

NAME: Turgut Dervish, P.E.
Florida P.E. No: 20400
DATE: March 16th 2017
SIGNATURE: _____

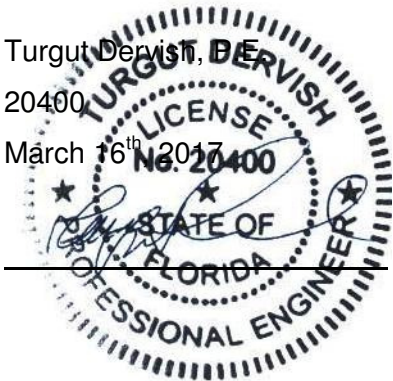
A circular professional engineer seal for the State of Florida. The outer ring contains the text "TURGUT DERVISH" at the top and "PROFESSIONAL ENGINEER" at the bottom. The inner ring contains "LICENSE" at the top and "STATE OF FLORIDA" at the bottom. In the center, it says "No. 20400". There is a signature over the seal.

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INTRODUCTION

This analysis was undertaken in order to assess the traffic impact of the proposed Lake County Retail project located on the northwest corner of the US 27 and Anderson Hill Road intersection in Lake County, Florida. The proposed development comprises a 57,772 square foot shopping center. **Figure 1** depicts the site location and the surround transportation network and **Appendix A** provides the preliminary site plan.

Site access will be provided via a primary access on US 27 and a secondary access on Anderson Hill Road. A request has been made to the Florida Department of Transportation (FDOT) for the approval of a directional median opening (right-in/right-out/left-in) at the access on US 27; therefore, for the purposes of this study, a directional median opening was assumed. The access on Anderson Hill is proposed as a full access (right-in/right-out/left-in/left-out).

Methodology and Study Area

The analysis was conducted in accordance with the methodology discussed with Lake-Sumter MPO in March 2016. Data utilized in the analysis consisted of a site plan provided by Project Engineers, traffic volume data and Level of Service standards obtained from the Lake County *Transportation Management System (TMS) Spreadsheet 2015/2016*, and intersection turning movement counts by Traffic Planning and Design, Inc. staff. The study facilities to be considered in the analysis are:

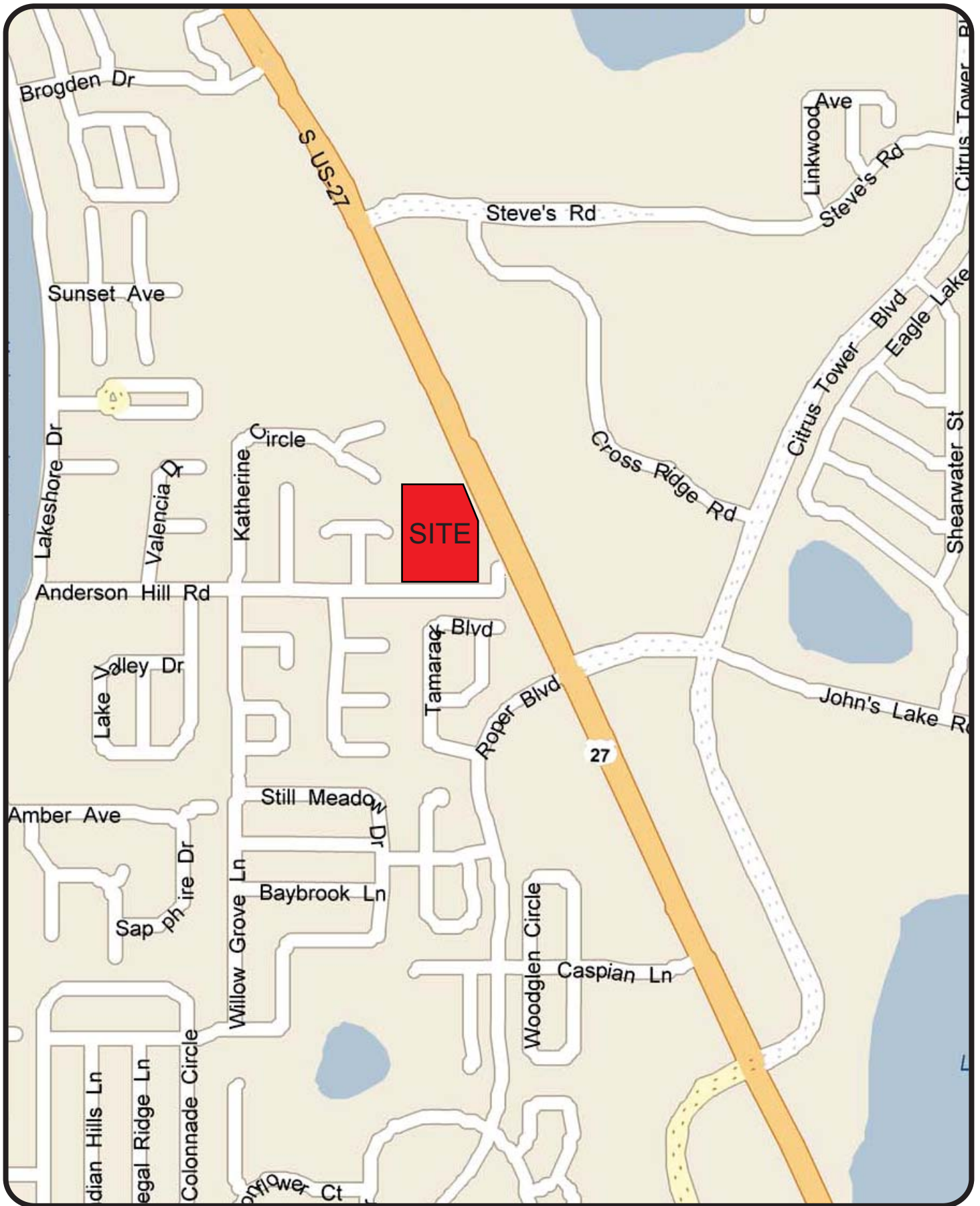
Study Intersections

- US 27 and Anderson Hill Road
- Anderson Hill Road and Lake Shore Drive
- Project Access intersections

Study Segments

- Per the Lake County Traffic Impact Study Methodology Guidelines, the study segments included those segments listed in the *Lake County Transportation Management Spreadsheet (TMS)* which are one half (1/2) the total trip length associated with the land use of the proposed development, based upon the *Lake County Transportation Impact Fee Update Study Final Report*.





Lake County Retail Project
Project № 4760.2
Figure 1

Project Location Map



EXISTING CONDITIONS ANALYSIS

A capacity analysis was performed for the study roadways and intersections utilizing existing traffic volumes in order to establish their current operating conditions. The analysis of the study roadways and intersections was conducted for the P.M. peak hour traffic conditions.

Roadway Segment Analysis

The roadways were analyzed by comparing the existing traffic volumes of each roadway segment with the adopted LOS/capacity values for the P.M. peak hour. The existing traffic volumes and the adopted capacities for each segment were obtained from the County's TMS database. The existing P.M. peak hour roadway capacity analysis is summarized in **Table 1**. Relevant information on existing traffic volumes and roadway capacities is included in the County's TMS sheets in **Appendix B**.

As shown, the existing conditions analysis of P.M. peak hour traffic conditions reveals that the study roadway segments currently operate satisfactorily at or above their adopted Level of Service capacities.



Table 1
Existing P.M. Peak Hour Roadway Capacity Analysis

Seg ID	Roadway	Segment	Lanes	LOS Stnd	PH Dir Capacity	Dir	Existing Vol	Existing V/C	Existing LOS
20	ANDERSON HILL ROAD	LAKE SHORE DRIVE to US 27	2	D	675	NB/EB	112	0.17	C
						SB/WB	48	0.07	C
1690	CITRUS TOWER BOULEVARD	SR 50 to HOOKS STREET	4	D	1,800	NB/EB	673	0.37	C
						SB/WB	1196	0.66	C
1692	CITRUS TOWER BOULEVARD	HOOKS STREET to JOHNS LAKE ROAD	4	D	1,800	NB/EB	713	0.40	C
						SB/WB	932	0.52	C
2050	HAMMOCK RIDGE ROAD	LAKE SHORE DRIVE to US 27	4	D	1,800	NB/EB	648	0.36	C
						SB/WB	785	0.44	C
2140	HOOKS STREET	LAKESHORE DRIVE to US 27	2	D	675	NB/EB	294	0.44	C
						SB/WB	272	0.40	C
2150	HOOKS STREET	US 27 to OAKLEY SEAVER DRIVE	4	D	1,800	NB/EB	374	0.21	C
						SB/WB	444	0.25	C
2180	JOHNS LAKE ROAD	US 27 to HANCOCK ROAD	2	D	675	NB/EB	443	0.66	D
						SB/WB	435	0.64	D
3890	US 27/SR 25	SR 50 to JOHNS LAKE ROAD	6	C	2,940	NB/EB	1277	0.43	C
						SB/WB	1504	0.51	C
3900	US 27/SR 25	JOHNS LAKE ROAD to HARDWOOD MARSH ROAD	6	C	2,940	NB/EB	1378	0.47	C
						SB/WB	1161	0.39	C



Intersection Analysis

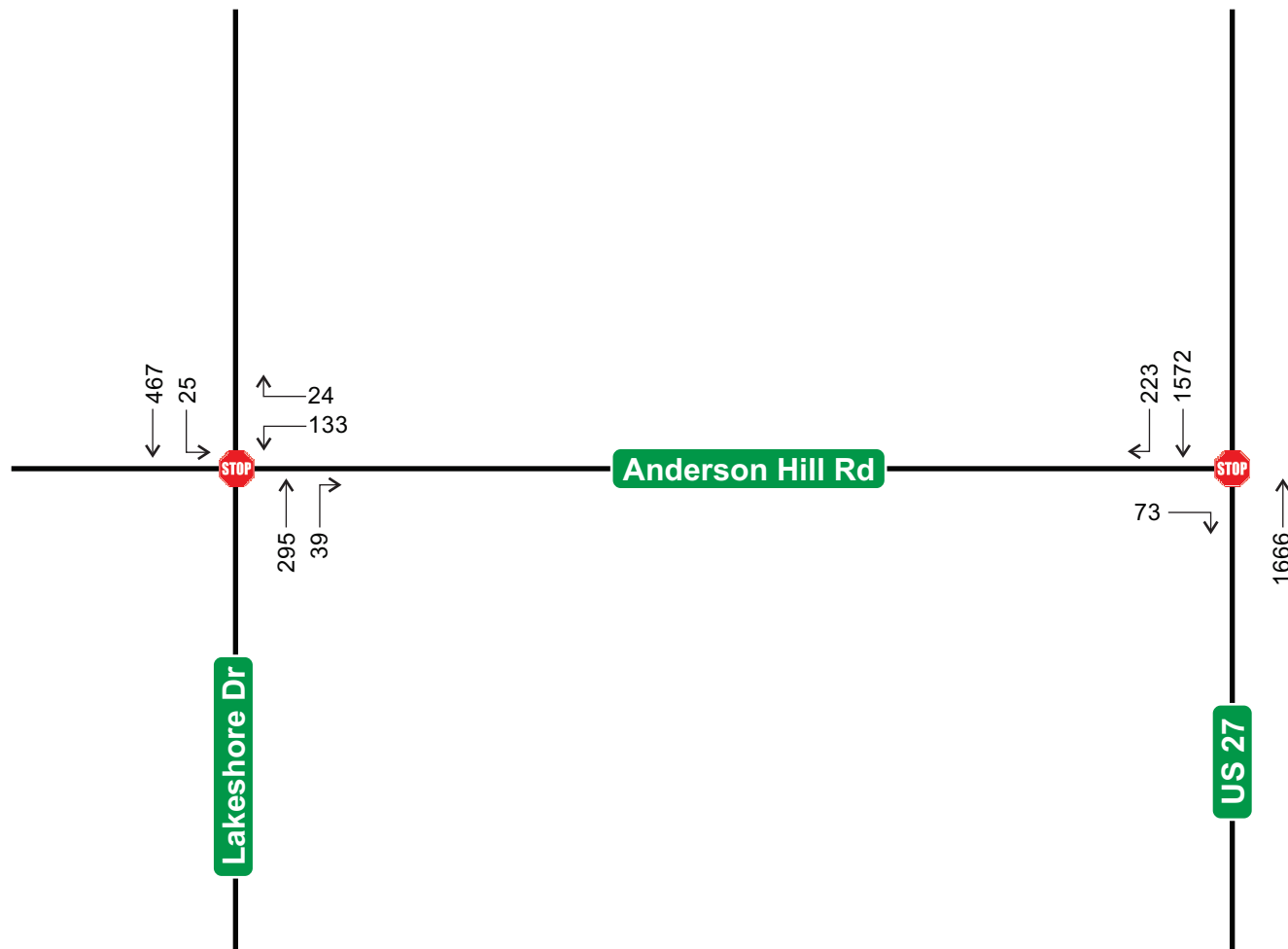
The study intersection was analyzed in accordance with the procedures of the *2010 Highway Capacity Manual (HCM)* and Highway Capacity Software HCS. In the analysis, existing P.M. peak hour traffic volumes and intersection geometry were used. The traffic volumes were adjusted to peak season conditions using a peak seasonal factor (PSCF) obtained from the *FDOT Traffic Online (2015)* website. The intersection volumes determined from 4:00 to 6:00 P.M. turning movement counts are depicted in **Figure 2**. Detailed traffic count data is included in **Appendix B**.

The results of the intersection capacity analyses are summarized in **Table 2**. This table shows that the study intersections currently operate at satisfactory Levels of Service. The HCS capacity analysis worksheets are included in **Appendix C**.

Table 2
Existing Intersection Capacity Analysis

Intersection	Time	EB		WB		NB		SB	
	Period	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
US 27 & Anderson Hill Rd	PM	17.2	C	--	--	--	--	--	--
Anderson Hill Rd & Lakeshore Dr	PM	--	--	24.9	C	--	--	8.0	A





Lake County Retail Project
Project № 4760.2

Figure 2

Existing P.M. Peak Hour Traffic Volumes



PROPOSED DEVELOPMENT AND TRIP GENERATION

The proposed development comprises a 57,772 square foot shopping center. To determine the impact of this development on the area roadways, an analysis of its trip generation characteristics was made. This included the determination of the number of trips generated and their distribution onto the surrounding roadways.

Trip Generation

The trip generation of the proposed development was calculated using rates obtained from the Institute of *Transportation Engineers (ITE) Trip Generation Manual, 9th Edition and Trip Generation Handbook, 3rd Edition*. This calculation is summarized in **Table 3** which shows the project's daily and P.M. peak hour generation. As shown, the proposed development is estimated to generate 3,138 net new daily trips and 274 net new P.M. peak hour trips, 131 entering and 143 exiting. The trip generation sheets are included in **Appendix D**.

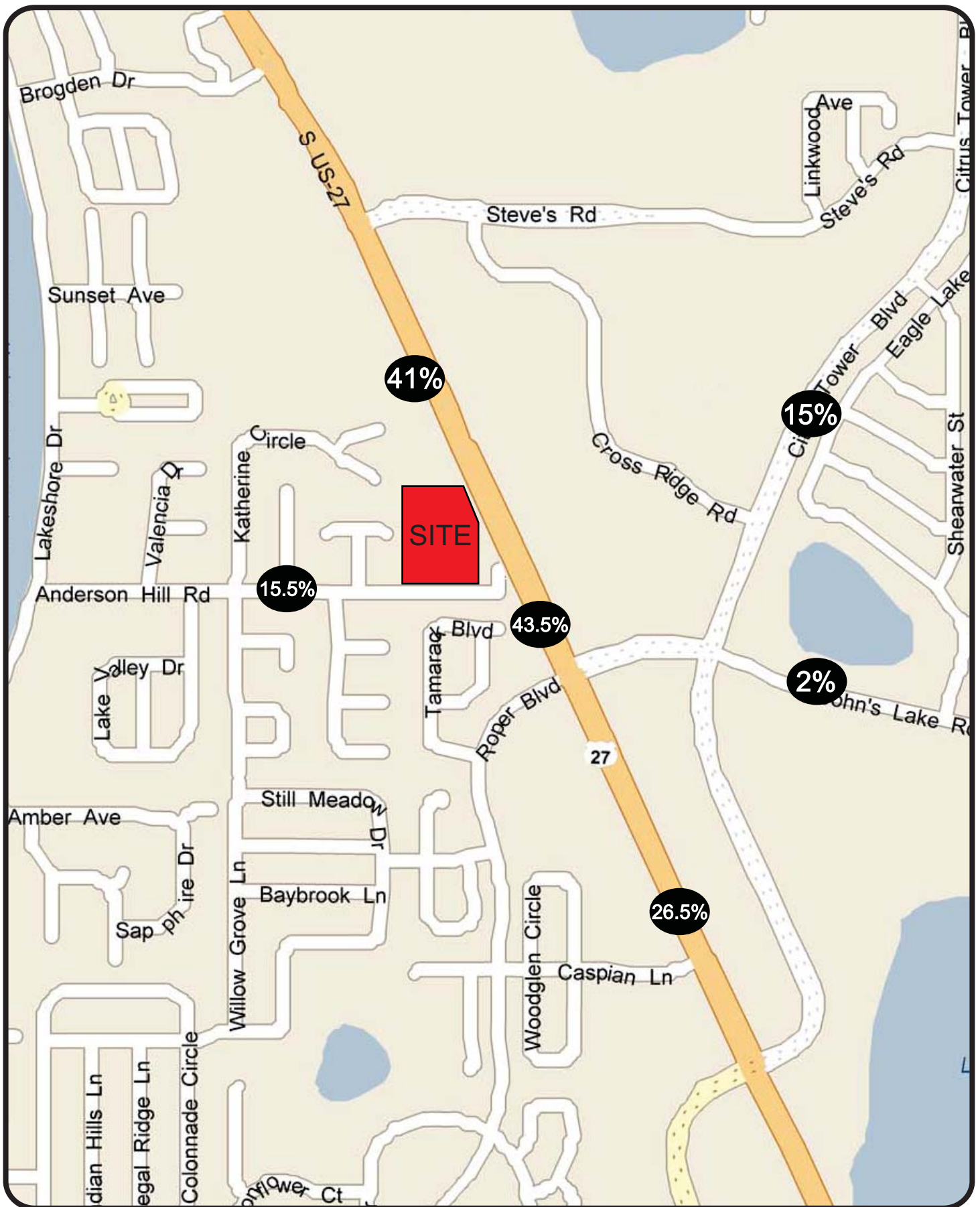
Table 3
Trip Generation Summary

ITE Code	Land Use	Size	Daily		PM Peak Hour			
			Rate	Trips	Rate	Total	Enter	Exit
820	Shopping Center	57.772 KSF	82.29	4,754	7.18	415	199	216
<i>Pass-by Trips (34%)</i>			--	1,616	--	141	68	73
Net New Trips			--	3,138	--	274	131	143

Trip Distribution / Trip Assignment

The distribution of the project trips within the study area was determined with the use of the Central Florida Regional Planning Model (CFRPM). Prior to use this model, a minor modification was made to add a traffic analysis zone (TAZ) representing the proposed development. Subsequently the model was run with a select zone analysis to determine a distribution pattern as shown in **Figure 3**. The model distribution plot is included in **Appendix E**. Utilizing this distribution pattern, the development's P.M. peak hour trips were assigned to the area roadways and intersections.





Lake County Retail Project
Project No 4760.2
Figure 3

Project Trip Distribution



PROJECTED TRAFFIC CONDITIONS

Projected traffic conditions were assessed in order to evaluate the impact of the proposed development within its area of influence. The projected conditions were estimated by combining the P.M. peak hour project trips of each road segment with background traffic volumes. Background traffic volumes were determined by adding reserved trips obtained from the County's TMS data for each roadway segment to the existing traffic volumes of the segment.

Background Traffic Projections

Projected traffic volumes consist of background traffic combined with site generated traffic. Typically, background traffic volumes are determined by expanding existing peak hour traffic volumes to the buildout year using an annual growth rate. A historical trend analysis was conducted based on the Annual Average Daily Traffic (AADT) data obtained from the FDOT *Traffic Online (2015)* website in the vicinity of the project (see **Appendix B**). Based on this historical trend analysis, an annual growth rate of 5.35% was calculated. This growth rate was applied to the existing traffic volumes as appropriate in order to determine the projected background volumes in the project buildout year.

Roadway Segment Analysis

Table 4 is an analysis of the projected traffic conditions on the study segments. The table reveals that the study roadways segments are projected to continue to operate satisfactorily within their adopted LOS standards upon buildout of the proposed project.

It should be noted that none of the segments evaluated were significant at the 5% level.



Table 4
Projected P.M. Peak Hour Roadway Analysis

Seg ID	Roadway	Segment	LOS Stnd	Dir	Backg'd Vol	Trip Dist	Project Vol	% Sig.	Total Vol	Projected V/C	Projected LOS
20	ANDERSON HILL ROAD	LAKE SHORE DRIVE to US 27	D	NB/EB	124	15.5%	20	2.96%	144	0.21	C
				SB/WB	53		22	3.26%	75	0.11	C
1690	CITRUS TOWER BOULEVARD	SR 50 to HOOKS STREET	D	NB/EB	745	15.0%	21	1.17%	766	0.43	C
				SB/WB	1324		20	1.11%	1344	0.75	C
1692	CITRUS TOWER BOULEVARD	HOOKS STREET to JOHNS LAKE ROAD	D	NB/EB	789	15.0%	21	1.17%	810	0.45	C
				SB/WB	1032		20	1.11%	1052	0.58	C
2050	HAMMOCK RIDGE ROAD	LAKE SHORE DRIVE to US 27	D	NB/EB	717	0.0%	0	0.00%	717	0.40	C
				SB/WB	869		0	0.00%	869	0.48	C
2140	HOOKS STREET	LAKESHORE DRIVE to US 27	D	NB/EB	325	0.0%	0	0.00%	325	0.48	C
				SB/WB	301		0	0.00%	301	0.45	C
2150	HOOKS STREET	US 27 to OAKLEY SEAVER DRIVE	D	NB/EB	414	4.5%	6	0.33%	420	0.23	C
				SB/WB	492		6	0.33%	498	0.28	C
2180	JOHNS LAKE ROAD	US 27 to HANCOCK ROAD	D	NB/EB	490	2.0%	3	0.44%	493	0.73	D
				SB/WB	482		3	0.44%	485	0.72	D
3890	US 27/SR 25	SR 50 to JOHNS LAKE ROAD	C	NB/EB	1414	41.0%	59	2.01%	1473	0.50	C
				SB/WB	1665		54	1.84%	1719	0.58	C
3900	US 27/SR 25	JOHNS LAKE ROAD to HARDWOOD MARSH ROAD	C	NB/EB	1525	43.5%	57	1.94%	1582	0.54	C
				SB/WB	1285		62	2.11%	1347	0.46	C



Intersection Analysis

The projected traffic volumes at the study intersections are depicted in **Figures 4**. The figure shows the existing P.M. peak hour volumes combined with reserved trips and project trips. The intersections were analyzed similar to the existing conditions analysis utilizing HCS software in accordance with the *2010 Highway Capacity Manual* (HCM). This analysis as summarized in **Table 5** indicates that the study intersections and site access driveways will operate satisfactorily when project trips are added. The HCS capacity analysis worksheets are included in **Appendix F**.

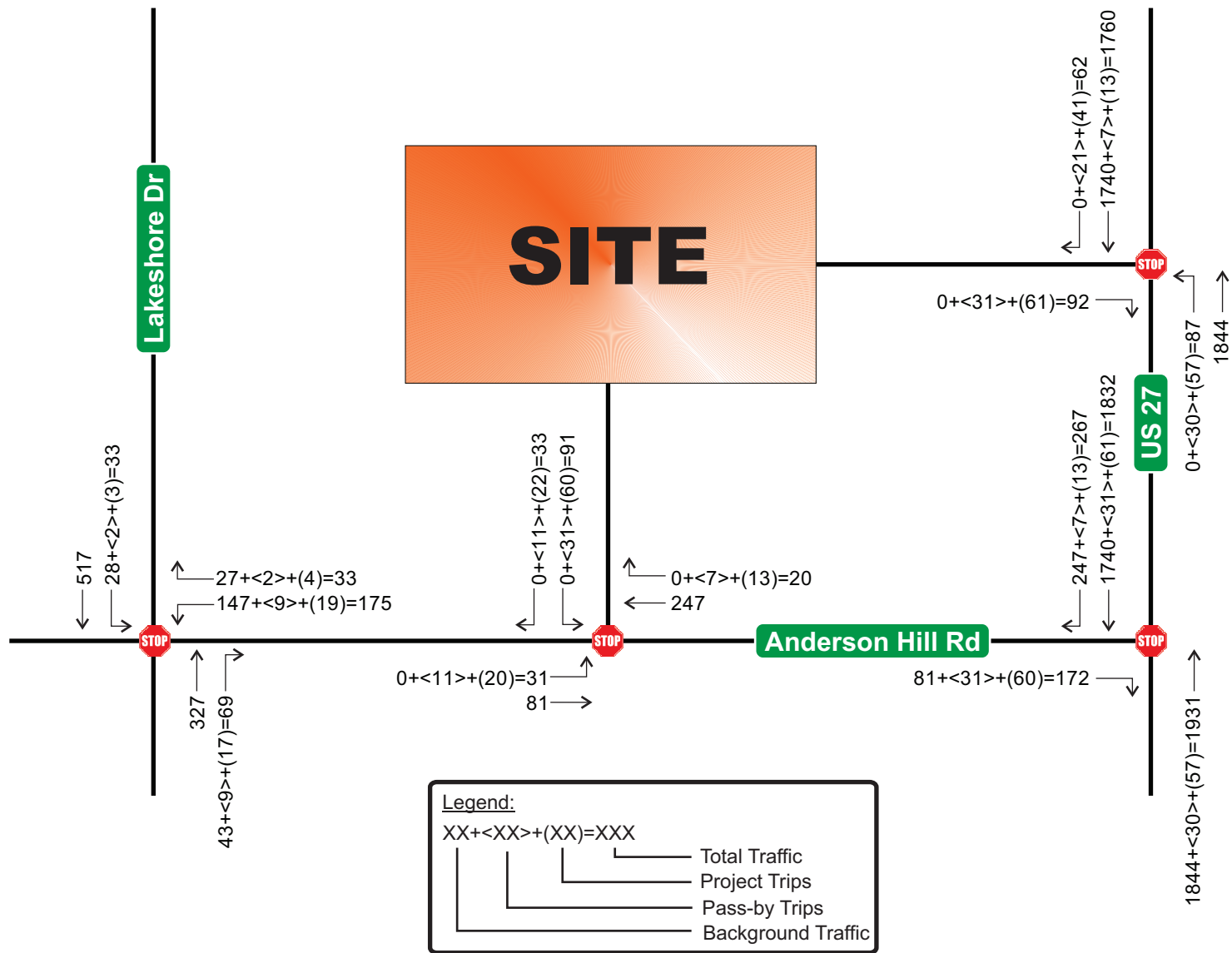
Table 5
Projected Intersection Capacity Analysis

Intersection	Time	EB		WB		NB		SB	
	Period	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
US 27 & Anderson Hill Rd	PM	17.2	C	--	--	--	--	--	--
Anderson Hill Rd & Lakeshore Dr	PM	--	--	46.7	E	--	--	8.2	A
US 27 & Project Access (Ri/Ro/Li)	PM	14.7	B	--	--	13.2	B	--	--
Anderson Hill Rd & Project Access (Full)	PM	7.9	A	--	--	--	--	12.4	B

Turn Lane Warrants

The need for exclusive left and right turn entry lanes at the Anderson Hill Road and Project Access driveway intersection was assessed using guidance from the *National Cooperative Highway Research Program (NCHRP) Report 457- Evaluating Intersection Improvements: An Engineering Study Guide*. The review indicated that the projected left turn and right turn volumes and posted speed limit at this location do not meet the warrant thresholds and consequently, exclusive left and right turn entry are **not warranted**. The NCHRP 457 worksheets are provided in **Attachment G**.





Lake County Retail Project
Project № 4760.2

Figure 4

Projected P.M. Peak Hour Traffic Volumes



Anderson Hill Road Discussion

A field review was conducted on Anderson Hill Road and its intersections with Lakeshore Drive and US 27 during the PM peak hour on Monday, March 6th, 2017. Based on this field review, traffic count data and the operations analysis conducted as part of this study, the following bullet points are provided:

- Anderson Hill Road is a two lane undivided rural collector road with a 10 to 11 foot lane in each direction and a posted speed limit of 30 mph.
- The existing and projected P.M. peak hour traffic volumes along Anderson Hill Road is 160 and 219 (difference of 59) vehicles per hour, respectively. The capacity of Anderson Hill Road per the Lake County TMS is 675 vehicles per hour indicating that the roadway is currently operating and is projected to continue to operate well below its capacity upon buildout of the proposed project.
- Motorists were observed to utilize Anderson Hill Road as a “cut-thru” to travel to and from Lakeshore Drive and US 27.
- The 6” yellow pavement marking/stripping dividing the lanes is faded for most of the length of Anderson Hill Road.
- There are pronounced horizontal curves and sloping roadway profile on the eastbound approach on Anderson Hill Road at the US 27 intersection. At higher speeds this can be potentially unsafe condition.
- While no speed data was taken, based on driver experience during the field review, instances of drivers driving above the posted speed limit was observed. It was noted that the speeding that was observed was related, at least partially, to motorists using Anderson Hill Road as a “cut thru” between Lakeshore Drive and US 27.
- It is recommended that a speed study be conducted along Anderson Hill Road to assess to need for traffic calming devices and that safety improvement options be consider on the eastbound approach on Anderson Hill Road at the US 27 intersection.



STUDY CONCLUSION

This analysis was undertaken in order to assess the traffic impact of proposed Lake County Retail project located on the northwest corner of the US 27 and Anderson Hill Road intersection in Lake County, Florida. The proposed development comprises a 57,772 square foot shopping center. The findings of this analysis are as follows:

- The proposed development is estimated to generate 3,138 daily trips and 274 P.M. peak hour trips, 131 entering and 143 exiting.
- The analysis of existing conditions indicated that the study roadways segments within the project's impact currently operate at satisfactory Levels of Service and will continue to do so upon project buildout.
- The analysis of the study intersections revealed that the intersections currently operate satisfactorily and will continue to do so upon project buildout.
- Based on the analysis conducted, exclusive left turn and right turn entry lanes are not warranted at the Anderson Hill Road and Project Access driveway intersection.
- It is recommended that a speed study be conducted along Anderson Hill Road to assess to need for traffic calming and that safety improvement options be consider on the eastbound approach on Anderson Hill Road at the US 27 intersection.



APPENDICES

APPENDIX A

Preliminary Site Plan

APPENDIX B

Traffic Data

15 MINUTE TURNING MOVEMENT COUNTS

(Cars and Trucks)

DATE: February 13, 2017 (Monday)

CITY: Clermont

LATITUDE: 0

LOCATION: US 27 & Anderson Hill Rd

COUNTY: Lake County

LONGITUDE: 0

US 27

US 27

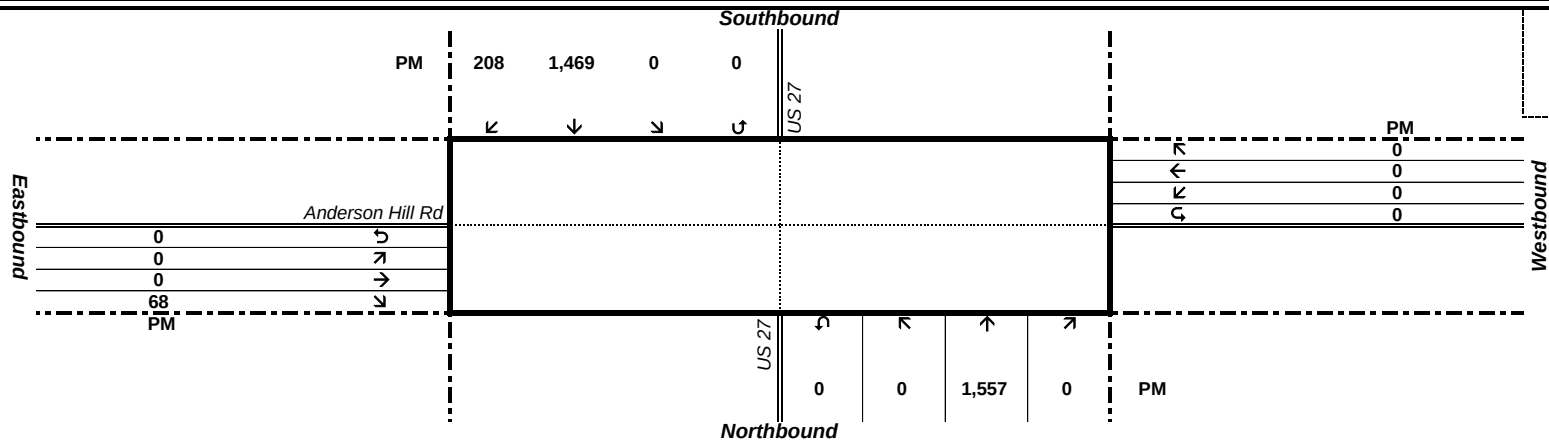
Anderson Hill Rd

TIME BEGIN	NORTHBOUND					SOUTHBOUND					N/S TOTAL	EASTBOUND					WESTBOUND					E/W TOTAL	GRAND TOTAL
	L	T	R	U-turn	TOTAL	L	T	R	U-turn	TOTAL		L	T	R	U-turn	TOTAL	L	T	R	U-turn	TOTAL		
04:00 PM	0	398	0	0	398	0	320	36	0	356	754	0	0	23	0	23	0	0	0	0	0	23	777
04:15 PM	0	337	0	0	337	0	364	31	0	395	732	0	0	18	0	18	0	0	0	0	0	18	750
04:30 PM	0	366	0	0	366	0	337	46	0	383	749	0	0	17	0	17	0	0	0	0	0	17	766
04:45 PM	0	405	0	0	405	0	348	59	0	407	812	0	0	26	0	26	0	0	0	0	0	26	838
TOTAL	0	1,506	0	0	1,506	0	1,369	172	0	1,541	3,047	0	0	84	0	84	0	0	0	0	0	84	3,131
05:00 PM	0	376	0	0	376	0	394	48	0	442	818	0	0	14	0	14	0	0	0	0	0	14	832
05:15 PM	0	410	0	0	410	0	390	55	0	445	855	0	0	11	0	11	0	0	0	0	0	11	866
05:30 PM	0	365	0	0	365	0	310	42	0	352	717	0	0	19	0	19	0	0	0	0	0	19	736
05:45 PM	0	393	0	0	393	0	347	44	0	391	784	0	0	11	0	11	0	0	0	0	0	11	795
TOTAL	0	1,544	0	0	1,544	0	1,441	189	0	1,630	3,174	0	0	55	0	55	0	0	0	0	0	55	3,229

PM Peak

Peak Hour Factor: 0.953

04:30 PM to 05:30 PM	0	1,557	0	0	1,557	0	1,469	208	0	1,677	3,234	0	0	68	0	68	0	0	0	0	0	68	3,302
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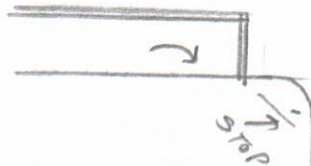


(Trucks Only)

LONGITUDE: 0

[illegible]

← 30 MPH
← ANDERSON HILL RD



← US-27 →
← 55 MPH →



15 MINUTE TURNING MOVEMENT COUNTS

(Cars and Trucks)

DATE: February 13, 2017 (Monday)

CITY: Clermont

LATITUDE: 0

LOCATION: Lakeshore Dr & Anderson Hill Rd

COUNTY: Lake County

LONGITUDE: 0

Lakeshore Dr

Lakeshore Dr

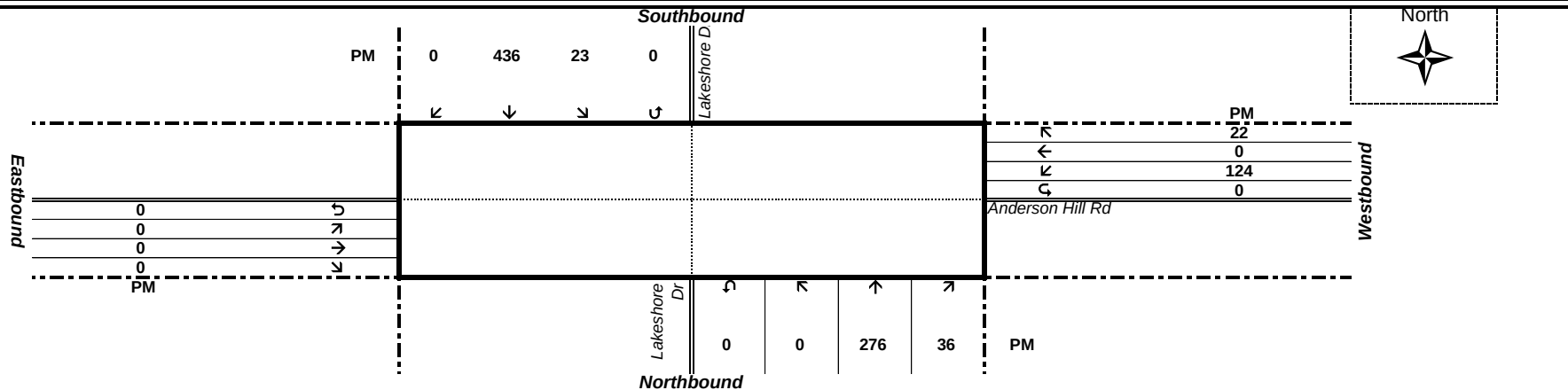
Anderson Hill Rd

TIME BEGIN	NORTHBOUND					SOUTHBOUND					N/S TOTAL	EASTBOUND					WESTBOUND					E/W TOTAL	GRAND TOTAL
	L	T	R	U-turn	TOTAL	L	T	R	U-turn	TOTAL		L	T	R	U-turn	TOTAL	L	T	R	U-turn	TOTAL		
04:00 PM	0	48	11	0	59	5	82	0	0	87	146	0	0	0	0	0	15	0	5	0	20	20	166
04:15 PM	0	74	6	0	80	9	108	0	0	117	197	0	0	0	0	0	22	0	8	0	30	30	227
04:30 PM	0	50	9	0	59	5	108	0	0	113	172	0	0	0	0	0	28	0	5	0	33	33	205
04:45 PM	0	48	7	0	55	10	85	0	0	95	150	0	0	0	0	0	28	0	5	0	33	33	183
TOTAL	0	220	33	0	253	29	383	0	0	412	665	0	0	0	0	0	93	0	23	0	116	116	781
05:00 PM	0	65	10	0	75	3	110	0	0	113	188	0	0	0	0	0	29	0	7	0	36	36	224
05:15 PM	0	63	9	0	72	6	116	0	0	122	194	0	0	0	0	0	28	0	5	0	33	33	227
05:30 PM	0	79	10	0	89	5	97	0	0	102	191	0	0	0	0	0	31	0	5	0	36	36	227
05:45 PM	0	69	7	0	76	9	113	0	0	122	198	0	0	0	0	0	36	0	5	0	41	41	239
TOTAL	0	276	36	0	312	23	436	0	0	459	771	0	0	0	0	0	124	0	22	0	146	146	917

PM Peak

Peak Hour Factor: 0.959

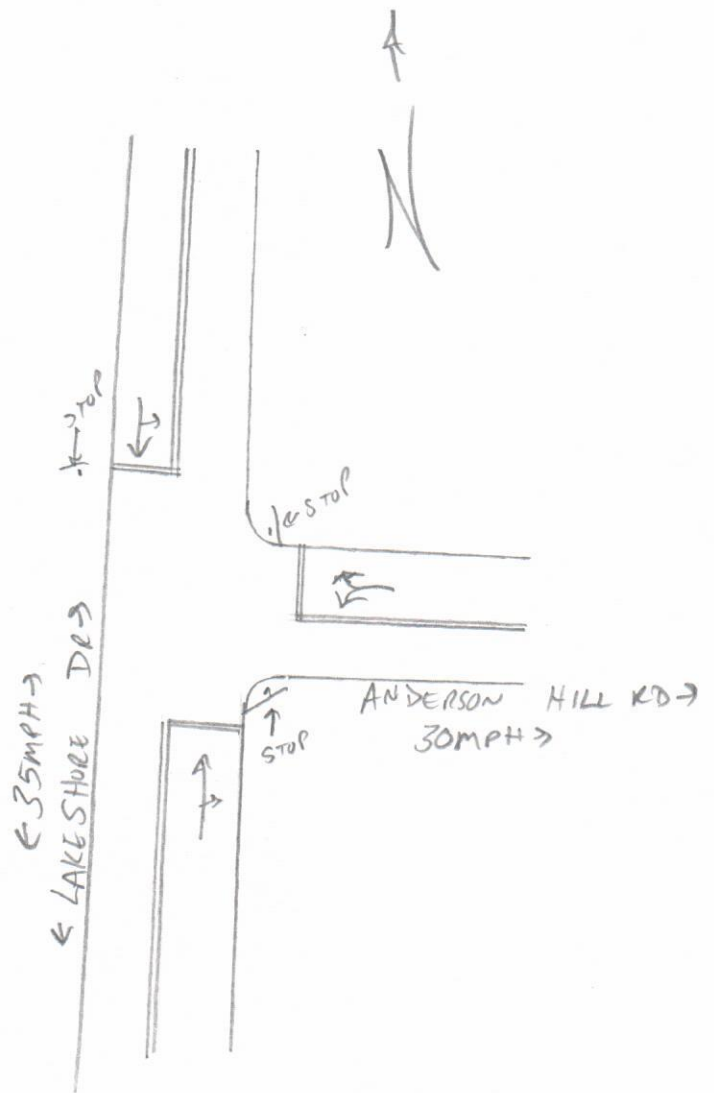
05:00 PM to 06:00 PM	0	276	36	0	312	23	436	0	0	459	771	0	0	0	0	0	124	0	22	0	146	146	917
----------------------	---	-----	----	---	-----	----	-----	---	---	-----	-----	---	---	---	---	---	-----	---	----	---	-----	-----	-----



(Trucks Only)

LONGITUDE: 0

[illegible]



FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2015 HISTORICAL AADT REPORT

COUNTY: 11 - LAKE

SITE: 0012 - ON US-27, 1.05 MI. S OF SR-50 (UC)

YEAR	AADT	DIRECTION 1	DIRECTION 2	*K FACTOR	D FACTOR	T FACTOR
----	-----	-----	-----	-----	-----	-----
2015	34000 C	N 17000	S 17000	9.00	54.60	7.30
2014	32000 C	N 16000	S 16000	9.00	54.50	7.80
2013	31500 C	N 15500	S 16000	9.00	54.70	6.60
2012	29000 C	N 14500	S 14500	9.00	55.10	7.80
2011	27500 S	N 15000	S 12500	9.00	54.20	14.00
2010	27500 F	N 15000	S 12500	9.86	54.75	14.00
2009	28500 C	N 15500	S 13000	9.96	54.94	14.00
2008	31500 C	N 15500	S 16000	10.42	55.39	17.30
2007	32000 C	N 16000	S 16000	10.24	59.56	8.40
2006	37000 C	N 19000	S 18000	10.23	59.48	10.00
2005	33500 C	N 17500	S 16000	10.30	57.70	15.10
2004	29000 C	N 14000	S 15000	10.10	57.60	15.10

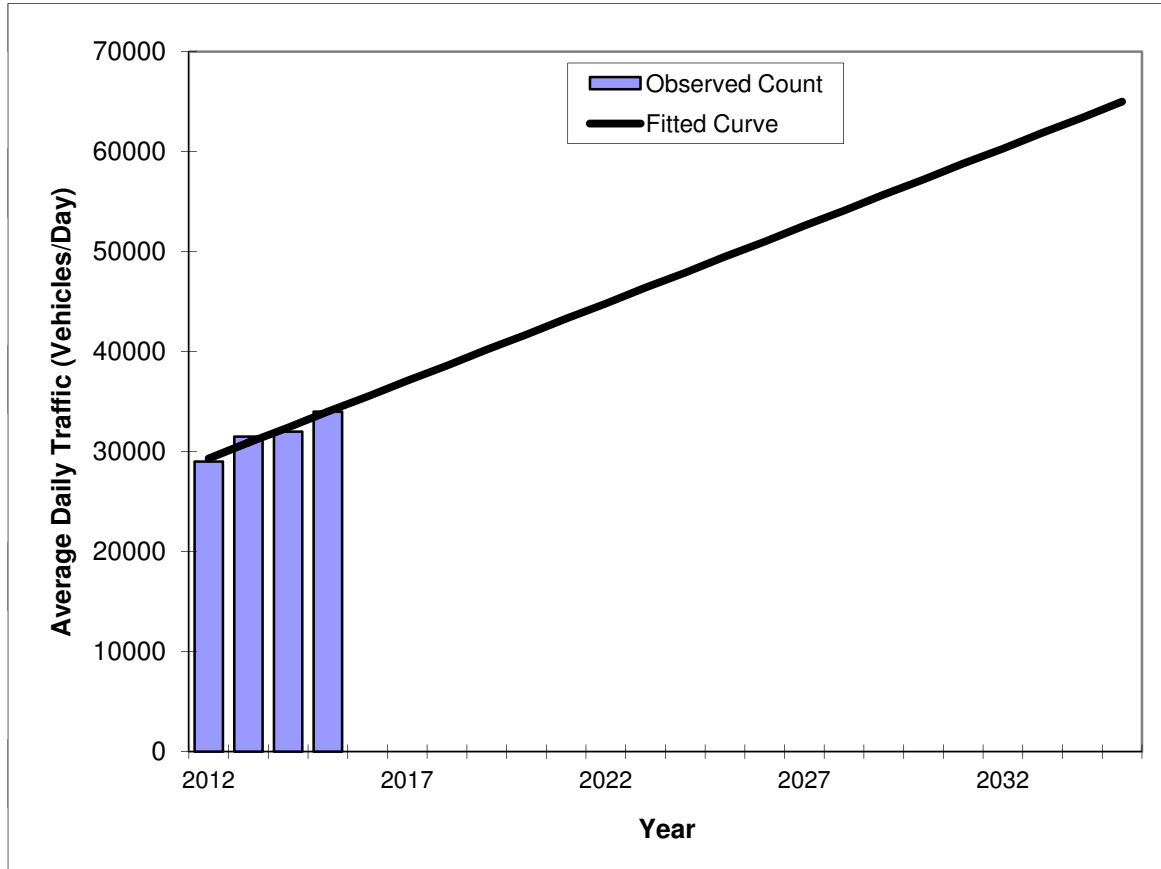
AADT FLAGS: C = COMPUTED; E = MANUAL ESTIMATE; F = FIRST YEAR ESTIMATE
 S = SECOND YEAR ESTIMATE; T = THIRD YEAR ESTIMATE; F = FOURTH YEAR ESTIMATE
 V = FIFTH YEAR ESTIMATE; 6 = SIXTH YEAR ESTIMATE; X = UNKNOWN
 *K FACTOR: STARTING WITH YEAR 2011 IS STANDARDK, PRIOR YEARS ARE K30 VALUES

Traffic Trends - V3.0

SR 414 -- 0.216 miles west of Lake Destiny Rd

FIN#	0
Location	1

County:	Orange (75)
Station #:	750592
Highway:	SR 414



Year	Traffic (ADT/AADT)	
	Count*	Trend**
2012	29000	29300
2013	31500	30900
2014	32000	32400
2015	34000	34000
2017 Opening Year Trend		
2017	N/A	37100
2018 Mid-Year Trend		
2018	N/A	38600
2019 Design Year Trend		
2019	N/A	40200
TRANPLAN Forecasts/Trends		

** Annual Trend Increase:	1,550
Trend R-squared:	94.68%
Trend Annual Historic Growth Rate:	5.35%
Trend Growth Rate (2015 to Design Year):	4.56%
Printed:	6-Mar-17
Straight Line Growth Option	

*Axle-Adjusted

ROAD NAME	FROM	TO	NUMBER OF LANES	AREA TYPE	MAINTAINING AGENCY	JURISDICTION	FUNCTIONAL CLASSIFICATION	* FFC *	FDOT LOS STANDARD	LOS CAPACITY	SIS?	LOS CODE	* LOS *	2015/16 LEVEL OF SERVICE																											
														PEAK HOUR DIRECTION CAPACITIES					2015/16 LEVEL OF SERVICE																						
														A	B	C	D	E	* 2015 AADT	* 2014 AADT *	* Growth AADT %	* Growth AADT % *	PM PEAK HOUR TOTAL	PEAK HOUR / PEAK DIRECTION	2015 EB/NB	* 2014 EB/NB *	* Growth EB/NB %	* Growth EB/NB % *	RESERVED	TOTAL	V/C RATIO	LOS	2015 WB/SB	* 2014 WB/SB *	* Growth WB/SB %	* Growth WB/SB % *	RESERVED	TOTAL	V/C RATIO	LOS	
ANDERSON HILL ROAD	LAKE SHIRE DRIVE	US 27	2	U	COUNTY	UNINCORPORATED LAKE COUNTY	COLLECTOR	LOCAL	D	675	N	2UC	2U/B-10%	0	0	333	675	720	17,212	1,578	144	9%	160	112	112	104	8	8%	8	0	132	0.17	C	88	42	6	14%	0	88	0.07	C
CITRUS TOWER BOULEVARD	SR 50	HOOKS STREET	4	U	COUNTY	CITY OF CLERMONT	MAJOR COLLECTOR	MAJOR COLLECTOR	D	1,800	N	4UMC	4U/B-10%	0	0	1,719	1,800	1,800	17,410	15,687	1,723	11%	1,682	1,004	588	588	#DIV/0!	85	673	0.37	C	1,094	1,094	#DIV/0!	102	1,196	0.66	C			
CITRUS TOWER BOULEVARD	HOOKS STREET	JOHNS LAKE ROAD	4	U	COUNTY	CITY OF CLERMONT	MAJOR COLLECTOR	MAJOR COLLECTOR	D	1,800	N	4UMC	4U/B-10%	0	0	1,719	1,800	1,800	17,884	14,849	3,035	20%	1,449	854	625	580	45	8%	88	713	0.40	C	824	730	94	13%	108	932	0.53	C	
HAMMACK RIDGE ROAD	LAKE SHIRE DRIVE	US 27	4	U	COUNTY	CITY OF CLERMONT	MAJOR COLLECTOR	MAJOR COLLECTOR	D	1,800	N	4UMC	4U/B-10%	0	0	1,719	1,800	1,800	14,427	12,516	1,911	15%	1,282	725	537	381	156	41%	111	648	0.36	C	725	648	77	12%	60	785	0.44	C	
HOOKS STREET	LAKE SHIRE DRIVE	US 27	2	U	COUNTY	CITY OF CLERMONT	MINOR COLLECTOR	MINOR COLLECTOR	D	675	N	2UC	2U/B-10%	0	0	333	675	720	6,570	6,567	-3%	-3%	558	290	290	357	-67	-19%	4	284	0.44	C	368	227	41	18%	4	272	0.40	C	
HOOKS STREET	US 27	OAKLEY SEAVER DRIVE	4	U	COUNTY	CITY OF CLERMONT	MAJOR COLLECTOR	MAJOR COLLECTOR	D	1,800	N	4UMC	4U/B-10%	0	0	1,719	1,800	1,800	9,595	4,920	4,675	95%	779	423	357	238	119	50%	17	374	0.21	C	422	383	39	10%	22	444	0.25	C	
JOHNS LAKE ROAD	US 27	HANDOCK ROAD	2	U	COUNTY	CITY OF CLERMONT	MINOR COLLECTOR	MINOR COLLECTOR	D	675	N	2UC	2U/B-10%	0	0	333	675	720	10,411	6,926	3,475	50%	622	417	417	280	137	49%	26	443	0.66	D	405	279	126	45%	20	535	0.64	D	
US 27SR 25	SR 50	JOHNS LAKE ROAD	6	U	STATE	CITY OF CLERMONT	ARTERIAL 1		C	2,940	Y	6U1		0	0	2,940	3,020	3,020	29,095	29,095	0	0%	2,202	1,202	1,000	1,000	0	0%	277	1,227	0.63	C	1,202	1,202	0	0%	302	1,504	0.51	C	
US 27SR 25	JOHNS LAKE ROAD	HARDWOOD MARSH ROAD	6	U	STATE	UNINCORPORATED LAKE COUNTY	ARTERIAL 1		C	2,940	Y	6U1		0	0	2,940	3,020	3,020	26,959	26,959	0	0%	2,282	1,237	1,237	1,237	0	0%	141	1,378	0.47	C	1,045	1,045	0	0%	116	1,161	0.39	C	

APPENDIX C

Existing Conditions Intersection Analysis

TWO-WAY STOP CONTROL SUMMARY								
General Information				Site Information				
Analyst	TPD Inc.			Intersection	US 27 & Anderson Hill Rd			
Agency/Co.	TPD Inc.			Jurisdiction	Lake County			
Date Performed	3/6/2017			Analysis Year	Existing			
Analysis Time Period	PM Peak hour							
Project Description Traffic Analysis								
East/West Street: Anderson Hill Rd				North/South Street: US 27				
Intersection Orientation: North-South				Study Period (hrs): 0.25				
Vehicle Volumes and Adjustments								
Major Street	Northbound			Southbound				
Movement	1	2	3	4	5	6		
	L	T	R	L	T	R		
Volume (veh/h)		1116			1053	223		
Peak-Hour Factor, PHF	1.00	0.95	1.00	1.00	0.95	0.95		
Hourly Flow Rate, HFR (veh/h)	0	1174	0	0	1108	234		
Percent Heavy Vehicles	0	--	--	0	--	--		
Median Type	Raised curb							
RT Channelized			0			0		
Lanes	0	2	0	0	2	1		
Configuration		T			T	R		
Upstream Signal		0			0			
Minor Street	Eastbound			Westbound				
Movement	7	8	9	10	11	12		
	L	T	R	L	T	R		
Volume (veh/h)			73					
Peak-Hour Factor, PHF	1.00	1.00	0.95	1.00	1.00	1.00		
Hourly Flow Rate, HFR (veh/h)	0	0	76	0	0	0		
Percent Heavy Vehicles	0	0	2	0	0	0		
Percent Grade (%)	0			0				
Flared Approach		N			N			
Storage		0			0			
RT Channelized			0			0		
Lanes	0	0	1	0	0	0		
Configuration			R					
Delay, Queue Length, and Level of Service								
Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration								R
v (veh/h)								76
C (m) (veh/h)								530
v/c								0.14
95% queue length								0.50
Control Delay (s/veh)								12.9
LOS								B
Approach Delay (s/veh)	--	--				12.9		
Approach LOS	--	--				B		

TWO-WAY STOP CONTROL SUMMARY								
General Information				Site Information				
Analyst	TPD Inc.			Intersection	Lakeshore Dr & Anderson Hill			
Agency/Co.	TPD Inc.			Jurisdiction	Lake County			
Date Performed	3/6/2017			Analysis Year	Existing			
Analysis Time Period	PM Peak							
Project Description <i>Traffic Analysis</i>								
East/West Street: <i>Anderson Hill Rd</i>				North/South Street: <i>Lakeshore Dr</i>				
Intersection Orientation: <i>North-South</i>				Study Period (hrs): <i>0.25</i>				
Vehicle Volumes and Adjustments								
Major Street	Northbound			Southbound				
Movement	1	2	3	4	5	6		
	L	T	R	L	T	R		
Volume (veh/h)		295	39	25	467			
Peak-Hour Factor, PHF	1.00	0.95	0.95	0.95	0.95	1.00		
Hourly Flow Rate, HFR (veh/h)	0	310	41	26	491	0		
Percent Heavy Vehicles	0	--	--	2	--	--		
Median Type	Undivided							
RT Channelized			0			0		
Lanes	0	1	0	0	1	0		
Configuration			TR	LT				
Upstream Signal		0			0			
Minor Street	Eastbound			Westbound				
Movement	7	8	9	10	11	12		
	L	T	R	L	T	R		
Volume (veh/h)				133		24		
Peak-Hour Factor, PHF	1.00	1.00	1.00	0.95	1.00	0.95		
Hourly Flow Rate, HFR (veh/h)	0	0	0	140	0	25		
Percent Heavy Vehicles	0	0	0	2	0	2		
Percent Grade (%)	0			0				
Flared Approach		N			N			
Storage		0			0			
RT Channelized			0			0		
Lanes	0	0	0	0	0	0		
Configuration					LR			
Delay, Queue Length, and Level of Service								
Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration		LT		LR				
v (veh/h)		26		165				
C (m) (veh/h)		1208		343				
v/c		0.02		0.48				
95% queue length		0.07		2.50				
Control Delay (s/veh)		8.0		24.9				
LOS		A		C				
Approach Delay (s/veh)	--	--	24.9					
Approach LOS	--	--	C					

APPENDIX D

ITE Trip Generation Information

Shopping Center (820)

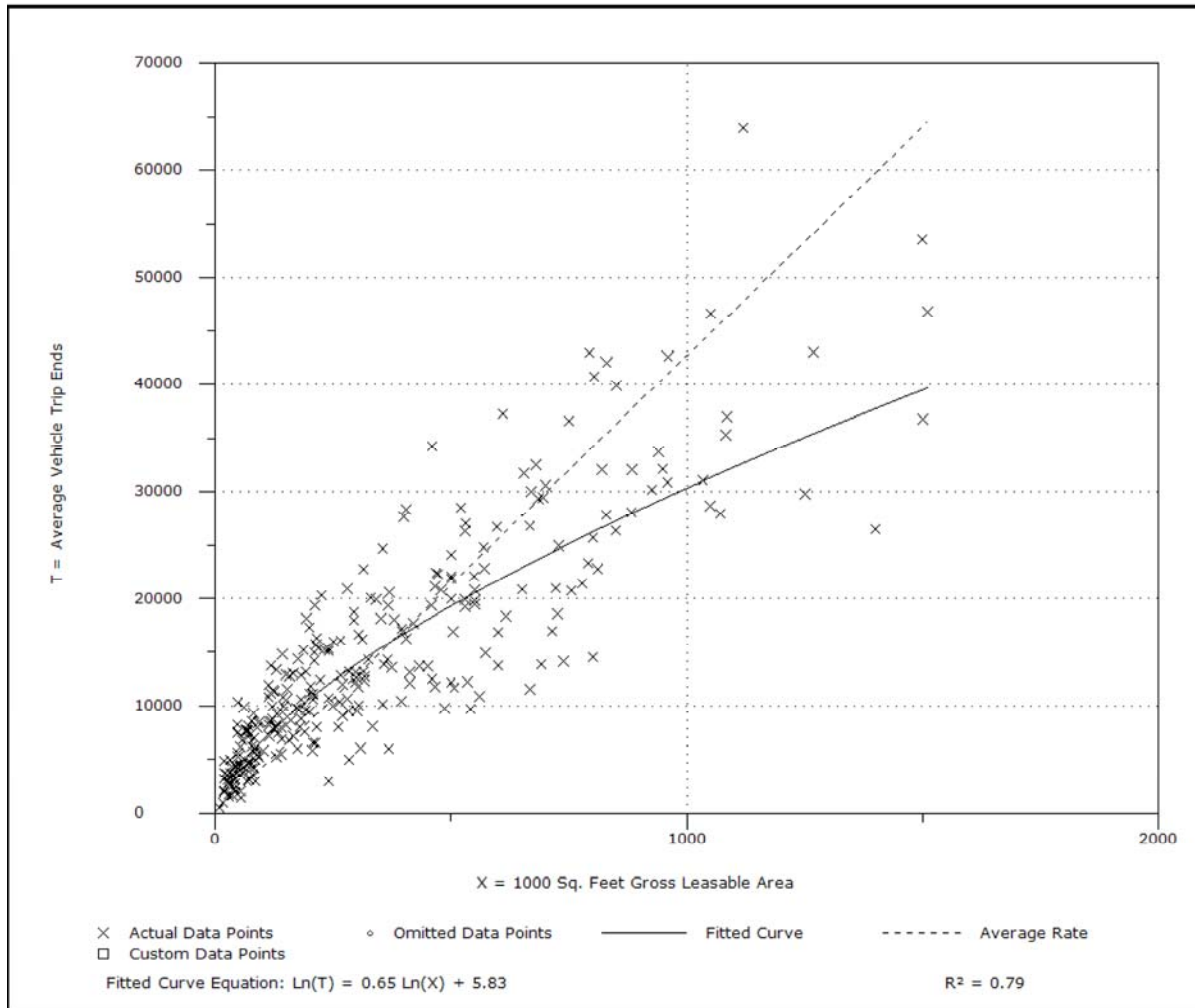
Average Vehicle Trip Ends vs: 1000 Sq. Feet Gross Leasable Area
On a: Weekday

Number of Studies: 302
 Average 1000 Sq. Feet GLA: 331
 Directional Distribution: 50% entering, 50% exiting

Trip Generation per 1000 Sq. Feet Gross Leasable Area

Average Rate	Range of Rates	Standard Deviation
42.70	12.50 - 270.89	21.25

Data Plot and Equation



Shopping Center (820)

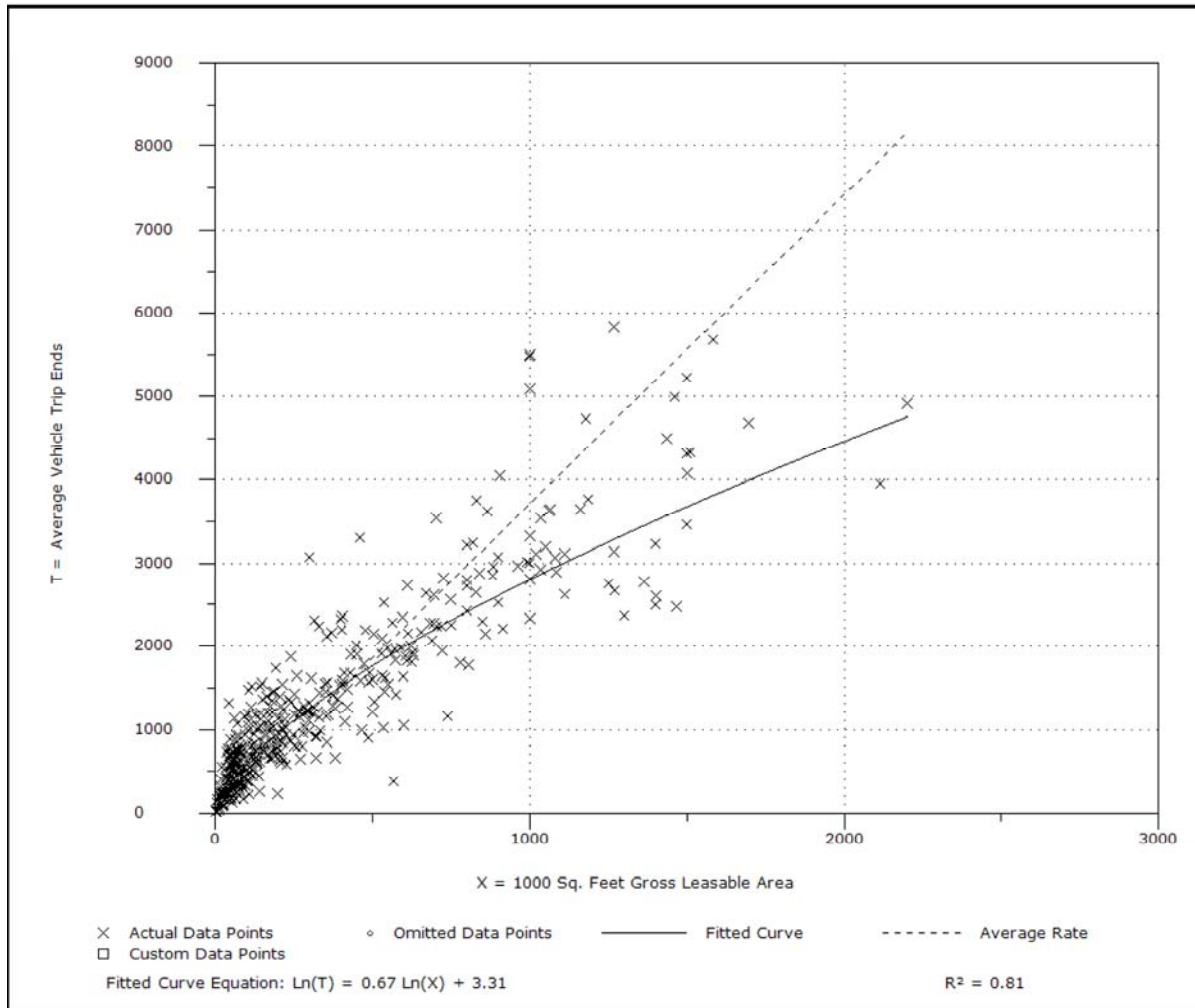
Average Vehicle Trip Ends vs: 1000 Sq. Feet Gross Leasable Area
On a: Weekday
Peak Hour of Adjacent Street Traffic
One Hour Between 4 and 6 p.m.

Number of Studies: 426
 Average 1000 Sq. Feet GLA: 376
 Directional Distribution: 48% entering, 52% exiting

Trip Generation per 1000 Sq. Feet Gross Leasable Area

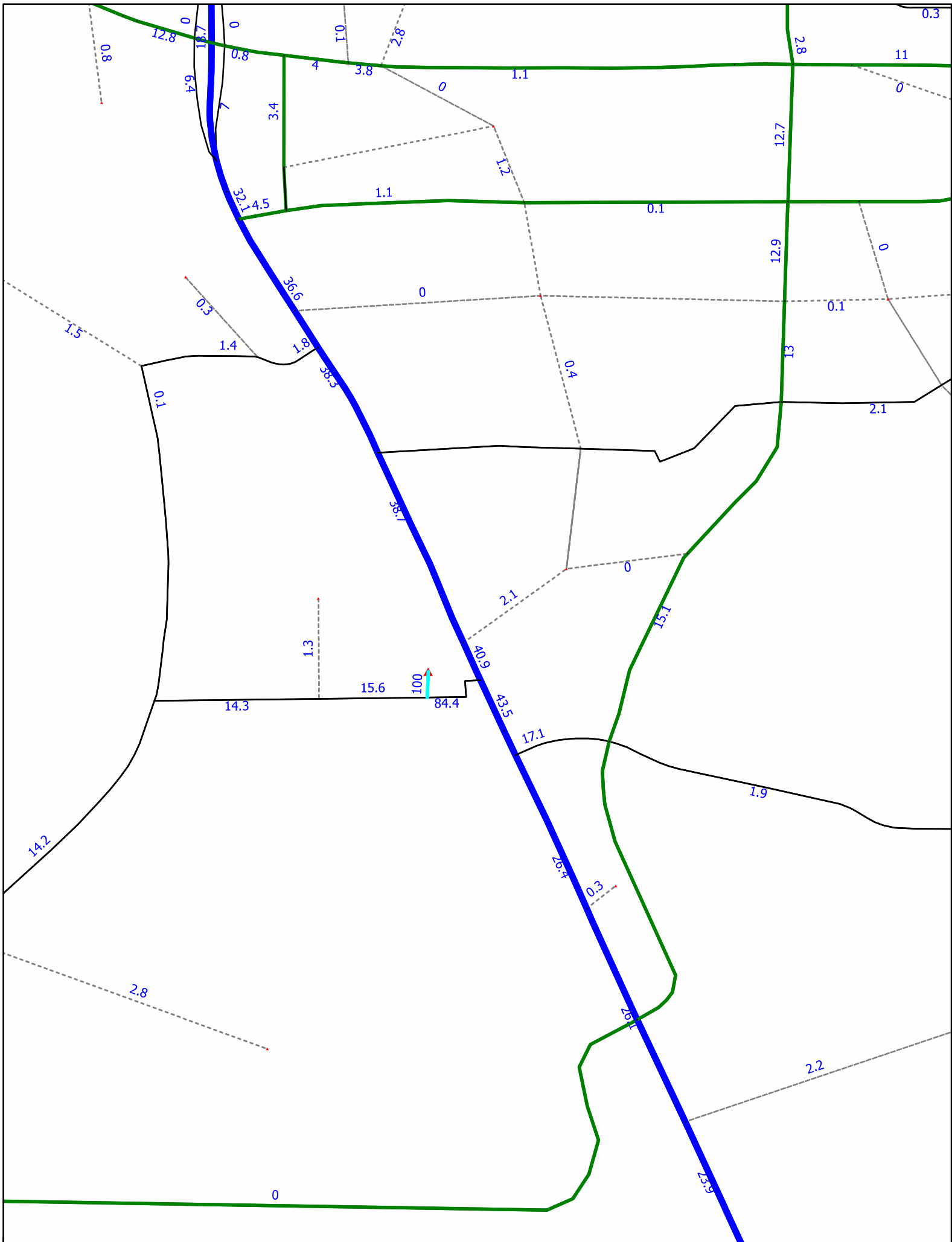
Average Rate	Range of Rates	Standard Deviation
3.71	0.68 - 29.27	2.74

Data Plot and Equation



APPENDIX E

FSUTMS Model Plot



APPENDIX F

Projected Conditions Intersection Analysis

TWO-WAY STOP CONTROL SUMMARY								
General Information				Site Information				
Analyst	TPD Inc.			Intersection	US 27 & Anderson Hill Rd			
Agency/Co.	TPD Inc.			Jurisdiction	Lake County			
Date Performed	3/6/2017			Analysis Year	Projected			
Analysis Time Period	PM Peak hour							
Project Description Traffic Analysis								
East/West Street: Anderson Hill Rd				North/South Street: US 27				
Intersection Orientation: North-South				Study Period (hrs): 0.25				
Vehicle Volumes and Adjustments								
Major Street	Northbound			Southbound				
Movement	1	2	3	4	5	6		
	L	T	R	L	T	R		
Volume (veh/h)		1294			1228	267		
Peak-Hour Factor, PHF	1.00	0.95	1.00	1.00	0.95	0.95		
Hourly Flow Rate, HFR (veh/h)	0	1362	0	0	1292	281		
Percent Heavy Vehicles	0	--	--	0	--	--		
Median Type	Raised curb							
RT Channelized			0			0		
Lanes	0	2	0	0	2	1		
Configuration		T			T	R		
Upstream Signal		0			0			
Minor Street	Eastbound			Westbound				
Movement	7	8	9	10	11	12		
	L	T	R	L	T	R		
Volume (veh/h)			172					
Peak-Hour Factor, PHF	1.00	1.00	0.95	1.00	1.00	1.00		
Hourly Flow Rate, HFR (veh/h)	0	0	181	0	0	0		
Percent Heavy Vehicles	0	0	0	0	0	0		
Percent Grade (%)	0			0				
Flared Approach		N			N			
Storage		0			0			
RT Channelized			0			0		
Lanes	0	0	1	0	0	0		
Configuration			R					
Delay, Queue Length, and Level of Service								
Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration								R
v (veh/h)								181
C (m) (veh/h)								475
v/c								0.38
95% queue length								1.76
Control Delay (s/veh)								17.2
LOS								C
Approach Delay (s/veh)	--	--				17.2		
Approach LOS	--	--				C		

TWO-WAY STOP CONTROL SUMMARY								
General Information				Site Information				
Analyst	TPD Inc.			Intersection	Lakeshore Dr & Anderson Hill			
Agency/Co.	TPD Inc.			Jurisdiction	Lake County			
Date Performed	3/6/2017			Analysis Year	Projected			
Analysis Time Period	PM Peak							
Project Description Traffic Analysis								
East/West Street: Anderson Hill Rd				North/South Street: Lakeshore Dr				
Intersection Orientation: North-South				Study Period (hrs): 0.25				
Vehicle Volumes and Adjustments								
Major Street	Northbound			Southbound				
Movement	1	2	3	4	5	6		
	L	T	R	L	T	R		
Volume (veh/h)		327	69	33	517			
Peak-Hour Factor, PHF	1.00	0.95	0.95	0.95	0.95	1.00		
Hourly Flow Rate, HFR (veh/h)	0	344	72	34	544	0		
Percent Heavy Vehicles	0	--	--	2	--	--		
Median Type	Undivided							
RT Channelized			0			0		
Lanes	0	1	0	0	1	0		
Configuration			TR	LT				
Upstream Signal		0			0			
Minor Street	Eastbound			Westbound				
Movement	7	8	9	10	11	12		
	L	T	R	L	T	R		
Volume (veh/h)				175		33		
Peak-Hour Factor, PHF	1.00	1.00	1.00	0.95	1.00	0.95		
Hourly Flow Rate, HFR (veh/h)	0	0	0	184	0	34		
Percent Heavy Vehicles	0	0	0	2	0	2		
Percent Grade (%)	0			0				
Flared Approach		N			N			
Storage		0			0			
RT Channelized			0			0		
Lanes	0	0	0	0	0	0		
Configuration					LR			
Delay, Queue Length, and Level of Service								
Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration		LT		LR				
v (veh/h)		34		218				
C (m) (veh/h)		1143		291				
v/c		0.03		0.75				
95% queue length		0.09		5.57				
Control Delay (s/veh)		8.2		46.7				
LOS		A		E				
Approach Delay (s/veh)	--	--	46.7					
Approach LOS	--	--	E					

TWO-WAY STOP CONTROL SUMMARY								
General Information				Site Information				
Analyst	TPD Inc.			Intersection	US 27 & Project Access			
Agency/Co.	TPD Inc.			Jurisdiction	Lake County			
Date Performed	3/9/2017			Analysis Year	Projected			
Analysis Time Period	PM Peak hour							
Project Description Traffic Analysis								
East/West Street: Project Access				North/South Street: US 27				
Intersection Orientation: North-South				Study Period (hrs): 0.25				
Vehicle Volumes and Adjustments								
Major Street	Northbound			Southbound				
Movement	1	2	3	4	5	6		
	L	T	R	L	T	R		
Volume (veh/h)	87	1235			1172	62		
Peak-Hour Factor, PHF	0.95	0.95	1.00	1.00	0.95	0.95		
Hourly Flow Rate, HFR (veh/h)	91	1300	0	0	1233	65		
Percent Heavy Vehicles	2	--	--	0	--	--		
Median Type	Raised curb							
RT Channelized			0			0		
Lanes	1	2	0	0	2	0		
Configuration	L	T			T	TR		
Upstream Signal		0			0			
Minor Street	Eastbound			Westbound				
Movement	7	8	9	10	11	12		
	L	T	R	L	T	R		
Volume (veh/h)			92					
Peak-Hour Factor, PHF	1.00	1.00	0.95	1.00	1.00	1.00		
Hourly Flow Rate, HFR (veh/h)	0	0	96	0	0	0		
Percent Heavy Vehicles	0	0	2	0	0	0		
Percent Grade (%)	0			0				
Flared Approach		N			N			
Storage		0			0			
RT Channelized			0			0		
Lanes	0	0	1	0	0	0		
Configuration			R					
Delay, Queue Length, and Level of Service								
Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	L							R
v (veh/h)	91							96
C (m) (veh/h)	530							468
v/c	0.17							0.21
95% queue length	0.61							0.76
Control Delay (s/veh)	13.2							14.7
LOS	B							B
Approach Delay (s/veh)	--	--				14.7		
Approach LOS	--	--				B		

TWO-WAY STOP CONTROL SUMMARY								
General Information				Site Information				
Analyst	TPD			Intersection	Anderson Hill Rd & Project Acc			
Agency/Co.	TPD			Jurisdiction	Lake county			
Date Performed	3/6/2017			Analysis Year	Projected			
Analysis Time Period	PM Peak							
Project Description Traffic Analysis								
East/West Street: Anderson Hill Rd				North/South Street: Project Access				
Intersection Orientation: East-West				Study Period (hrs): 0.25				
Vehicle Volumes and Adjustments								
Major Street	Eastbound			Westbound				
Movement	1	2	3	4	5	6		
	L	T	R	L	T	R		
Volume (veh/h)	31	81			247	20		
Peak-Hour Factor, PHF	0.95	0.95	1.00	1.00	0.95	0.95		
Hourly Flow Rate, HFR (veh/h)	32	85	0	0	260	21		
Percent Heavy Vehicles	2	--	--	0	--	--		
Median Type	Undivided							
RT Channelized			0			0		
Lanes	0	1	0	0	1	0		
Configuration	LT					TR		
Upstream Signal		0			0			
Minor Street	Northbound			Southbound				
Movement	7	8	9	10	11	12		
	L	T	R	L	T	R		
Volume (veh/h)				91		33		
Peak-Hour Factor, PHF	1.00	1.00	1.00	0.95	1.00	0.95		
Hourly Flow Rate, HFR (veh/h)	0	0	0	95	0	34		
Percent Heavy Vehicles	0	0	0	2	0	2		
Percent Grade (%)	0			0				
Flared Approach		N			N			
Storage		0			0			
RT Channelized			0			0		
Lanes	0	0	0	0	0	0		
Configuration					LR			
Delay, Queue Length, and Level of Service								
Approach	Eastbound	Westbound	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	LT						LR	
v (veh/h)	32						129	
C (m) (veh/h)	1282						617	
v/c	0.02						0.21	
95% queue length	0.08						0.78	
Control Delay (s/veh)	7.9						12.4	
LOS	A						B	
Approach Delay (s/veh)	--	--				12.4		
Approach LOS	--	--				B		

APPENDIX G

Turn Lane Warrant Analysis Worksheets

Figure 2 - 5. Guideline for determining the need for a major-road left-turn bay at a two-way stop-controlled intersection.

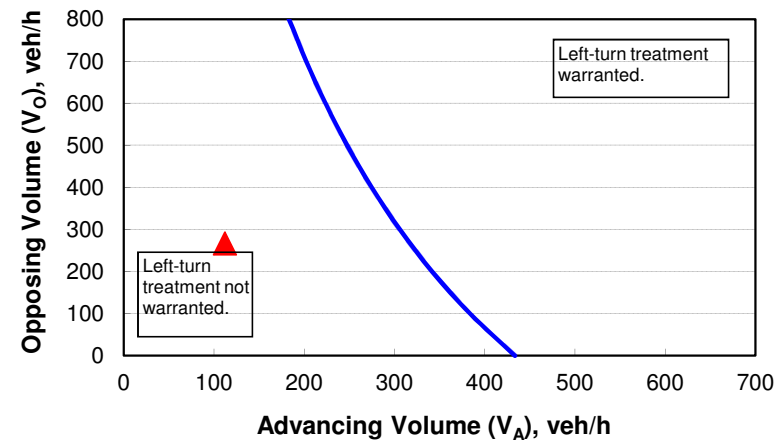
2-lane roadway (English)

INPUT

Variable	Value
85 th percentile speed, mph:	30
Percent of left-turns in advancing volume (V_A), %:	28%
Advancing volume (V_A), veh/h:	112
Opposing volume (V_O), veh/h:	267

OUTPUT

Variable	Value
Limiting advancing volume (V_A), veh/h:	317
Guidance for determining the need for a major-road left-turn bay:	
Left-turn treatment NOT warranted.	



CALIBRATION CONSTANTS

Variable	Value
Average time for making left-turn, s:	3.0
Critical headway, s:	5.0
Average time for left-turn vehicle to clear the advancing lane, s:	1.9

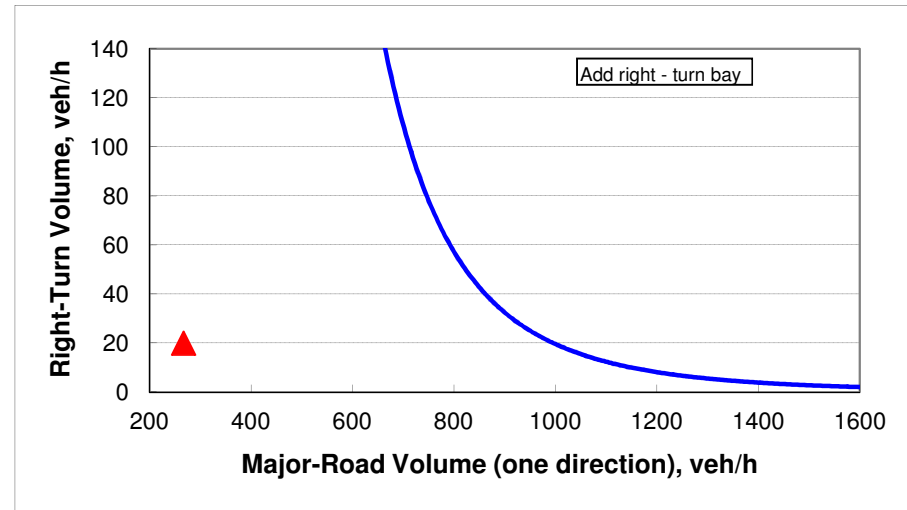
Figure 2 - 6. Guideline for determining the need for a major-road right-turn bay at a two-way stop-controlled intersection.

INPUT

Roadway geometry:	2-lane roadway
Variable	Value
Major-road speed, mph:	30
Major-road volume (one direction), veh/h:	267
Right-turn volume, veh/h:	20

OUTPUT

Variable	Value
Limiting right-turn volume, veh/h:	11338
Guidance for determining the need for a major-road right-turn bay for a 2-lane roadway:	
Do NOT add right-turn bay.	





**CITY OF CLERMONT
REZONING
APPLICATION**

DATE: Dec 21, 2016

FEE: \$350.⁰⁰

PROJECT NAME (if applicable): Anderson Hill Commercial

APPLICANT: AVID Group

CONTACT PERSON: Peter Pensa, AICP

Address: 2300 Curlew Road, Suite 201

City: Palm Harbor State: FL Zip: 34683

Phone: 727-789-9500 x181 Fax: n/a

E-Mail: peter.pensa@avidgroup.com

OWNER: Anderson Hill DLSU, LLC

Address: 625 State Road 100

City: Palatka State: FL Zip: 32177

Phone: 386 329-4000 Fax: _____

Address of Subject Property: NWC of US Highway 27 & Anderson Hill Road
(no address - Parcel# 09-22-26140002700000;
13301 Anderson Hill Rd - Parcel# 09-22-26140002700001; and
12629 US Highway 27 - Parcel# 09-22-26140002200001)

Legal Description (include copy of survey): See attached legal description

Acreage: 9.58 +/- Land Use: Urban Low Density (County)
(City verification required)

Present Zoning: CP & CFD (County) Proposed Zoning: C-2 (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?

See attached project description and justification statement.

Peter R. Pensa

Applicant Name (print)

X

A blue ink signature of Peter R. Pensa, written in a cursive style.

Applicant Name (*signature*)

Quintus I. Roberts, Sr.

Owner Name (print)

Managing Member

Anderson Hill DLSU, LLC

X

A blue ink signature of Quintus I. Roberts, Sr., written in a cursive style.

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

To Whom It May Concern:

This letter does hereby authorize AVID Group to act as our agent for and with all regulatory agencies, departments, and their personnel for the City of Clermont, Lake County, Florida Department of Economic Opportunity, Florida Department of Transportation, St. Johns River Water Management District, Florida Department of Environmental Protection, US Army Corps of Engineers, and any other utility providers or regulatory agencies in an effort to receive all approvals necessary for developing the proposed project on an approximately 9.48 acres, m.o.l. tract that is generally located on the west side of U.S. Highway 27, north of Anderson Hill Road in the City of Clermont (annexation proposed), Lake County, Florida.

Parcel ID Number:	Site Acreage	Street Address (if assigned):
09-22-26140002700000	3.24, acres m.o.l.	No Address, US Highway 27 Clermont, FL 34711
09-22-26140002700001	4.69, acres m.o.l.	13301 Anderson Hill Rd Clermont, FL 34711
09-22-26140002200001	1.55, acres m.o.l.	12629 US Highway 27 Clermont, FL 34711

Property Owner:

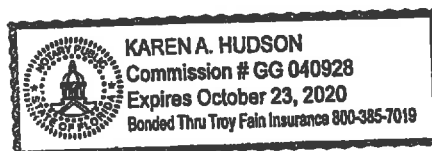
Name: Quintus I. Roberts, Sr.
Title: Managing Member
Anderson Hill DLSU, LLC
625 State Road 100
Palatka, FL 32177

STATE OF Florida COUNTY OF Putnam On
this the 22nd day of December 20 16 before me, the undersigned Notary Public of
the State of Florida, personally appeared Quintus I Roberts and whose
name(s) is/are subscribed to the within instrument, and acknowledge that he/she/they executed
it. The individual(s) are X personally known to me, or presented the following
identification:

WITNESS MY HAND AND SEAL:

**NOTARY SEAL &
COMMISSION EXPIRATION:**

Karen A. Hudson
NOTARY SIGNATURE





CIVIL ENGINEERING
LAND PLANNING
TRAFFIC/TRANSPORTATION
SURVEYING
GIS
2300 CURLEW ROAD STE 201
PALM HARBOR, FLORIDA
34683
PHONE (727) 789-9500
FAX (727) 784-6662
AVIDGROUP.COM

LOCATION MAP ANDERSON HILL RETAIL CLERMONT, FLORIDA

1"=500'

Anderson Hill Retail

Overall Legal Description:

Tract 27 together with a portion of Tract 22, as shown on the Lake Highland Company Plat of Section 32, Township 22 South, Range 26 East, Plat Book 3, Page 24, Public Records of Lake County, Florida. Being more particularly described as:

Begin at the Southwest Corner of Tract 22 as shown on the Lake Highland Company Plat of Section 32, Township 22 South, Range 26 East, recorded in Plat Book 3, Page 24, of the public records of Lake County, Florida; thence along the West line of Tract 22, N00°31'25"E, a distance of 61.46 feet; thence N63°34'33"E, a distance of 393.00 feet to a point on the west right-of-way line of US Highway 27; thence along said west right-of-way line, S24°35'30"E, a distance of 269.86 feet to a point on the south line of Tract 22; thence continue along said west right-of-way line S24°35'30"E, a distance of 366.85 feet; thence S00°27'49"W, a distance of 266.03 feet to a point on the north right-of-way line of Anderson Hill Road; thence N89°03'43"W along the said north right-of-way line of said Anderson Hill Road, a distance of 620.93 feet to a point on the west line of Tract 27 as shown on said the Lake Highland Company Plat of Section 32, Township 22 South, Range 26 East; thence along said west line of said Tract 27, N00°31'46"E, a distance of 598.50 feet to the Southwest corner of said Tract 22 and the Point of Beginning.

Containing a total of 9.47 acres more or less.

THIS INSTRUMENT PREPARED BY AND RETURN TO:

RETURN

Quintus Irving Roberts
625 State Road 100
Palatka, Florida, 32177

Property Appraisers Parcel Identification (Folio) Number: 092226-1400-027-00000

SPACE ABOVE THIS LINE FOR RECORDING DATA

THIS WARRANTY DEED, made the 19th day of October, 2012 by Quintus Irving Roberts as Trustee of The V.S. Roberts Family Trust - QIR, a Simple Trust, whose post office address is 625 State Road 100, Palatka, Florida 32177 herein called the grantor, to Anderson Hill DLSU, LLC., a Florida Limited Liability Company whose post office address is 625 State Road 100, Palatka, Florida 32177, hereinafter called the Grantee:
(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee all that certain land situate in LAKE County, State of Florida, viz.:

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART
HEREOF.

Subject to easements, restrictions and reservations of record and taxes for the year 2012 and
thereafter.

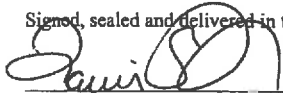
TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise
appertaining.

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

AND, the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple;
that the grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said
land and will defend the same against the lawful claims of all persons whomsoever.

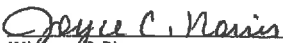
IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above
written.

Signed, sealed and delivered in the presence of:



Witness #1 Signature
TRAVIS S. THOMAS

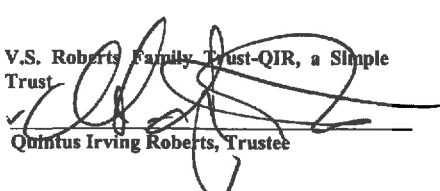
Witness #1 Printed Name



Witness #2 Signature
JOYCE C. NORRIS

Witness #2 Printed Name

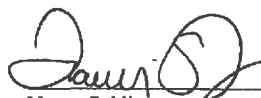
V.S. Roberts Family Trust-QIR, a Simple
Trust


Quintus Irving Roberts, Trustee

STATE OF FLORIDA
COUNTY OF PUTNAM

The foregoing instrument was acknowledged before me this 19th day of October, 2012 by Quintus Irving Roberts as
Trustee of The V.S. Roberts Family Trust - QIR a Simple Trust who is personally known to me or has produced
driver's license as identification




Notary Public TRAVIS S. THOMAS

Printed Notary Name

My Commission Expires:

Exhibit "A"

TRACT 27, AS SHOWN ON THE LAKE HIGHLAND COMPANY PLAT OF SECTION 32, TOWNSHIP 22 SOUTH, RANGE 26 EAST, PLAT BOOK 3, PAGE 24, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

LESS THE FOLLOWING:

BEGIN AT THE SOUTHWEST CORNER OF TRACT 27 AS SHOWN ON THE LAKE HIGHLAND COMPANY PLAT OF SECTION 32, TOWNSHIP 22 SOUTH, RANGE 26 EAST, RECORDED IN PLAT BOOK 3, PAGE 24, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA: THENCE NORTH $00^{\circ}31'46''$ EAST ALONG THE WEST LINE OF SAID TRACT 27, A DISTANCE OF 638.50 FEET TO THE NORTHWEST CORNER OF SAID TRACT: THENCE SOUTH $88^{\circ}53'09''$ EAST ALONG THE NORTH LINE OF SAID TRACT 27, A DISTANCE OF 341.41 FEET; THENCE SOUTH $00^{\circ}31'46''$ WEST 637.45 FEET TO THE SOUTH LINE OF SAID TRACT 27; THENCE NORTH $89^{\circ}03'43''$ WEST ALONG THE SAID SOUTH LINE OF SAID TRACT 27, A DISTANCE OF 341.40 FEET TO THE POINT OF BEGINNING.

LESS ROAD RIGHT OF WAYS.

AKERMAN SENTERFITT
PO BOX 231
ORLANDO FL 32802



PREPARED BY AND RETURN TO:
SCOTT M. PRICE, ESQUIRE
AKERMAN LLP
420 South Orange Avenue
Suite 1200
Orlando, Florida 32801

INSTRUMENT #2016114504
OR BK 4858 PG 593 - 594 (2 PGS)
DATE: 11/3/2016 9:50:50 AM
NEIL KELLY, CLERK OF THE CIRCUIT COURT
LAKE COUNTY
RECORDING FEES \$18.50 DEED DOC \$8750.00

SPECIAL WARRANTY DEED

THIS WARRANTY DEED made this 27th day of October, 2016, between CLERMONT SYNERGY, LLC, a Florida limited liability company, whose post office address is 2345 West Sand Lake Road, Suite 100, Orlando, Florida 32809, hereinafter called the Grantor, to ANDERSON HILL DLSU, LLC, a Florida limited liability company, whose post office address is 625 State Road 100, Palatka, Florida 32177, hereinafter called the Grantee.

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH:

That the Grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situate in LAKE County, Florida, viz:

A portion of that part of Tract 22, lying West of U.S. Highway No. 27 in "LAKE HIGHLANDS COMPANY", a Plat of record in Plat Book 3, Page 24, Public Records of Lake County, Florida, located in Section 32, Township 22 South, Range 26 East, Tallahassee Meridian, Lake County, Florida, being more particularly described as follows:

Beginning at the Southwest corner of said Tract 22; thence along the West line thereof, North 00 degrees 12 minutes 07 seconds West, 61.46 feet; thence leaving said line, North 62 degrees 51 minutes 01 second East, 393.08 feet to the West right of way line of said U.S. Highway 27; thence along said line, South 25 degrees 21 minutes 30 seconds East, 270.00 feet to the South line of said Tract 22; thence along said line, North 89 degrees 36 minutes 41 seconds West, 465.20 feet to the Point of Beginning.

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 said Grantee that it is lawfully seized of said land in fee simple; that it has good right and lawful authority to sell and convey said land; that it hereby warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under Grantor, but against none other; and that said land is free of all encumbrances except for *ad valorem* taxes for 2016 and all subsequent years, and matters appearing of record in the Public Records of Lake County, Florida; provided, however, that this reference shall not serve to re-impose same.

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

Signed, sealed and delivered
in the presence of:

CLERMONT SYNERGY, LLC,
a Florida limited liability company

By: Twistee, LLC,
a Florida limited liability company,
as managing member

By: ALAN C. CHARRON
MANAGER

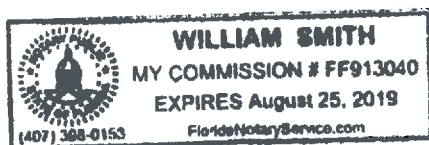
William Smith
Print Name: William Smith

Nike Charron
Print Name: NIKE CHARRON

STATE OF FLORIDA)
) ss:
COUNTY OF Orange)

The foregoing instrument was acknowledged before me this 26th day of October, 2016, by Alan C. Charron, as Manager of Twistee, LLC, a Florida limited liability company, as managing member of Clermont Synergy, LLC, a Florida limited liability company, on behalf of the company, who is:

- ☒ personally known to me; or
- ☐ produced a driver's license issued by the _____ Department of Highway Safety and Motor Vehicles as identification; or
- ☐ produced the following identification: _____



ALAN C. CHARRON
NOTARY PUBLIC, STATE OF FLORIDA

(Print, Type or Stamp Commissioned Name of Notary Public)

**Narrative & Justification Statement
Annexation/Small-Scale Comp Plan/Rezoning/
Conditional Use Permit Applications**

**Anderson Hill Commercial
NWC of US Highway 27 & Anderson Hill Road, Clermont, FL**

Project Description:

Subject property is comprised of three parcels totaling 9.58 acres of land located at the northwest corner of US Highway 27 and Anderson Hill Road in unincorporated Lake County. The properties are owned by Anderson Hill DLSU, LLC, who will combine the properties for (re)development as a multi-tenant retail/commercial shopping center.

The two parcels fronting US Highway 27 are currently zoned CP (Commercial Parkway) and the rear parcel is zoned CFD (Community Facility District) in unincorporated Lake County. All three parcels have a future land use map designation of Urban Low Density. The property owner/developer seeks annexation of the three parcels into the City of Clermont with C-2 (General Commercial District) zoning and Commercial future land use map designation. The northern parcel is currently developed with a 9,472 sq.ft., two-story commercial building that was previously occupied by West Star fitness center. The existing building and some of the associated site improvements (parking and retention pond) will be retained as part of the redevelopment.

The conditional use site plan is attached, which shows the overall layout as anticipated but the building footprints may change somewhat depending on the needs of specific tenants. Permitted uses within the development shall be those that are permitted within the City's C-2 (General Commercial District) zoning district.

Small-Scale Comprehensive Plan Amendment and Rezoning Evaluation Criteria:

Pursuant to Land Development Code (LDC) Section 82-226, the Planning Commission and City Council shall consider the following criteria. In furtherance of this requirement, the applicants' professional land planning and engineering consultant has made the following findings in support of the project:

Review Criteria

- 1. Consistency with the comprehensive plan, or, in the case of a plan amendment, consistency with the remainder of the plan and its goals, objective and policies.**

Applicant's finding: The properties can be (re)developed consistent with the goals, objectives and policies of the City's comprehensive plan. The conditional use permit site plan has been submitted for concurrent review and approval to demonstrate the developer's intent and ability to do so.

Subject property is being annexed into the City of Clermont and therefore needs to have a City future land use map designation and zoning district assigned. The proposed C-2 (General Commercial District) zoning and Commercial future land use map designation are appropriate given the physical characteristics and location of the property and the development pattern of the surrounding area. One of the subject parcels is already commercially developed, as is the majority of this segment of the US Highway 27 corridor (from State Road 50 to the north to Hammock Ridge Road/Citrus Tower Boulevard to the south). For example, the property across US Highway 27 is located in the City and is developed as a WalMart Super Center. And, the adjacent property to the north is located in the County and developed as an automobile repair shop.

2. Consistency with applicable sections of this land development code.

Applicant's finding: The properties can be (re)developed consistent with the applicable sections of the City's land development code. The conditional use permit site plan has been submitted for concurrent review and approval to demonstrate the developer's intent and ability to do so.

3. Additionally, as to rezoning amendments:

- a. **Whether justified by changed or changing conditions.**
- b. **Whether adequate sites already exist for the proposed district uses.**
- c. **Whether specific requirements of this land development code are adequate to ensure compatibility with adjoining properties as required by the comprehensive plan.**

Applicant's finding:

- a. The changing condition that triggered the need for this land use amendment and rezoning is the pending annexation of these properties in order to (re)develop and connect to the City's central sewer system. Thus, rezoning within the City of Clermont is both necessary and justified.
- b. Two of the three parcels are already zoned for commercial uses within Lake County. The third parcel is currently church owned and thus has master plan zoning in the County that allows for institutional uses. Consolidation of all three parcels for the proposed commercial development project makes sense because it provides adequate site area and depth to address changes in topography and it overcomes the irregular shapes and depths of the existing commercial parcels.
- c. The project can be developed consistent with the City's land development code requirements, which by design are intended to provide use-based compatibility measures such as minimum building setbacks and landscape buffering between different uses.

Conditional Use Permit Evaluation Criteria:

Pursuant to Land Development Code (LDC) Section 86.144.(c), the Planning Commission and City Council may grant by resolution a conditional use permit that meets the following four general criteria and seven specific development standards. In furtherance of this requirement, the applicants' professional land planning and engineering consultant has made the following findings in support of the project:

General Criteria

- 1. The granting of the conditional use permit will not adversely affect the officially adopted comprehensive plan of the city;**

Applicant's finding: The development will not adversely affect the City's comprehensive plan. The conditional use permit is requested for the purpose of annexing and (re)developing the property within the City of Clermont on central water and sewer service. Two of the three parcels are already zoned for commercial uses in Lake County.

- 2. Such use will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity;**

Applicant's finding: The proposed commercial development will comprise of uses typically found in a shopping center such as retail businesses, personal service establishments, fitness centers, restaurants, and offices. The range of permitted uses shall be as allowed within the City's C-2 General Commercial District (LDC Sec. 122-223).

- 3. The proposed use will comply with the regulations and conditions specified in the codes for such use; and**

Applicant's finding: The development will comply with the regulations and conditions specified for said uses within the City's C-2 General Commercial District (LDC Sec. 122-223).

- 4. The proposed use may be considered desirable at the particular location.**

Applicant's finding: The proposed commercial uses are considered desirable at this location. There is a need for more shopping center tenant space in the area, as demonstrated by retailer interest in the project.

Specific Development Standards

1. ***Density or intensity, character and type of development.*** The density or intensity, character and type of development shall be in conformance with the city's comprehensive plan, future land use map, future land use district designation and zoning district classification.

Applicant's finding: The proposed commercial development is consistent with the character and type of development that is allowed within the requested City land use and zoning classifications of Commercial and C-2 General Commercial District, respectively, which allow a maximum density of 12 du/ac (none proposed) and a maximum intensity of 0.25 FAR and 0.80 ISR. There are no residential units proposed and the conditional use permit site plan shows the project's proposed intensity of 53,972 sq.ft. (0.13 FAR).

2. ***Compatibility of development.*** The compatibility of the development with terrain and surrounding development as to type and size of unit and height shall be considered. The development shall be so located and designed to avoid undue noise, odor, traffic or other nuisances and dangers to abutting property owners.

Applicant's finding: The development is compatible with the terrain and surrounding development pattern. Consolidation of the three parcels for redevelopment allows the property to be graded and developed consistent with the City's grading standards. In addition to traditional compatibility measures such as minimum building setback and landscape buffer requirements, the design further enhances compatibility because of the site needing to be terraced and lowered (relative to the residential lots to the west), which in turn further increases the building setbacks and buffering, further reduces light and noise associated with traffic circulation since vehicles will be below the abutting residential grade level, and ensures that stormwater runoff is directed away from the neighborhood.

3. ***Transportation.*** The city transportation system or streets must be of sufficient width and capacity to serve the demands created by the development. Dedication of rights-of-way, frontage or reverse frontage roads and other necessary improvements shall be considered and addressed.

Applicant's finding: The right-of-way width and streets are adequate to serve the project. There was previously a 40' right-of-way dedication along Anderson Hill Road. The developer is proposing to construct left and right turn lane access improvements on US Highway 27 as shown on the site plan to serve the demands of the development.

4. ***Utilities.*** Sanitary sewer, potable water, reuse water, fire hydrants and other utilities must be available and have capacity to serve the development. For commercial or industrial development, the quality of the wastewater must be in conformance with section 66-76 et seq.

Applicant's finding: Utilities are available to serve the development. Potable water is adjacent to the site and provided by Utilities Inc. The developer will install water and fire service connections as needed to serve the development. The developer will be installing an on-site lift station and an off-site sewer main extension in order to connect to the City of Clermont's existing sanitary sewer system. Wastewater discharge shall comply with the requirements of Code Section 66-76.

5. ***Stormwater management.*** The capability, capacity and location of the city storm sewer system for serving the development must be considered, as well as adequacy of project design to provide retention and positive outfall of stormwater.

Applicant's finding: The development does not outfall into a City-maintained system. It drains into the FDOT right-of-way. The project's design will abide by all of the stormwater release rate and volume criteria of FDOT, SJRWMD, and the City.

Due to the fact that the existing site contains significant depressional storage, the existing site does not release much of its stormwater runoff. The design of the proposed development will have to mimic the same low-discharge scenario. Very little runoff from the developed site is expected to leave the site. Almost all of the project's runoff will be retained and percolated.

The rates and volumes of water to be discharged from the property were anticipated in the design of FDOT's US 27 drainage system. The project is not anticipated to overburden any downstream drainage systems.

The project will include an outfall structure to allow its permitted discharges, as well as allowing runoff from storms greater than the design storm to exit the site without creating adverse on-site flooding conditions.

6. ***Site planning.*** The development shall be planned and designed to consider:
- a. Effectiveness of plotting or building layout (street patterns, required yards, etc.).
 - b. Orientation of units (setback, open space).
 - c. Avoidance of environmentally sensitive areas (floodplain, steep slopes, unstable soil, drainage or wetland areas).
 - d. Consideration of visual resources (view and aesthetics).
 - e. Landscaping, buffering and screening (for privacy and to screen parking or undesirable features).
 - f. Provision of open space areas or private recreation areas.
 - g. Off-street parking and loading areas, where required, with particular attention to noise, glare or odor as they may affect adjoining properties. Adequate off-street parking shall be provided in conformance with city codes. Residential construction must be provided with required off-street parking in all districts.

- h. Ingress and egress to property and proposed structures thereon, with particular reference to automobile and pedestrian safety, traffic flow and control and access in case of fire. Access to refuse collection areas shall be provided.

Applicant's finding: All of these items have been taken into consideration in the planning and design of the development. The buildings, drive-thru facilities, and outdoor patio areas are located toward the front of the site in order to orient activity toward the street and away from the neighborhood. The stormwater pond/open space and parking are primarily oriented toward the rear of the site for increased separation from the neighborhood. Site access is limited to one driveway per street to minimize impacts on traffic flow and there are multiple routes for safe and convenient vehicular circulation within the development. Sidewalks are provided for pedestrian safety and interconnectivity between all uses/buildings within the development and from the two abutting streets.

7. ***Solid waste disposal.*** For commercial and industrial development, the capacity to dispose of solid waste, with particular reference to any hazardous wastes generated.

Applicant's finding: There is adequate capacity to dispose of solid waste from the development. Hazardous waste generation is not anticipated since the development is a shopping center with typical uses such as retail businesses, personal service establishments, fitness centers, restaurants, offices, and bank/ATM facilities.

Prepared by:
AVID Group

A handwritten signature in black ink, appearing to read 'Peter Pensa', with a stylized flourish at the end.

Peter Pensa, AICP
Director of Planning

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February 7, 2017**

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Staff recommends approval of the small-scale comprehensive plan amendment to change the future land use from Medium Density Residential to Downtown Mixed Use and approval of the rezoning to CBD Central Business District.

Mark Graff, 1944 Brantley Circle, stated that he is looking to be the first project to make use of the Density Bonus Criteria.

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

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

6. REQUEST FOR COMPREHENSIVE PLAN AMENDMENT

REQUEST: To change the future land use from Lake County Urban Low Density to City of Clermont Commercial

APPLICANT: Anderson Hill Commercial/AVID Group

7. REQUEST FOR REZONING

REQUEST: To change the zoning from UE Urban Estate to C-2 General Commercial

APPLICANT: Anderson Hill Commercial/AVID Group

8. REQUEST FOR CONDITIONAL USE PERMIT

REQUEST: To allow for a structure more than 20,000 square feet in the C-2 General Commercial zoning district.

APPLICANT: Anderson Hill Commercial/AVID Group

Senior Planner Kruse presented the staff report as follows:

The applicant, Avid Group, is requesting a small-scale comprehensive plan amendment for the subject property. This request is being heard concurrently with requests for annexation, rezoning and a conditional use permit. The applicant wishes to develop the property and have City services available.

The small-scale comprehensive plan amendment would change the future land use from Lake County's Urban Low to the City's Commercial designation. The property's physical characteristics and its U.S. Highway 27 frontage support the Commercial designation. The property is adjacent to a major arterial roadway and has existing commercial uses to the north and across U.S. Highway 27 to the east.

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Upon annexation, the zoning would default to Urban Estate. The applicant is requesting a change to C-2 General Commercial in order to develop the 9.5-acre property as a multi-tenant retail/commercial shopping center. Under Section 122-223 of the land development code, retail businesses and shopping centers are a permitted use in the C-2 General Commercial district.

Staff believes commercial uses at this location are compatible with the uses in the area. The single-family residential to the west is approximately 15 feet higher than the proposed development and will be buffered by the landscaping on top of the retaining walls. The stormwater pond will also be located in the western portion of the site. The property along U.S. Highway 27 is currently zoned Planned Commercial in Lake County, and the City's C-2 General Commercial is very similar to this use.

The applicant also has applied for a conditional use permit, since one of the buildings will occupy more than 20,000 square feet of floor space. The overall development will have up to 58,000 square feet of C-2 General Commercial use, of which approximately 3,500 square feet will be for outdoor patio use. Section 122-223 (b) of the land development code requires a conditional use permit for any building structure that occupies more than 20,000 square feet. The applicant is proposing one building with 20,400 square feet. The other proposed buildings will be under the 20,000-square-foot threshold.

The site will be developed to meet the City's architectural standards and will be in substantial accordance with the preliminary site plan prepared by Avid Group, revision date January 27, 2017.

Staff has reviewed the application and believes that the proposed use will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, and the proposed use will comply with the regulations and conditions specified. Therefore, staff recommends approval of the request for a building with more than 20,000 square feet in the C-2 zoning district with the conditions contained in Resolution 2017-04. Staff recommends approval of the small-scale comprehensive plan amendment to change the future land use from Lake County Urban Low to Commercial and approval of the rezoning to C-2 General Commercial.

Peter Pensa, Avid Group, stated that the idea is to create a pedestrian-oriented location for various shops and services. He stated they anticipate five restaurants on the parcel including a drive-thru.

Carol Colvin, 12815 Katherine Circle, stated that she lives directly behind this project. She stated that she is concerned that the property is being rezoned from Urban Low to Commercial. She stated that there would be noise issues. She stated that there is no way to prevent people from gaining access to their neighborhood from the shopping center. She stated that the access from Anderson Hill Road would greatly impact their neighbor. She stated that there is already plenty of vacant retail space in Clermont. She stated that she disagrees with the annexation and rezoning request.

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Rose Farrell, 13215 Maria Ave., stated that she is opposed to the C-2 General Commercial zoning. She is concerned with the increased traffic.

Jennifer Cotch, 12522 Valencia Dr., stated that her main concern is the traffic. She stated she is asking that the access to Anderson Hill Road be removed from the development. She stated that she would like to see the landscape buffer expanded. She stated that she wants the lighting and hours of operation for the commercial site regulated, and she does not want the drive-thru approved.

Hector Serrano, 13106 Tamarack Blvd., stated that he is the president of the HOA. He stated that they already have issues with lighting, noise and people crossing through their yards.

Commissioner Whitehead asked about the lighting.

Mr. Kruse stated there is standard language in the code that restricts lighting to the site only. He stated that when developers come in for site review, they are required to submit a photometric plan.

Commissioner Martin asked about the height of the light pole.

Mr. Kruse stated he believes the height limit is 12 to 15 feet.

Commissioner Whitehead stated that she is concerned about the landscape buffer and people having access to the residents' properties.

Mr. Kruse stated that at this time the developer meets code.

Mr. Mantzaris stated that the Commission could request a condition for additional buffering.

Commissioner Smith asked if commercial would be allowed if the property stayed in the County.

Mr. Kruse stated that the parcels are Lake County Urban Low, which is the same as Kohl's zoning.

Commissioner Smith stated that he suggests closing the access to and from Anderson Hill Road.

Mr. Kruse stated that the access would be determined by Lake County.

Mr. Pensa stated that FDOT would not allow two entrances from U.S. Highway 27 because it does not meet the spacing requirements. He stated that they would be providing sidewalks along Anderson Hill Road in front of the development out to U.S. Highway 27.

Commissioner Martin asked about the retaining walls.

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Mr. Pensa stated that the retaining wall will be a six-foot wall along Anderson Hill Road and would be about three feet tall closer to U.S. Highway 27. He stated that on the rear and western side of the property there will be a double retaining wall.

Commissioner Hubbard asked about acquiring access from Gerber Collision since they already have an entrance on U.S. Highway 27.

Mr. Pensa stated that if each building was developed independently, then FDOT would have to allow access if you could not obtain access from your neighbor.

Chairman Jones stated that his concerns is the loading zone for Commercial F.

Mr. Pensa stated that the loading zone is next to Commercial E. He stated that the idea is that the user for Commercial F will not receive deliveries.

Carole Campbell, 13112 Tamarack Blvd., stated that she lives directly across the road from the proposed development. She stated that she can hear the noises from Walmart and Harley Davidson.

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

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

Commissioner Hubbard moved to recommend approval of the conditional use permit with the elimination of the access to Anderson Hill Road; seconded by Commissioner Smith. The vote was unanimous to recommend approval.

9. REQUEST FOR COMPREHENSIVE PLAN AMENDMENT

REQUEST: To change the future land use from Lake County Regional Commercial to City of Clermont Commercial

APPLICANT: Tommy's of Clermont/Matt Borisch

10. REQUEST FOR REZONING

REQUEST: To change the zoning from UE Urban Estate to C-2 General Commercial

APPLICANT: Tommy's of Clermont/Matt Borisch

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. 2017-17

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

West and northwest of the intersection of US Highway 27 and Anderson Hill Road
Alternate keys 1453496, 3828239, and 2826541

LEGAL DESCRIPTION

Tract 27 together with a portion of Tract 22, as shown on the Lake Highland Company plat of Section 32, Township 22 South, Range 26 East, Plat Book 3, Page 24, public records of Lake County, Florida. Being more particularly described as:

Begin at the Southwest corner of Tract 22 as shown on the Lake Highland Company plat of Section 32, Township 22 South, Range 26 East, recorded in Plat Book 3, Page 24, of the public records of Lake County, Florida; thence along the West line of Tract 22 N00°31'25"E, a distance of 61.46 feet; thence N63°34'33"E, a distance of 393.00 feet to a point on the West Right-of-Way line of US Highway 27; thence along said West Right-of-Way line, S24°35'30"E, a distance of 269.86 feet to a point on the South line of Tract 22; thence continue along said West Right-of-Way line S24°35'30"E, a distance of 366.85 feet; thence S00°27'49"W, a distance of 266.03 feet to a point on the North Right-of-Way line of Anderson Hill Road; thence N89°03'43"W along the said North Right-of-Way line of said Anderson Hill Road, a distance of 620.93 feet to a point on the West line of Tract 27 as shown on said the Lake Highland Company plat of Section 32, Township 22 South, Range 26 East; thence along said West line of said Tract 27, N00°31'46"E, a distance of 598.50 feet to the Southwest corner of said Tract 22 and the Point of Beginning.

Containing a total of 9.47 acres, more or less.

FROM UE Urban Estate

TO City of Clermont C-2 General Commercial

This request will be considered by the Planning & Zoning Commission on Tuesday, February 7, 2017 at 6:30 p.m.

A public meeting to consider the request will be held before the City Council on Tuesday, March 14, 2017 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

January 31 and February 28, 2017



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, April 11, 2017		
Agenda Item Name		
Resolution No. 2017-04 <i>Anderson Hill Conditional Use Permit</i>		
Requested Action		
Recommend approval of Resolution 2017-04.		
Staff Report		
This request was originally scheduled to be heard by the Council on March 14, 2017 but was tabled at the applicant's request to allow additional time to prepare for the final hearing. The applicant, Avid Group, is requesting a Conditional Use Permit for a single building with more than 20,000 square feet of floor space in the C-2 General Commercial district. Section 122-223 (b) of the Land Development Code requires a Conditional Use Permit for any building structure that occupies more than 20,000 square feet. The applicant is proposing to develop the 9.5-acre site into a multi-tenant retail/commercial shopping center. The applicant is proposing one building with 20,400 square feet. The other proposed buildings will be under the 20,000-square-foot threshold. The overall development will have up to 58,000 square feet of C-2 General Commercial uses. The site will be developed to meet the City's architectural standards and will be in substantial accordance with the preliminary site plan prepared by Avid Group, revision date January 27, 2017. Staff has reviewed the application and believes that the proposed use will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, and the proposed use will comply with the regulations and conditions specified. Therefore, staff recommends approval of the request for a building with more than 20,000 square feet in the C-2 zoning district with the conditions contained in Resolution 2017-04. At the February 7, 2017 Planning and Zoning Commission meeting, Commissioner Tony Hubbard moved to recommend approval of the Conditional Use Permit with the elimination of the access to Anderson Hill Road; seconded by Commissioner Herb Smith. The vote was unanimous to recommend approval.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Resolution CUP RES 2017-04.docx		
2. Maps Anderson Hill Retail Maps.pdf		

3.	Site plan	REVISED Site Plan 1-27-17.pdf
4.	Application	CUP application.pdf
5.	Minutes	P&Z Commission minutes.pdf
6.	CUP Legal Ad	CUP Anderson Hill legal Ad.docx

**CITY OF CLERMONT
RESOLUTION NO. 2017-04**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR A STRUCTURE OVER 20,000 SQUARE FEET IN THE C-2 GENERAL COMMERCIAL ZONING DISTRICT.

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held February 7, 2017 recommended approval of this Conditional Use Permit to allow for a structure over 20,000 square feet in the C-2 General Commercial zoning district, at the following location:

LOCATION:

West and northwest of the intersection of US Highway 27 and
Anderson Hill Road
Alternate keys 1453496, 3828239, and 2826541

WHEREAS, the granting of this Conditional Use Permit will not adversely affect the officially adopted Comprehensive Plan of the City; such use will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity; the proposed use will comply with the regulations and conditions specified in the codes for such use; and the proposed use may be considered desirable at the particular location;

WHEREAS, the applicant has applied for a Conditional Use Permit for a structure over 20,000 square feet,

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 a structure over 20,000 square feet in the C-2 General Commercial zoning district; be granted subject to the following conditions:

Section 1- General Conditions

1. This Resolution shall inure to the benefit of, and shall constitute a covenant running with the land and the terms, conditions, and provisions hereof, and shall be binding upon the present owner and any successor in title or interest, and shall be subject to each and every condition herein set out.
2. Construction plans incorporating all conditions of this permit shall be submitted for review and approval by City staff prior to authorization and issuance of a development permit. The conceptual plan submitted with the Conditional Use Permit application is not an approved site plan.

CITY OF CLERMONT
RESOLUTION NO. 2017-04

3. Upon approval of the resolution the aforementioned property shall only be used for the purposes described herein. No further expansion of the use or additions to this project shall be permitted except as approved by another Conditional Use Permit. Any other proposed use shall be specifically authorized by amendment and approval of the City of Clermont City Council.
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. Prior to the issuance of any permits, the applicant shall be required to submit formal site plans for review and approval by the City of Clermont Site Review Committee. The site plans shall meet all submittal requirements and comply with the conditions of this Resolution, applicable City Codes, Regulations, Ordinances, and provide compliance with the adopted City Comprehensive Plan, as amended.
6. No business can occupy any portion of the building unless the proposed business has applied for and obtained a Local Business Tax Receipt from the Development Services Department.
7. The Conditional Use Permit must be executed and processed through the office of the City Clerk within 90 days of its date of grant by the City Council or the permit shall become null and void.
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. 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.
10. 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.
11. 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. 2017-04

12. This permit shall become null and void if substantial work has not begun within two (2) years of the date of issuance of this Conditional Use Permit.

Section 2 - Land Use

1. The proposed development may contain one structure greater than 20,000 square feet but no more than 25,000 square feet. This structure is identified as “Commercial F” on the preliminary site plan prepared by Avid Group, revision date January 27, 2017.

CITY OF CLERMONT
RESOLUTION NO. 2017-04

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 11th day of April, 2017.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Denise Noak, Acting City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Exhibit - Location Map – Anderson Hill Retail

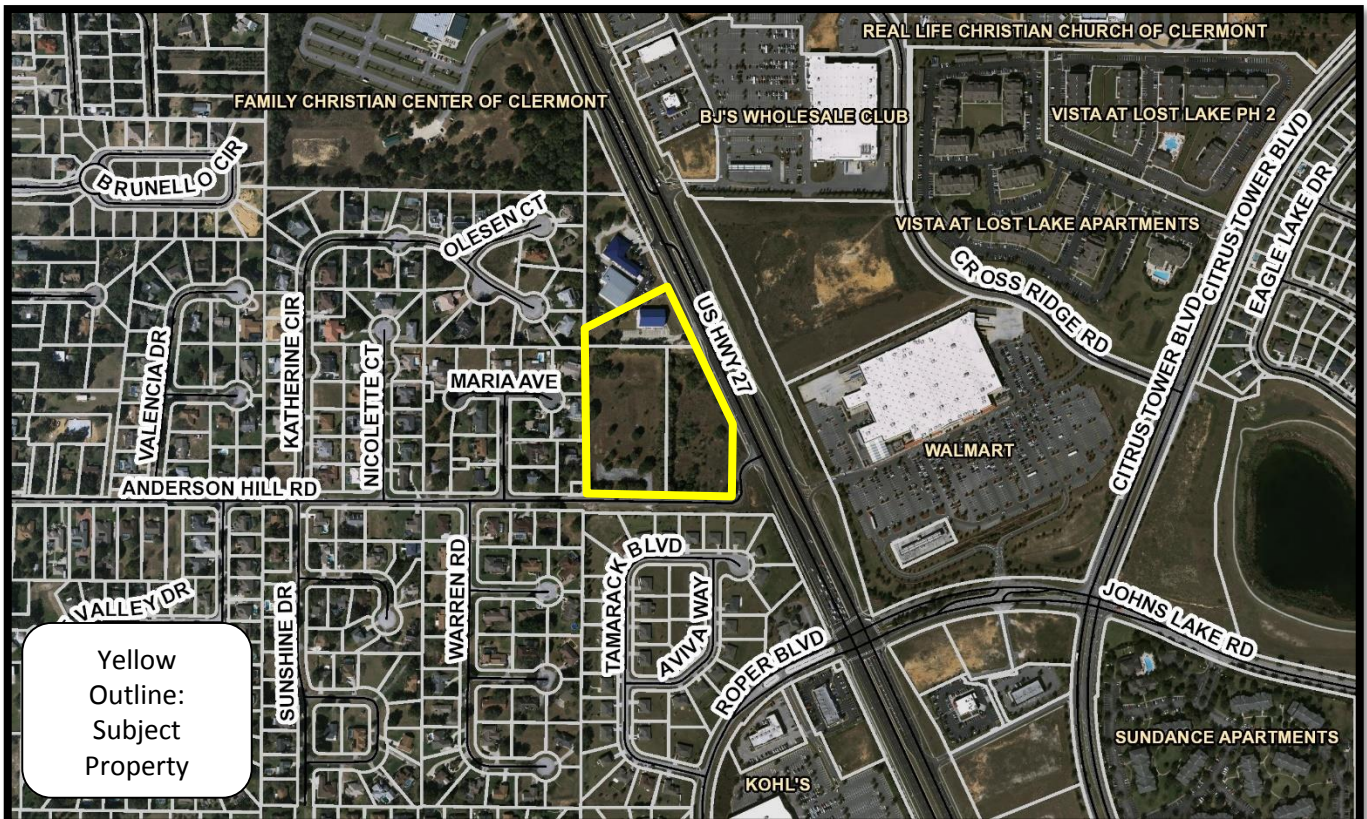
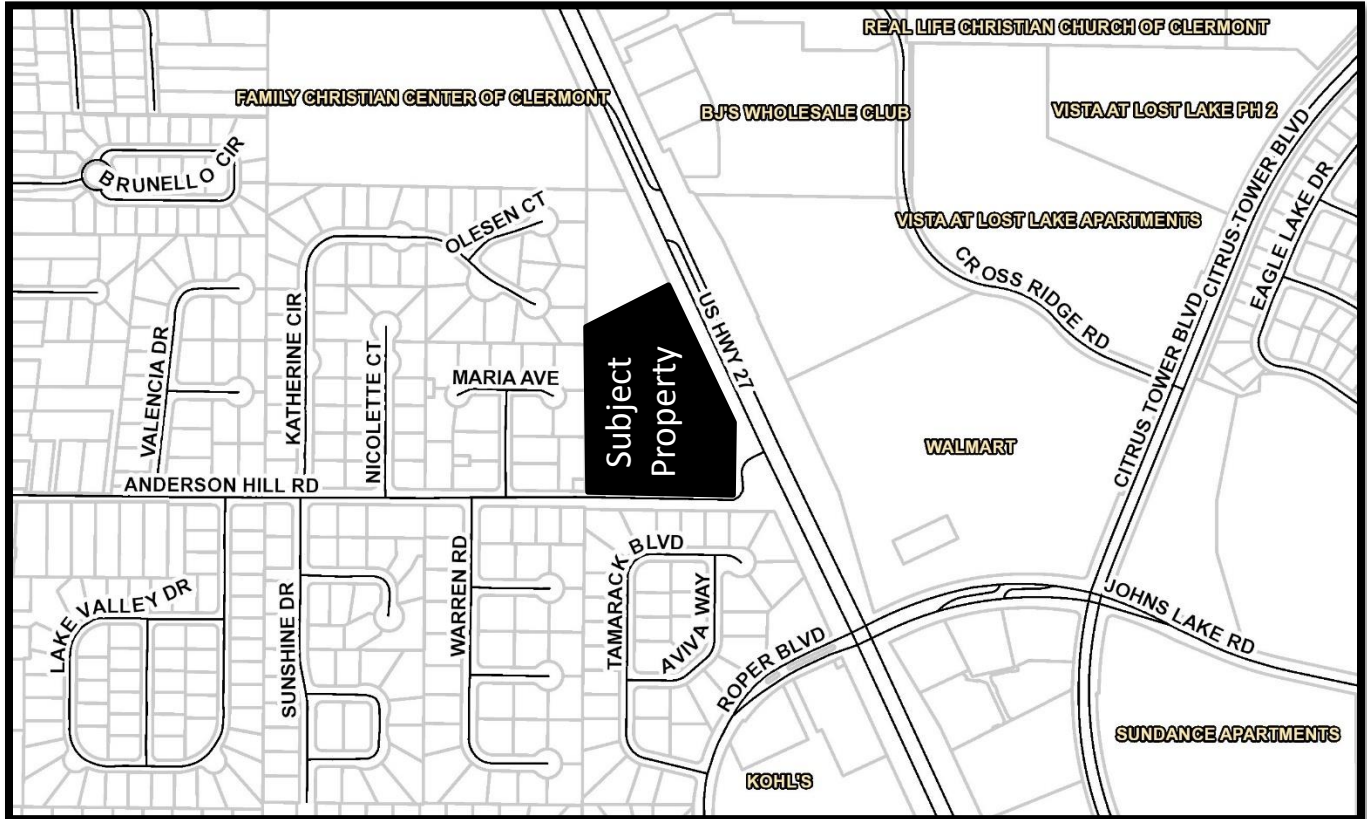


Exhibit – Future Land Use Map – Anderson Hill Retail

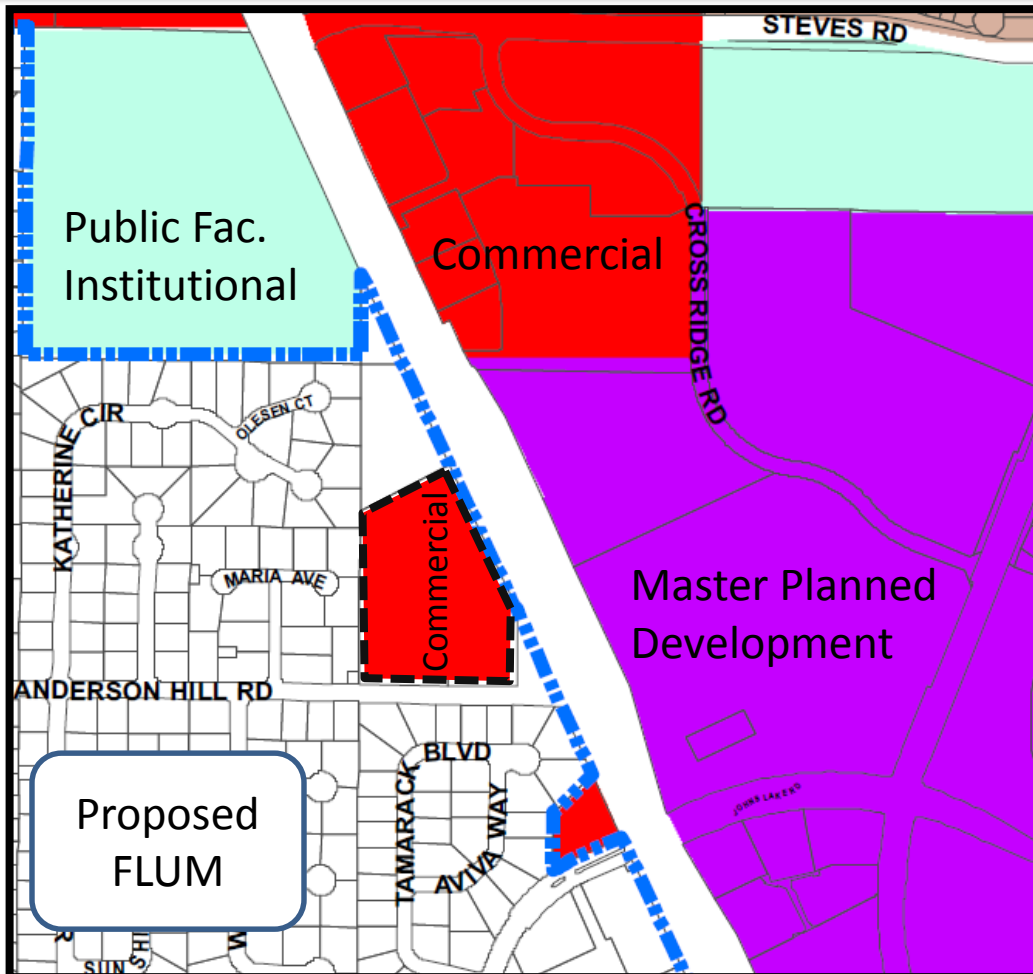


Exhibit – Zoning Map – Anderson Hill Retail

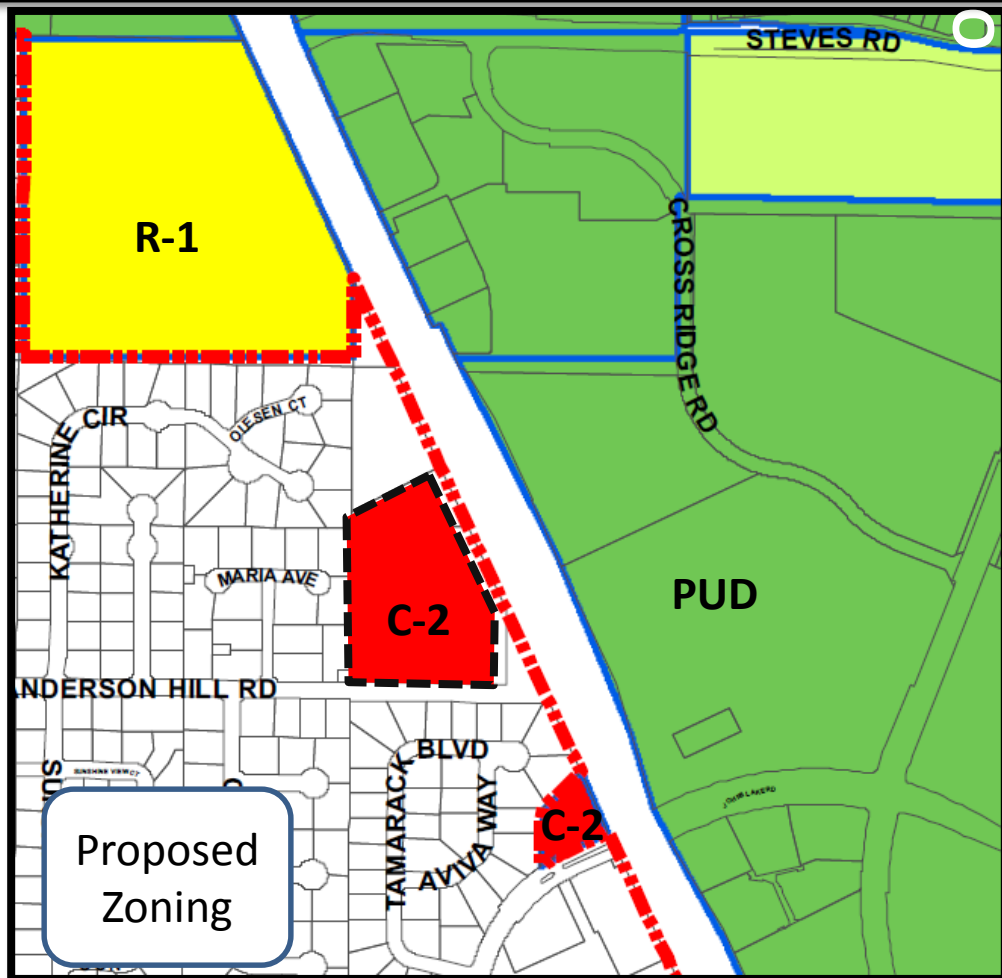
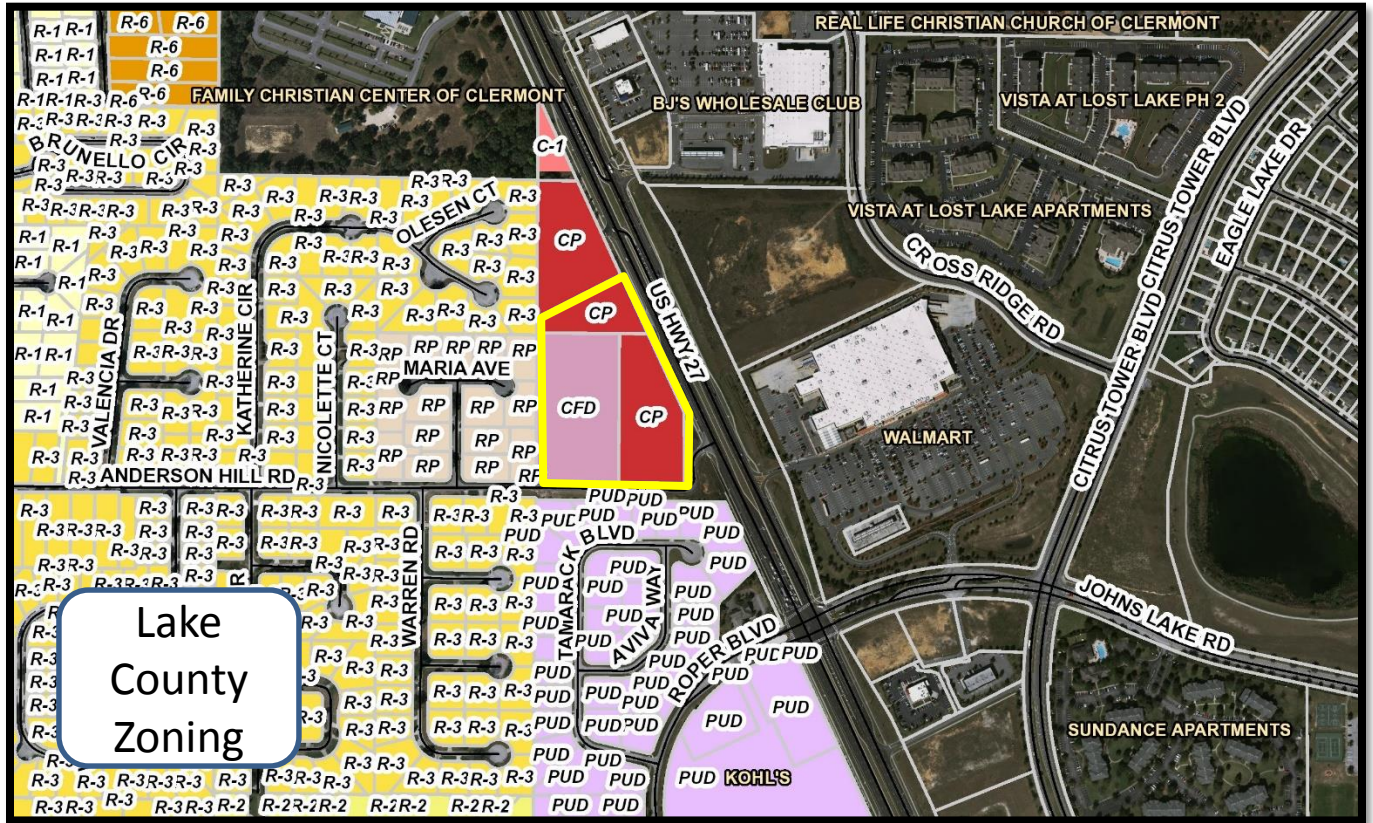
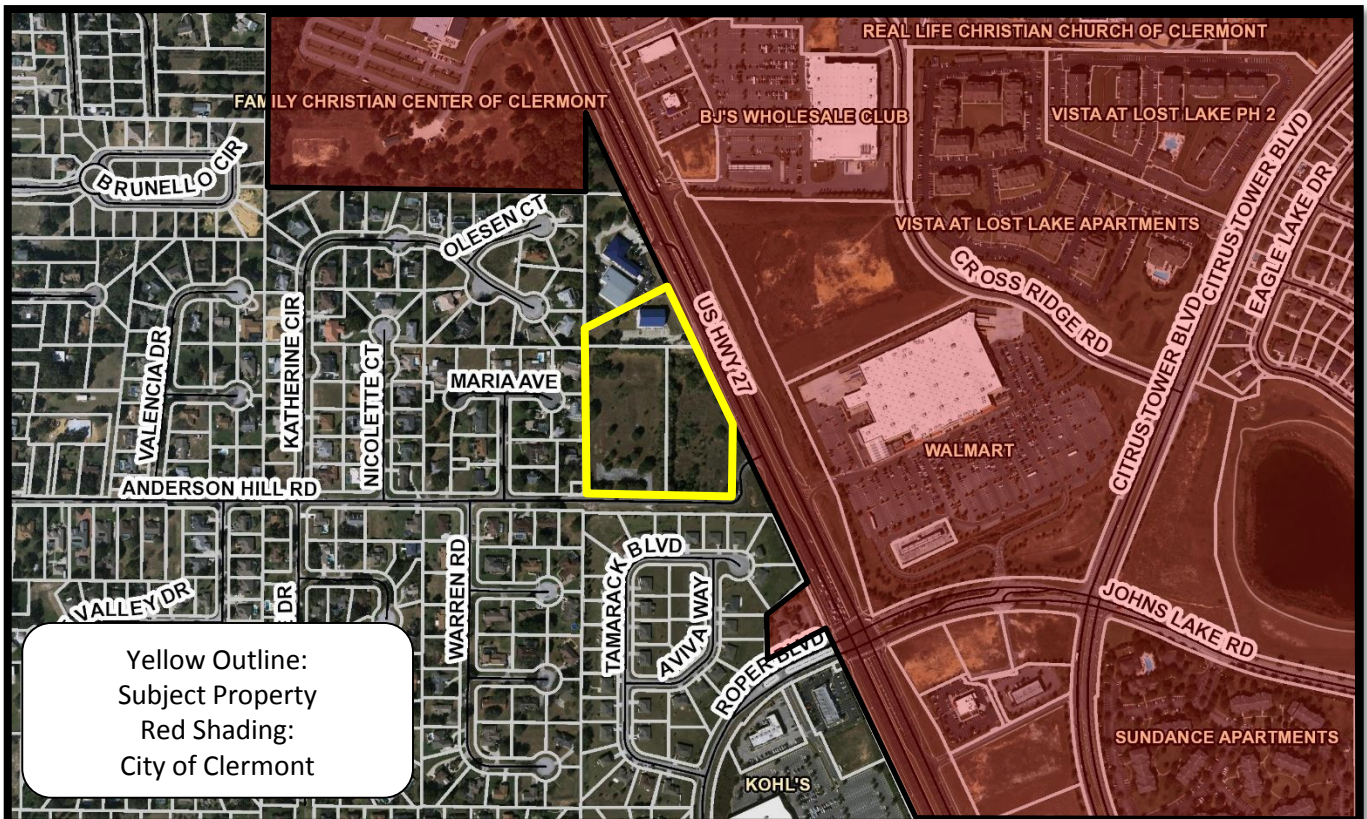
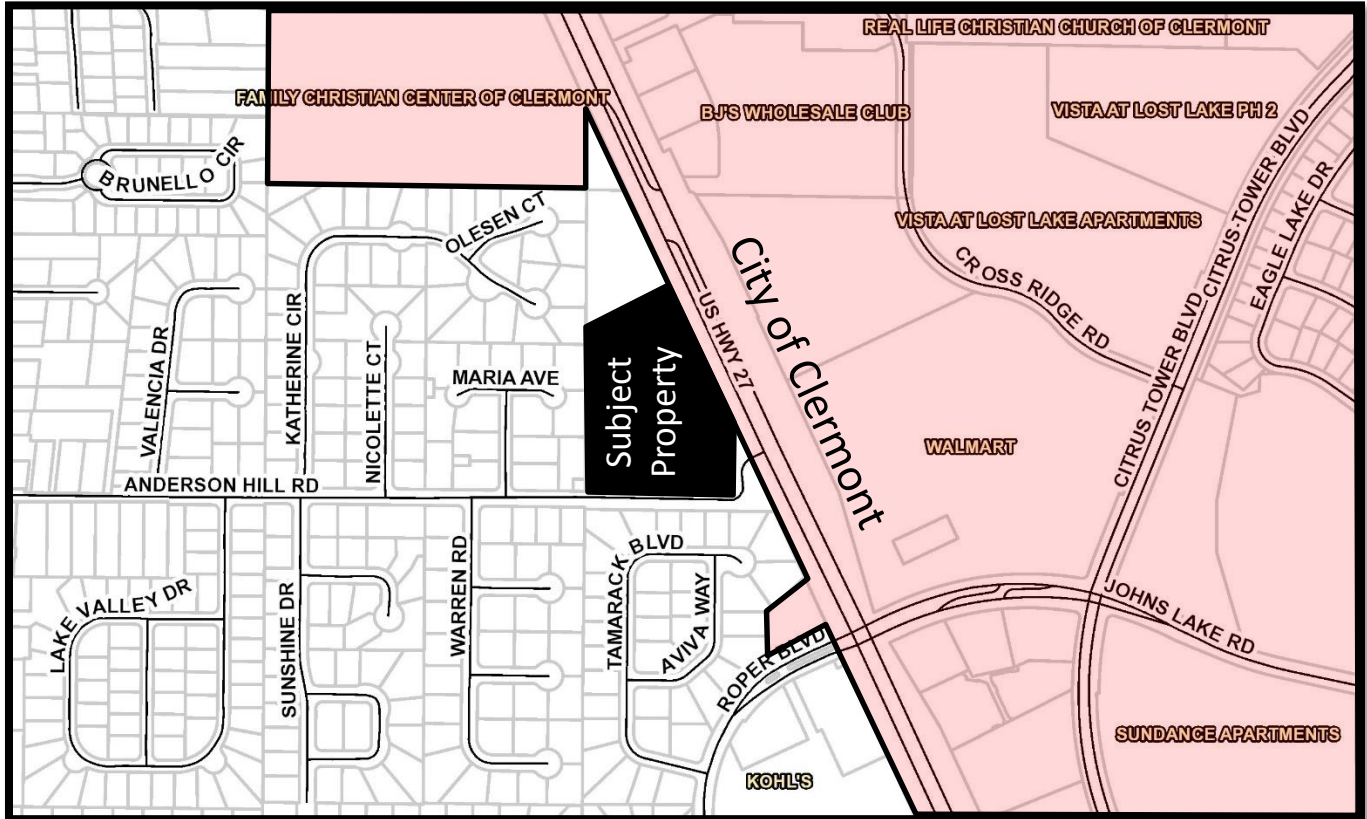
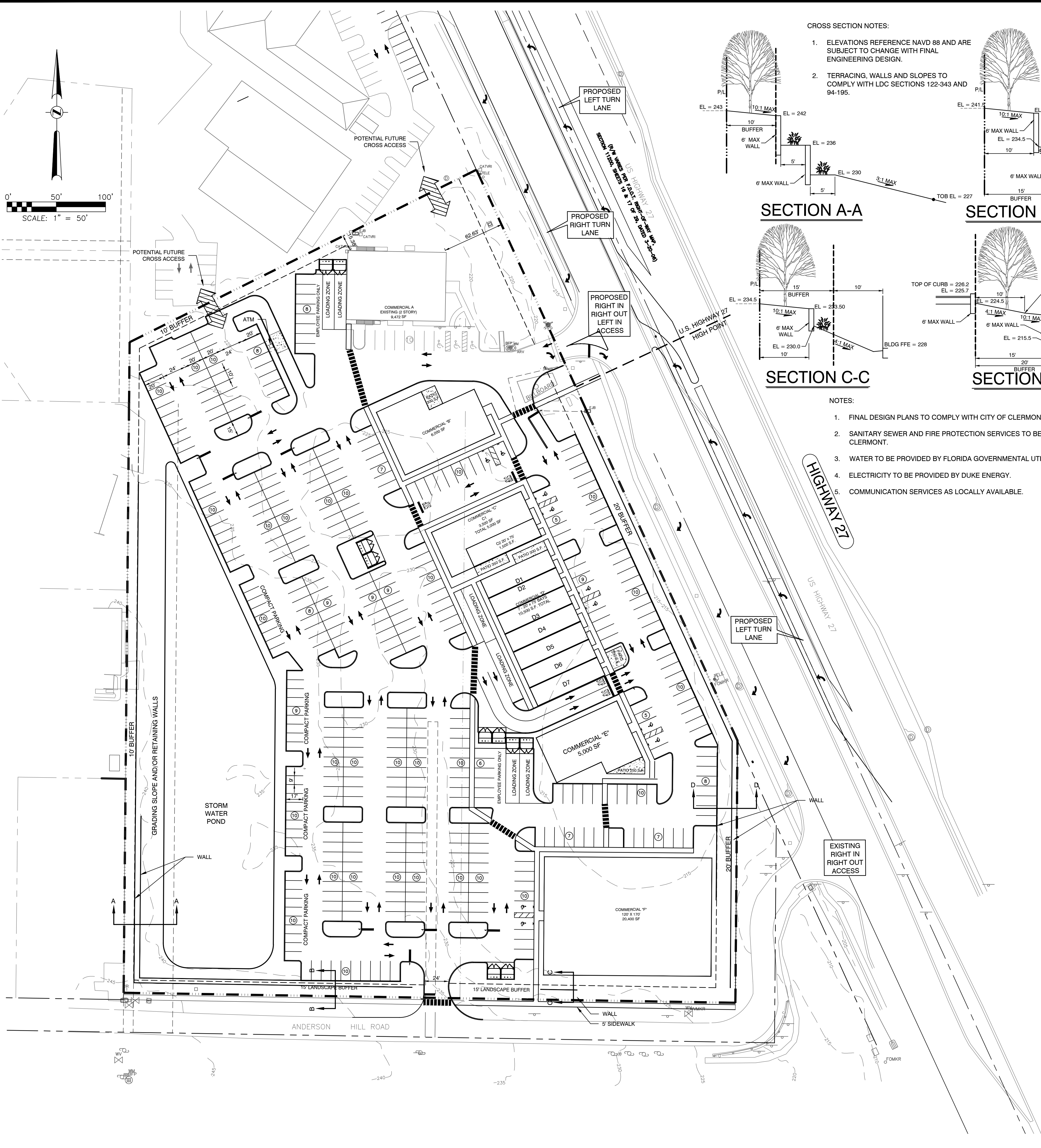


Exhibit - Annexation Map – Anderson Hill Retail

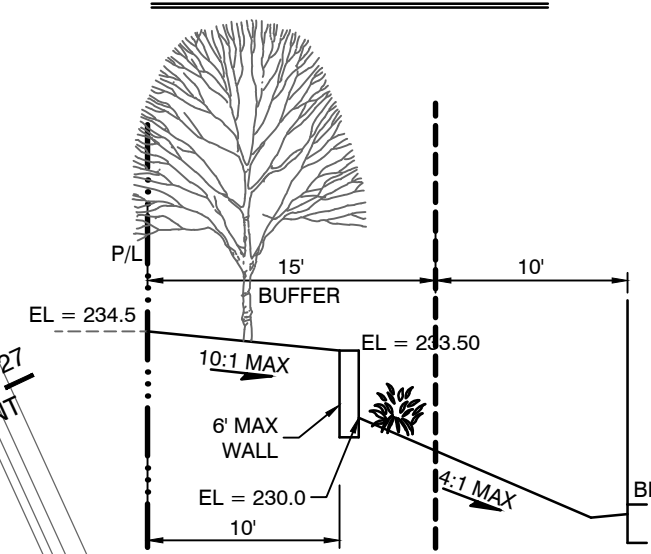




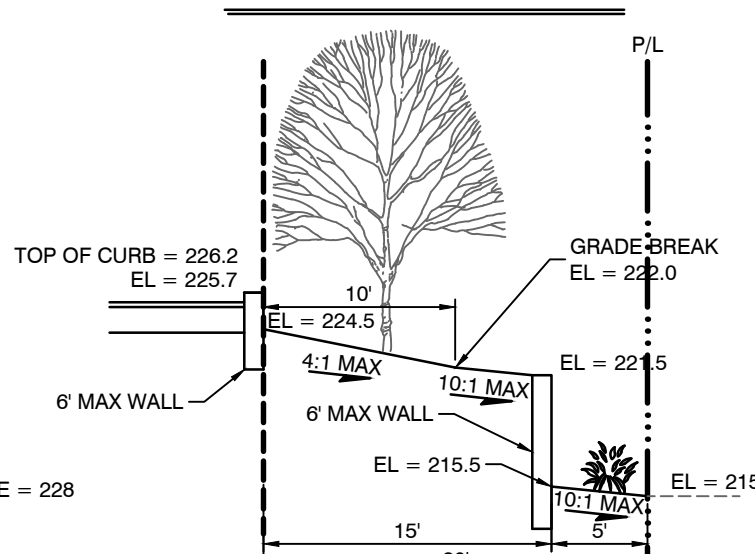
CROSS SECTION NOTES:

- ELEVATIONS REFERENCE NAVD 88 AND ARE SUBJECT TO CHANGE WITH FINAL ENGINEERING DESIGN.
- TERRACING, WALLS AND SLOPES TO COMPLY WITH LDC SECTIONS 122-343 AND 94-195.

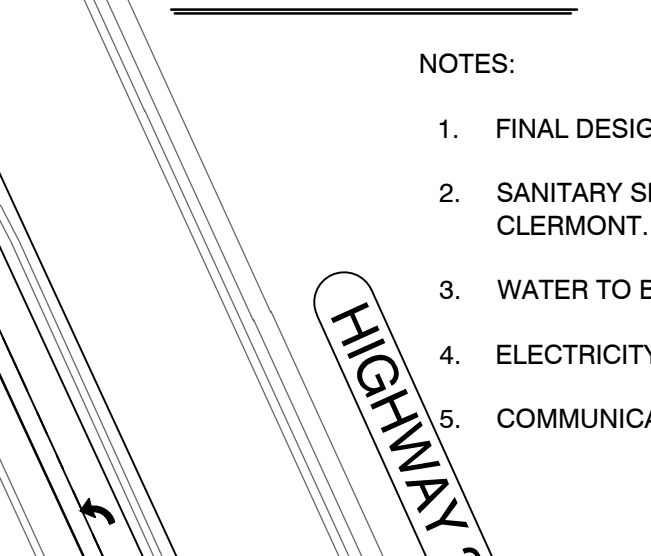
SECTION A-A



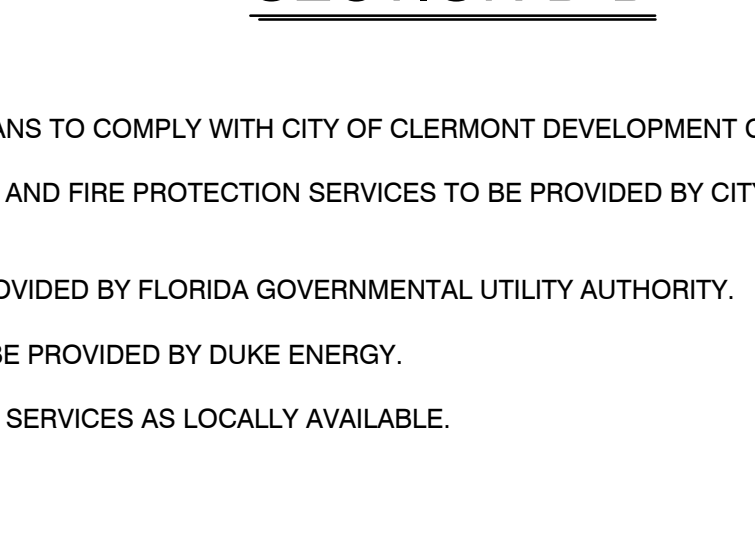
SECTION B-B



SECTION C-C



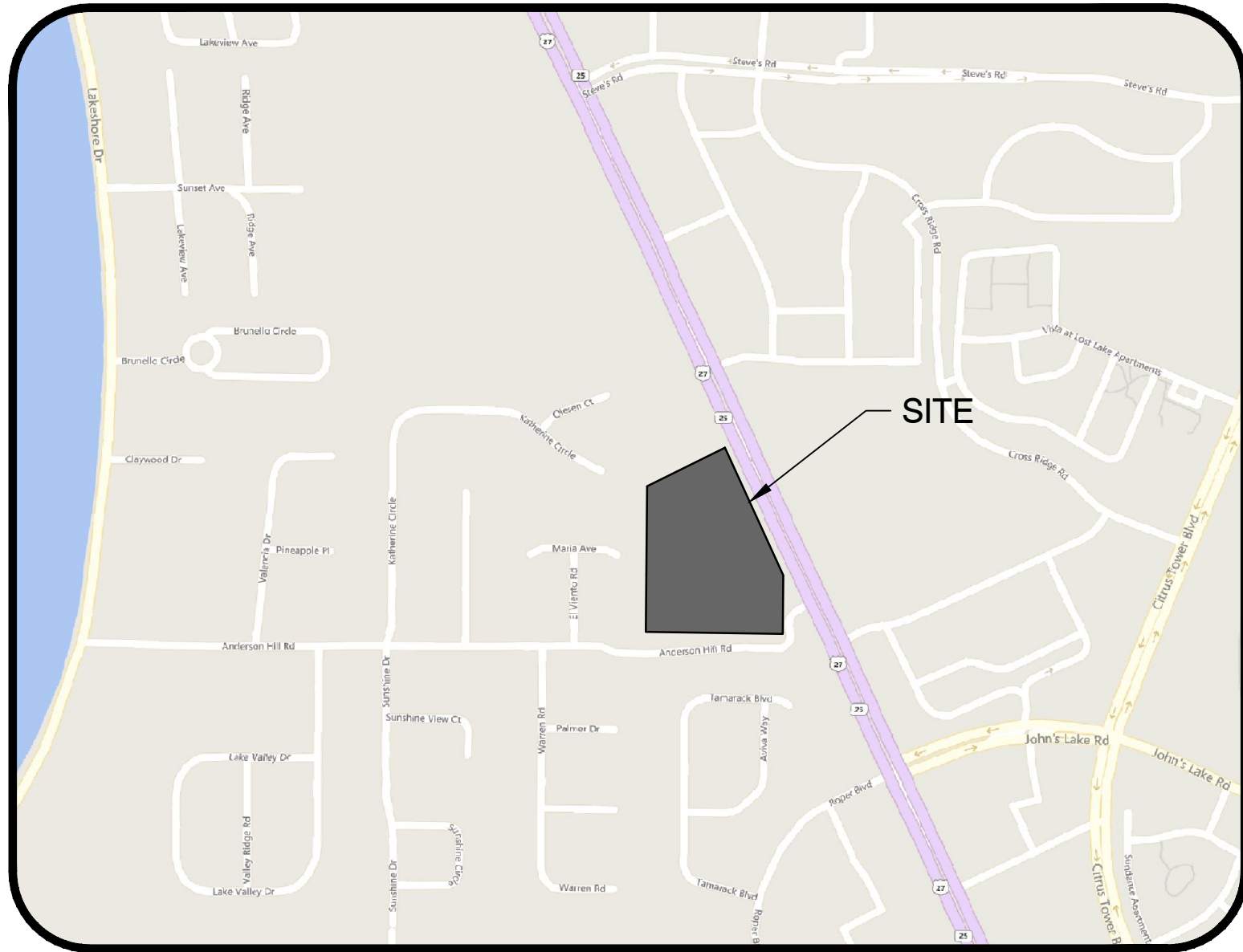
SECTION D-D



NOTES:

- FINAL DESIGN PLANS TO COMPLY WITH CITY OF CLERMONT DEVELOPMENT CODE.
- SANITARY SEWER AND FIRE PROTECTION SERVICES TO BE PROVIDED BY CITY OF CLERMONT.
- WATER TO BE PROVIDED BY FLORIDA GOVERNMENTAL UTILITY AUTHORITY.
- ELECTRICITY TO BE PROVIDED BY DUKE ENERGY.
- COMMUNICATION SERVICES AS LOCALLY AVAILABLE.

LOCATION MAP



SITE DATA

SITE ADDRESS:	NO ADDRESS	13301 ANDERSON HILL RD CLERMONT, FL 34711	12929 US HIGHWAY 27 CLERMONT, FL 34711
PARCEL NO.:	09-22-2614000270000	4.69 ACRES M.O.L.	1.55 ACRES M.O.L.
SITE AREA:	3.24 ACRES M.O.L.	4.69 ACRES M.O.L.	1.55 ACRES M.O.L.
OWNER NAME:	ANDERSON HILL DLSU, LLC	ANDERSON HILL DLSU, LLC	ANDERSON HILL DLSU, LLC
ADDRESS:	625 STATE ROAD 100 PALATKA, FL 32177	625 STATE ROAD 100 PALATKA, FL 32177	625 STATE ROAD 100 PALATKA, FL 32177
PROPERTY ZONING:	CP (PLANNED COMMERCIAL)	CP (COMMUNITY FACILITY)	CP (PLANNED COMMERCIAL)
EXISTING (LAKE COUNTY):	CP (PLANNED COMMERCIAL)	CP (COMMUNITY FACILITY)	CP (PLANNED COMMERCIAL)
PROPOSED (CITY OF CLERMONT):	C-2 (GENERAL COMMERCIAL)	C-2 (GENERAL COMMERCIAL)	C-2 (GENERAL COMMERCIAL)
FUTURE LAND USE:	URBAN LOW DENSITY COMMERCIAL	URBAN LOW DENSITY COMMERCIAL	URBAN LOW DENSITY COMMERCIAL
EXISTING (LAKE COUNTY):	URBAN LOW DENSITY COMMERCIAL	URBAN LOW DENSITY COMMERCIAL	URBAN LOW DENSITY COMMERCIAL
PROPOSED (CITY OF CLERMONT):	URBAN LOW DENSITY COMMERCIAL	URBAN LOW DENSITY COMMERCIAL	URBAN LOW DENSITY COMMERCIAL
PROPERTY USE:	VACANT	VACANT	VACANT (FORMER FITNESS CENTER)
PROPOSED BLDG SETBACKS (FT):	MINIMUM REQUIRED	MINIMUM PROVIDED	
US 27:	50 FT	62.5	
ALL OTHER STREETS:	25 FT	60.8	
SIDE PROPERTY LINES:	12 FT	15.4	
PROPOSED DENSITY (SF):	COMMERCIAL A (EXISTING)	9,472	
	COMMERCIAL B	5,000	
	COMMERCIAL C	5,000	
	COMMERCIAL D	10,500	
	COMMERCIAL E	4,000	
	COMMERCIAL F	20,000	
	OVERALL	53,972	

Required parking per city of Clermont code

Commercial (Retail/Office) 1/200 sf
Restaurants and lounges 1/50 sf devoted to patron use + 1/4 employees

Building	Unit/Use	SF	Patio	Required
Commercial A	(retail)	9,472		47.4
Commercial B	(restaurant)	6,000	300	81.9
Commercial C	C1 (retail)	3,500		17.5
	C2 (restaurant)	1,500	300	23.4
Commercial D	D1 (restaurant)	1,500	300	23.4
	D2 (retail)	1,500		7.5
	D3 (retail)	1,500		7.5
	D4 (retail)	1,500		7.5
	D5 (retail)	1,500		7.5
	D6 (retail)	1,500		7.5
	D7 (restaurant)	1,500	250	22.8
Commercial E	(restaurant)	5,000	250	68.3
Commercial F	(retail)	20,400		102.0
Drive-thru ATM	atm	n/a		0.00
Total		56,372		424.1
Provided				424.0

- assumptions:
1. restaurant and patio gross area = 60% patron use area
2. restaurant employees = 1/100 sf non-patron use area

LEGAL DESCRIPTION

LEGAL DESCRIPTION:

TRACT 27 TOGETHER WITH A PORTION OF TRACT 22, AS SHOWN ON THE LAKE HIGHLAND COMPANY PLAT OF SECTION 32, TOWNSHIP 22 SOUTH, RANGE 26 EAST, PLAT BOOK 3, PAGE 24, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS: BEGIN AT THE SOUTHWEST CORNER OF TRACT 22 AS SHOWN ON THE LAKE HIGHLAND COMPANY PLAT OF SECTION 32, TOWNSHIP 22 SOUTH, RANGE 26 EAST, RECORDED IN PLAT BOOK 3, PAGE 24, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE ALONG THE WEST LINE OF TRACT 22 N00°31'25"E, A DISTANCE OF 61.46 FEET; THENCE N63°34'33"E, A DISTANCE OF 393.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF US HIGHWAY 27; THENCE ALONG SAID WEST RIGHT-OF-WAY LINE, S24°35'30"E, A DISTANCE OF 269.86 FEET TO A POINT ON THE SOUTH LINE OF TRACT 22; THENCE CONTINUE ALONG SAID WEST RIGHT-OF-WAY LINE S24°35'30"E, A DISTANCE OF 366.85 FEET; THENCE S00°27'49"W, A DISTANCE OF 266.03 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF ANDERSON HILL ROAD; THENCE N89°03'43"W ALONG THE SAID NORTH RIGHT-OF-WAY LINE OF SAID ANDERSON HILL ROAD, A DISTANCE OF 620.93 FEET TO A POINT ON THE WEST LINE OF TRACT 27 AS SHOWN ON SAID THE LAKE HIGHLAND COMPANY PLAT OF SECTION 32, TOWNSHIP 22 SOUTH, RANGE 26 EAST; THENCE ALONG SAID WEST LINE OF SAID TRACT 27, N00°31'46"E, A DISTANCE OF 598.50 FEET TO THE SOUTHWEST CORNER OF SAID TRACT 22 AND THE POINT OF BEGINNING. CONTAINING A TOTAL OF 9.47 ACRES, MORE OR LESS.

PROFESSIONAL TEAM

OWNER/DEVELOPER:
ANDERSON HILL DLSU, LLC
625 STATE ROAD 100
PALATKA, FLORIDA 32177
PHONE: (386) 628-4000

TRAFFIC ENGINEER:
TRAFFIC PLANNING AND DESIGN, INC.
535 VERSAILLES DR
MAITLAND, FLORIDA 32751
PHONE: (407) 628-9955

SURVEYOR:
HLSM, LLC
794 BIG TREE DR SUITE 108
LONGWOOD, FLORIDA 32750
PHONE: (407) 647-7346

CIVIL ENGINEER/PLANNER:
AVID GROUP
2300 CURLEW ROAD SUITE 201
PALM HARBOR, FLORIDA 34683
PHONE: (727) 789-9500

GEOTECHNICAL ENGINEER:
ECS FLORIDA, LLC
2815 DIRECTORS ROW SUITE 500
ORLANDO, FLORIDA 32809
PHONE: (407) 859-9599

ARCHITECT:

SC ASSETS, LLC

ANDERSON HILL RETAIL

CLERMONT, FLORIDA

PRELIMINARY SITE PLAN



CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
APPLICATION

DATE: Dec 21, 2016

FEE: \$800.00

PROJECT NAME (if applicable): Anderson Hill Commercial

APPLICANT: AVID Group

CONTACT PERSON: Peter Pensa, AICP

Address: 2300 Curlew Road, Suite 201

City: Palm Harbor State: FL Zip: 34683

Phone: 727-789-9500 x181 Fax: n/a

E-Mail: peter.pensa@avidgroup.com

OWNER: Anderson Hill DLSU, LLC

Address: 625 State Road 100

City: Palatka State: FL Zip: 32177

Phone: 386-329-4000 Fax: _____

Address of Subject Property: see below

General Location: NWC of US Highway 27 & Anderson Hill Road
(no address - Parcel# 09-22-26140002700000;
13301 Anderson Hill Rd - Parcel# 09-22-26140002700001; &
12629 US Highway 27 - Parcel# 09-22-26140002200001)

Legal Description (include copy of survey): See attached legal description

Land Use (City verification required): Urban Low Density (County)

Zoning (City verification required): CP & CFD (County)

CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
APPLICATION
Page 2

LETTER OF AUTHORIZATION

To Whom It May Concern:

This letter does hereby authorize AVID Group to act as our agent for and with all regulatory agencies, departments, and their personnel for the City of Clermont, Lake County, Florida Department of Economic Opportunity, Florida Department of Transportation, St. Johns River Water Management District, Florida Department of Environmental Protection, US Army Corps of Engineers, and any other utility providers or regulatory agencies in an effort to receive all approvals necessary for developing the proposed project on an approximately 9.48 acres, m.o.l. tract that is generally located on the west side of U.S. Highway 27, north of Anderson Hill Road in the City of Clermont (annexation proposed), Lake County, Florida.

Parcel ID Number:	Site Acreage	Street Address (if assigned):
09-22-26140002700000	3.24, acres m.o.l.	No Address, US Highway 27 Clermont, FL 34711
09-22-26140002700001	4.69, acres m.o.l.	13301 Anderson Hill Rd Clermont, FL 34711
09-22-26140002200001	1.55, acres m.o.l.	12629 US Highway 27 Clermont, FL 34711

Property Owner:

ced de

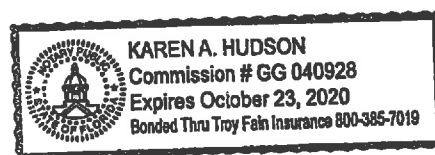
Name: Quintus I. Roberts, Sr.
Title: Managing Member
Anderson Hill DLSU, LLC
625 State Road 100
Palatka, FL 32177

STATE OF Florida COUNTY OF Putnam On
this the 22nd day of December 20 16 before me, the undersigned Notary Public of
the State of Florida, personally appeared Quintus I Roberts and whose
name(s) is/are subscribed to the within instrument, and acknowledge that he/she/they executed
it. The individual(s) are X personally known to me, or presented the following
identification:

WITNESS MY HAND AND SEAL:

**NOTARY SEAL &
COMMISSION EXPIRATION:**

Karen A. Hudson
NOTARY SIGNATURE





CIVIL ENGINEERING
LAND PLANNING
TRAFFIC/TRANSPORTATION
SURVEYING
GIS
2300 CURLEW ROAD STE 201
PALM HARBOR, FLORIDA
34683
PHONE (727) 789-9500
FAX (727) 784-6662
AVIDGROUP.COM

LOCATION MAP
ANDERSON HILL RETAIL
CLERMONT, FLORIDA
1"=500'

Anderson Hill Retail

Overall Legal Description:

Tract 27 together with a portion of Tract 22, as shown on the Lake Highland Company Plat of Section 32, Township 22 South, Range 26 East, Plat Book 3, Page 24, Public Records of Lake County, Florida. Being more particularly described as:

Begin at the Southwest Corner of Tract 22 as shown on the Lake Highland Company Plat of Section 32, Township 22 South, Range 26 East, recorded in Plat Book 3, Page 24, of the public records of Lake County, Florida; thence along the West line of Tract 22, N00°31'25"E, a distance of 61.46 feet; thence N63°34'33"E, a distance of 393.00 feet to a point on the west right-of-way line of US Highway 27; thence along said west right-of-way line, S24°35'30"E, a distance of 269.86 feet to a point on the south line of Tract 22; thence continue along said west right-of-way line S24°35'30"E, a distance of 366.85 feet; thence S00°27'49"W, a distance of 266.03 feet to a point on the north right-of-way line of Anderson Hill Road; thence N89°03'43"W along the said north right-of-way line of said Anderson Hill Road, a distance of 620.93 feet to a point on the west line of Tract 27 as shown on said the Lake Highland Company Plat of Section 32, Township 22 South, Range 26 East; thence along said west line of said Tract 27, N00°31'46"E, a distance of 598.50 feet to the Southwest corner of said Tract 22 and the Point of Beginning.

Containing a total of 9.47 acres more or less.

**Narrative & Justification Statement
Annexation/Small-Scale Comp Plan/Rezoning/
Conditional Use Permit Applications**

**Anderson Hill Commercial
NWC of US Highway 27 & Anderson Hill Road, Clermont, FL**

Project Description:

Subject property is comprised of three parcels totaling 9.58 acres of land located at the northwest corner of US Highway 27 and Anderson Hill Road in unincorporated Lake County. The properties are owned by Anderson Hill DLSU, LLC, who will combine the properties for (re)development as a multi-tenant retail/commercial shopping center.

The two parcels fronting US Highway 27 are currently zoned CP (Commercial Parkway) and the rear parcel is zoned CFD (Community Facility District) in unincorporated Lake County. All three parcels have a future land use map designation of Urban Low Density. The property owner/developer seeks annexation of the three parcels into the City of Clermont with C-2 (General Commercial District) zoning and Commercial future land use map designation. The northern parcel is currently developed with a 9,472 sq.ft., two-story commercial building that was previously occupied by West Star fitness center. The existing building and some of the associated site improvements (parking and retention pond) will be retained as part of the redevelopment.

The conditional use site plan is attached, which shows the overall layout as anticipated but the building footprints may change somewhat depending on the needs of specific tenants. Permitted uses within the development shall be those that are permitted within the City's C-2 (General Commercial District) zoning district.

Small-Scale Comprehensive Plan Amendment and Rezoning Evaluation Criteria:

Pursuant to Land Development Code (LDC) Section 82-226, the Planning Commission and City Council shall consider the following criteria. In furtherance of this requirement, the applicants' professional land planning and engineering consultant has made the following findings in support of the project:

Review Criteria

- 1. Consistency with the comprehensive plan, or, in the case of a plan amendment, consistency with the remainder of the plan and its goals, objective and policies.**

Applicant's finding: The properties can be (re)developed consistent with the goals, objectives and policies of the City's comprehensive plan. The conditional use permit site plan has been submitted for concurrent review and approval to demonstrate the developer's intent and ability to do so.

Subject property is being annexed into the City of Clermont and therefore needs to have a City future land use map designation and zoning district assigned. The proposed C-2 (General Commercial District) zoning and Commercial future land use map designation are appropriate given the physical characteristics and location of the property and the development pattern of the surrounding area. One of the subject parcels is already commercially developed, as is the majority of this segment of the US Highway 27 corridor (from State Road 50 to the north to Hammock Ridge Road/Citrus Tower Boulevard to the south). For example, the property across US Highway 27 is located in the City and is developed as a WalMart Super Center. And, the adjacent property to the north is located in the County and developed as an automobile repair shop.

2. Consistency with applicable sections of this land development code.

Applicant's finding: The properties can be (re)developed consistent with the applicable sections of the City's land development code. The conditional use permit site plan has been submitted for concurrent review and approval to demonstrate the developer's intent and ability to do so.

3. Additionally, as to rezoning amendments:

- a. **Whether justified by changed or changing conditions.**
- b. **Whether adequate sites already exist for the proposed district uses.**
- c. **Whether specific requirements of this land development code are adequate to ensure compatibility with adjoining properties as required by the comprehensive plan.**

Applicant's finding:

- a. The changing condition that triggered the need for this land use amendment and rezoning is the pending annexation of these properties in order to (re)develop and connect to the City's central sewer system. Thus, rezoning within the City of Clermont is both necessary and justified.
- b. Two of the three parcels are already zoned for commercial uses within Lake County. The third parcel is currently church owned and thus has master plan zoning in the County that allows for institutional uses. Consolidation of all three parcels for the proposed commercial development project makes sense because it provides adequate site area and depth to address changes in topography and it overcomes the irregular shapes and depths of the existing commercial parcels.
- c. The project can be developed consistent with the City's land development code requirements, which by design are intended to provide use-based compatibility measures such as minimum building setbacks and landscape buffering between different uses.

Conditional Use Permit Evaluation Criteria:

Pursuant to Land Development Code (LDC) Section 86.144.(c), the Planning Commission and City Council may grant by resolution a conditional use permit that meets the following four general criteria and seven specific development standards. In furtherance of this requirement, the applicants' professional land planning and engineering consultant has made the following findings in support of the project:

General Criteria

- 1. The granting of the conditional use permit will not adversely affect the officially adopted comprehensive plan of the city;**

Applicant's finding: The development will not adversely affect the City's comprehensive plan. The conditional use permit is requested for the purpose of annexing and (re)developing the property within the City of Clermont on central water and sewer service. Two of the three parcels are already zoned for commercial uses in Lake County.

- 2. Such use will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity;**

Applicant's finding: The proposed commercial development will comprise of uses typically found in a shopping center such as retail businesses, personal service establishments, fitness centers, restaurants, and offices. The range of permitted uses shall be as allowed within the City's C-2 General Commercial District (LDC Sec. 122-223).

- 3. The proposed use will comply with the regulations and conditions specified in the codes for such use; and**

Applicant's finding: The development will comply with the regulations and conditions specified for said uses within the City's C-2 General Commercial District (LDC Sec. 122-223).

- 4. The proposed use may be considered desirable at the particular location.**

Applicant's finding: The proposed commercial uses are considered desirable at this location. There is a need for more shopping center tenant space in the area, as demonstrated by retailer interest in the project.

Specific Development Standards

1. ***Density or intensity, character and type of development.*** The density or intensity, character and type of development shall be in conformance with the city's comprehensive plan, future land use map, future land use district designation and zoning district classification.

Applicant's finding: The proposed commercial development is consistent with the character and type of development that is allowed within the requested City land use and zoning classifications of Commercial and C-2 General Commercial District, respectively, which allow a maximum density of 12 du/ac (none proposed) and a maximum intensity of 0.25 FAR and 0.80 ISR. There are no residential units proposed and the conditional use permit site plan shows the project's proposed intensity of 53,972 sq.ft. (0.13 FAR).

2. ***Compatibility of development.*** The compatibility of the development with terrain and surrounding development as to type and size of unit and height shall be considered. The development shall be so located and designed to avoid undue noise, odor, traffic or other nuisances and dangers to abutting property owners.

Applicant's finding: The development is compatible with the terrain and surrounding development pattern. Consolidation of the three parcels for redevelopment allows the property to be graded and developed consistent with the City's grading standards. In addition to traditional compatibility measures such as minimum building setback and landscape buffer requirements, the design further enhances compatibility because of the site needing to be terraced and lowered (relative to the residential lots to the west), which in turn further increases the building setbacks and buffering, further reduces light and noise associated with traffic circulation since vehicles will be below the abutting residential grade level, and ensures that stormwater runoff is directed away from the neighborhood.

3. ***Transportation.*** The city transportation system or streets must be of sufficient width and capacity to serve the demands created by the development. Dedication of rights-of-way, frontage or reverse frontage roads and other necessary improvements shall be considered and addressed.

Applicant's finding: The right-of-way width and streets are adequate to serve the project. There was previously a 40' right-of-way dedication along Anderson Hill Road. The developer is proposing to construct left and right turn lane access improvements on US Highway 27 as shown on the site plan to serve the demands of the development.

4. ***Utilities.*** Sanitary sewer, potable water, reuse water, fire hydrants and other utilities must be available and have capacity to serve the development. For commercial or industrial development, the quality of the wastewater must be in conformance with section 66-76 et seq.

Applicant's finding: Utilities are available to serve the development. Potable water is adjacent to the site and provided by Utilities Inc. The developer will install water and fire service connections as needed to serve the development. The developer will be installing an on-site lift station and an off-site sewer main extension in order to connect to the City of Clermont's existing sanitary sewer system. Wastewater discharge shall comply with the requirements of Code Section 66-76.

5. ***Stormwater management.*** The capability, capacity and location of the city storm sewer system for serving the development must be considered, as well as adequacy of project design to provide retention and positive outfall of stormwater.

Applicant's finding: The development does not outfall into a City-maintained system. It drains into the FDOT right-of-way. The project's design will abide by all of the stormwater release rate and volume criteria of FDOT, SJRWMD, and the City.

Due to the fact that the existing site contains significant depressional storage, the existing site does not release much of its stormwater runoff. The design of the proposed development will have to mimic the same low-discharge scenario. Very little runoff from the developed site is expected to leave the site. Almost all of the project's runoff will be retained and percolated.

The rates and volumes of water to be discharged from the property were anticipated in the design of FDOT's US 27 drainage system. The project is not anticipated to overburden any downstream drainage systems.

The project will include an outfall structure to allow its permitted discharges, as well as allowing runoff from storms greater than the design storm to exit the site without creating adverse on-site flooding conditions.

6. ***Site planning.*** The development shall be planned and designed to consider:
- a. Effectiveness of plotting or building layout (street patterns, required yards, etc.).
 - b. Orientation of units (setback, open space).
 - c. Avoidance of environmentally sensitive areas (floodplain, steep slopes, unstable soil, drainage or wetland areas).
 - d. Consideration of visual resources (view and aesthetics).
 - e. Landscaping, buffering and screening (for privacy and to screen parking or undesirable features).
 - f. Provision of open space areas or private recreation areas.
 - g. Off-street parking and loading areas, where required, with particular attention to noise, glare or odor as they may affect adjoining properties. Adequate off-street parking shall be provided in conformance with city codes. Residential construction must be provided with required off-street parking in all districts.

- h. Ingress and egress to property and proposed structures thereon, with particular reference to automobile and pedestrian safety, traffic flow and control and access in case of fire. Access to refuse collection areas shall be provided.

Applicant's finding: All of these items have been taken into consideration in the planning and design of the development. The buildings, drive-thru facilities, and outdoor patio areas are located toward the front of the site in order to orient activity toward the street and away from the neighborhood. The stormwater pond/open space and parking are primarily oriented toward the rear of the site for increased separation from the neighborhood. Site access is limited to one driveway per street to minimize impacts on traffic flow and there are multiple routes for safe and convenient vehicular circulation within the development. Sidewalks are provided for pedestrian safety and interconnectivity between all uses/buildings within the development and from the two abutting streets.

7. ***Solid waste disposal.*** For commercial and industrial development, the capacity to dispose of solid waste, with particular reference to any hazardous wastes generated.

Applicant's finding: There is adequate capacity to dispose of solid waste from the development. Hazardous waste generation is not anticipated since the development is a shopping center with typical uses such as retail businesses, personal service establishments, fitness centers, restaurants, offices, and bank/ATM facilities.

Prepared by:
AVID Group



Peter Pensa, AICP
Director of Planning



THIS INSTRUMENT PREPARED BY AND RETURN TO:

Quintus Irving Roberts
625 State Road 100
Palatka, Florida, 32177

Property Appraisers Parcel Identification (Folio) Number: 092226-1400-027-00000

SPACE ABOVE THIS LINE FOR RECORDING DATA

THIS WARRANTY DEED, made the 19th day of October, 2012 by Quintus Irving Roberts as Trustee of The V.S. Roberts Family Trust - QIR, a Simple Trust, whose post office address is 625 State Road 100, Palatka, Florida 32177 herein called the grantor, to Anderson Hill DLSU, LLC., a Florida Limited Liability Company whose post office address is 625 State Road 100, Palatka, Florida 32177, hereinafter called the Grantee:
(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee all that certain land situate in LAKE County, State of Florida, viz.:

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

Subject to easements, restrictions and reservations of record and taxes for the year 2012 and thereafter.

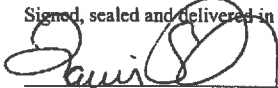
TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

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

AND, the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever.

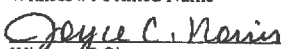
IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:



Witness #1 Signature
TRAVIS S. THOMAS

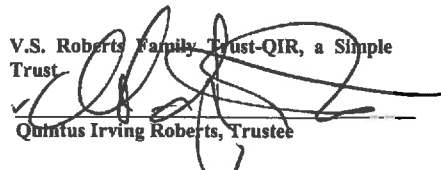
Witness #1 Printed Name



Witness #2 Signature
JOYCE C. NORRIS

Witness #2 Printed Name

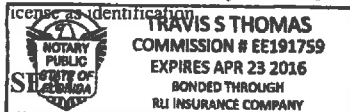
V.S. Roberts Family Trust-QIR, a Simple Trust

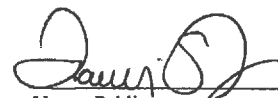


Quintus Irving Roberts, Trustee

STATE OF FLORIDA
COUNTY OF PUTNAM

The foregoing instrument was acknowledged before me this 19th day of October, 2012 by Quintus Irving Roberts as Trustee of The V.S. Roberts Family Trust - QIR a Simple Trust who is personally known to me or has produced driver's





Notary Public
TRAVIS S. THOMAS

Printed Notary Name

My Commission Expires:

Exhibit "A"

TRACT 27, AS SHOWN ON THE LAKE HIGHLAND COMPANY PLAT OF SECTION 32, TOWNSHIP 22 SOUTH, RANGE 26 EAST, PLAT BOOK 3, PAGE 24, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

LESS THE FOLLOWING:

BEGIN AT THE SOUTHWEST CORNER OF TRACT 27 AS SHOWN ON THE LAKE HIGHLAND COMPANY PLAT OF SECTION 32, TOWNSHIP 22 SOUTH, RANGE 26 EAST, RECORDED IN PLAT BOOK 3, PAGE 24, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA: THENCE NORTH $00^{\circ}31'46''$ EAST ALONG THE WEST LINE OF SAID TRACT 27, A DISTANCE OF 638.50 FEET TO THE NORTHWEST CORNER OF SAID TRACT: THENCE SOUTH $88^{\circ}53'09''$ EAST ALONG THE NORTH LINE OF SAID TRACT 27, A DISTANCE OF 341.41 FEET; THENCE SOUTH $00^{\circ}31'46''$ WEST 637.45 FEET TO THE SOUTH LINE OF SAID TRACT 27; THENCE NORTH $89^{\circ}03'43''$ WEST ALONG THE SAID SOUTH LINE OF SAID TRACT 27, A DISTANCE OF 341.40 FEET TO THE POINT OF BEGINNING.

LESS ROAD RIGHT OF WAYS.

AKERMAN SENTERFITT
PO BOX 231
ORLANDO FL 32802



PREPARED BY AND RETURN TO:
SCOTT M. PRICE, ESQUIRE
AKERMAN LLP
420 South Orange Avenue
Suite 1200
Orlando, Florida 32801

SPECIAL WARRANTY DEED

THIS WARRANTY DEED made this 4th day of December, 2014, between **TWISTEE, LLC**, a Florida limited liability company, whose post office address is 2345 West Sand Lake Road, Suite 100, Orlando, Florida 32809, hereinafter called the Grantor, to **CLERMONT SYNERGY, LLC**, a Florida limited liability company, whose post office address is 2345 West Sand Lake Road, Suite 100, Orlando, Florida 32809, hereinafter called the Grantee.

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH:

That the Grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situate in LAKE County, Florida, viz:

A PORTION OF THAT PART OF TRACT 22, LYING WEST OF U.S. HIGHWAY NO. 27 IN "LAKE HIGHLANDS COMPANY", A PLAT OF RECORD IN PLAT BOOK 3, PAGE 24, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, LOCATED IN SECTION 32, TOWNSHIP 22 SOUTH, RANGE 26 EAST, TALLAHASSEE MERIDIAN, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID TRACT 22; THENCE ALONG THE WEST LINE THEREOF, NORTH 00 DEGREES 12 MINUTES 07 SECONDS WEST, 61.46 FEET; THENCE LEAVING SAID LINE, NORTH 62 DEGREES 51 MINUTES 01 SECOND EAST, 393.08 FEET TO THE WEST RIGHT OF WAY LINE OF SAID U.S. HIGHWAY 27; THENCE ALONG SAID LINE, SOUTH 25 DEGREES 21 MINUTES 30 SECONDS EAST, 270.00 FEET TO THE SOUTH LINE OF SAID TRACT 22; THENCE ALONG SAID LINE, NORTH 89 DEGREES 36 MINUTES 41 SECONDS WEST, 465.20 FEET TO THE POINT OF BEGINNING.

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.

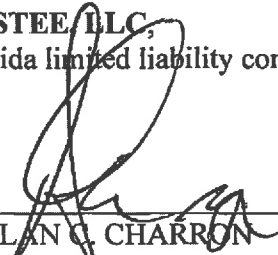
AND the Grantor hereby covenants with said Grantee that it is lawfully seized of said land in fee simple; that it has good right and lawful authority to sell and convey said land; that it hereby warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under Grantor, but against none other; and that said land is free of all encumbrances except for *ad valorem* taxes for 2014 and all subsequent years, and matters appearing of record in the Public Records of Lake County, Florida; provided, however, that this reference shall not serve to re-impose same.

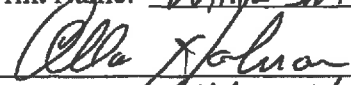
IN WITNESS WHEREOF, the Grantor has hereunto set its hand and seal the day and year first above written.

Signed, sealed and delivered
in the presence of:

TWISTEE, LLC,
a Florida limited liability company


Print Name: William Smith

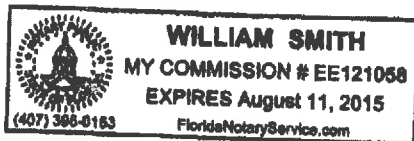
By: 
ALAN C. CHARRON
MANAGER

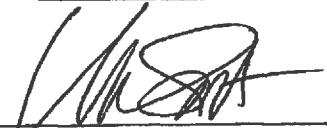

Print Name: Allan Holman

STATE OF FLORIDA)
) ss:
COUNTY OF Orange)

The foregoing instrument was acknowledged before me this 4 day of December, 2014, by ALAN C. CHARRON, as Manager of TWISTEE, LLC, a Florida limited liability company, on behalf of the company, who is:

- ☒ personally known to me; or
- ☐ produced a driver's license issued by the _____ Department of Highway Safety and Motor Vehicles as identification; or
- ☐ produced the following identification: _____





NOTARY PUBLIC, STATE OF FLORIDA

William Smith
(Print, Type or Stamp Commissioned Name of Notary Public)

REC 5.00
DOC 387.00

86 36092

86 36092 1237

This instrument was prepared by:

Jerome Bornstein
of the Law Office of
BORNSTEIN & PETREE
125 South Court Avenue
ORLANDO, FLORIDA 32801

Warranty Deed

(STATUTORY FORM—SECTION 689.02 F.S.)

This Indenture, Made this 28TH day of August 1986, Between

CHARLOTTE ROTENBERG (formerly Charlotte Getz)

of the County of Dade, State of Florida, grantor*, and

ST. MATTHIAS EPISCOPAL CHURCH

whose post office address is 574 Montrose Street, Clermont 32711

of the County of Lake, State of Florida, grantee*,

Witnesseth, That said grantor, for and in consideration of the sum of TEN AND NO/100ths (\$10.00)

Dollars, and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Lake County, Florida, to-wit:

Begin at the Southwest Corner of Tract 27 as shown on the LAKE HIGHLAND COMPANY Plat of Section 32, Township 22 South, Range 26 East, recorded in Plat Book 3, Page Public Records of Lake County, Florida; thence N.00°31'46" E. along the West line of said Tract 27, distance of 638.50 feet to the Northwest corner of said tract; thence S.88°53'09" E. along the North line of said Tract 27, a distance of 341.41 feet; thence S.00°31'46" W. 637.45 feet to the South line of said Tract 27; thence N.89°03'43" W. along the said South line 341.40 feet to the Point of Beginning, containing 5.00 acres, more or less: subject to a 40 foot County Road Easement along a South line and a 50 foot County Road and Utility Easement along the West line, which shall be dedicated as a public road by Grantee at any time when requested by an abutting property owner.

Return to:
TOM K. DOUGHERTY, P.A.
501 Almond Street
Clermont, FL 32711

SEP 5 11 59 AM '86

and said grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

* "Grantor" and "grantee" are used for singular or plural, as context requires.

In Witness Whereof,

Signed, sealed and delivered in our presence:

Jerome Bornstein
Tom K. Dougherty

Grantor has hereunto set grantor's hand and seal the day and year first above written.

Charlotte Rotenberg
by Leon Ettinger

CHARLOTTE ROTENBERG (formerly

Charlotte Getz), by LEON

ETTINGER, her Attorney in Fact.

(Seal)

(Seal)

STATE OF FLORIDA
COUNTY OF LAKE

I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgments, personally appeared

CHARLOTTE ROTENBERG (formerly Charlotte Getz), by LEON ETTINGER, her

Attorney in Fact, to me known to be the person described in and who executed the foregoing instrument and acknowledged before me that she executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 28TH day of August 1986.

My commission expires:

10/19/88



**City of Clermont
MINUTES
PLANNING AND ZONING COMMISSION
February 7, 2017**

Page 5

Staff recommends approval of the small-scale comprehensive plan amendment to change the future land use from Medium Density Residential to Downtown Mixed Use and approval of the rezoning to CBD Central Business District.

Mark Graff, 1944 Brantley Circle, stated that he is looking to be the first project to make use of the Density Bonus Criteria.

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

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

6. REQUEST FOR COMPREHENSIVE PLAN AMENDMENT

REQUEST: To change the future land use from Lake County Urban Low Density to City of Clermont Commercial

APPLICANT: Anderson Hill Commercial/AVID Group

7. REQUEST FOR REZONING

REQUEST: To change the zoning from UE Urban Estate to C-2 General Commercial

APPLICANT: Anderson Hill Commercial/AVID Group

8. REQUEST FOR CONDITIONAL USE PERMIT

REQUEST: To allow for a structure more than 20,000 square feet in the C-2 General Commercial zoning district.

APPLICANT: Anderson Hill Commercial/AVID Group

Senior Planner Kruse presented the staff report as follows:

The applicant, Avid Group, is requesting a small-scale comprehensive plan amendment for the subject property. This request is being heard concurrently with requests for annexation, rezoning and a conditional use permit. The applicant wishes to develop the property and have City services available.

The small-scale comprehensive plan amendment would change the future land use from Lake County's Urban Low to the City's Commercial designation. The property's physical characteristics and its U.S. Highway 27 frontage support the Commercial designation. The property is adjacent to a major arterial roadway and has existing commercial uses to the north and across U.S. Highway 27 to the east.

City of Clermont
MINUTES
PLANNING AND ZONING COMMISSION
February 7, 2017

Page 6

Upon annexation, the zoning would default to Urban Estate. The applicant is requesting a change to C-2 General Commercial in order to develop the 9.5-acre property as a multi-tenant retail/commercial shopping center. Under Section 122-223 of the land development code, retail businesses and shopping centers are a permitted use in the C-2 General Commercial district.

Staff believes commercial uses at this location are compatible with the uses in the area. The single-family residential to the west is approximately 15 feet higher than the proposed development and will be buffered by the landscaping on top of the retaining walls. The stormwater pond will also be located in the western portion of the site. The property along U.S. Highway 27 is currently zoned Planned Commercial in Lake County, and the City's C-2 General Commercial is very similar to this use.

The applicant also has applied for a conditional use permit, since one of the buildings will occupy more than 20,000 square feet of floor space. The overall development will have up to 58,000 square feet of C-2 General Commercial use, of which approximately 3,500 square feet will be for outdoor patio use. Section 122-223 (b) of the land development code requires a conditional use permit for any building structure that occupies more than 20,000 square feet. The applicant is proposing one building with 20,400 square feet. The other proposed buildings will be under the 20,000-square-foot threshold.

The site will be developed to meet the City's architectural standards and will be in substantial accordance with the preliminary site plan prepared by Avid Group, revision date January 27, 2017.

Staff has reviewed the application and believes that the proposed use will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, and the proposed use will comply with the regulations and conditions specified. Therefore, staff recommends approval of the request for a building with more than 20,000 square feet in the C-2 zoning district with the conditions contained in Resolution 2017-04. Staff recommends approval of the small-scale comprehensive plan amendment to change the future land use from Lake County Urban Low to Commercial and approval of the rezoning to C-2 General Commercial.

Peter Pensa, Avid Group, stated that the idea is to create a pedestrian-oriented location for various shops and services. He stated they anticipate five restaurants on the parcel including a drive-thru.

Carol Colvin, 12815 Katherine Circle, stated that she lives directly behind this project. She stated that she is concerned that the property is being rezoned from Urban Low to Commercial. She stated that there would be noise issues. She stated that there is no way to prevent people from gaining access to their neighborhood from the shopping center. She stated that the access from Anderson Hill Road would greatly impact their neighbor. She stated that there is already plenty of vacant retail space in Clermont. She stated that she disagrees with the annexation and rezoning request.

**City of Clermont
MINUTES
PLANNING AND ZONING COMMISSION
February 7, 2017**

Page 7

Rose Farrell, 13215 Maria Ave., stated that she is opposed to the C-2 General Commercial zoning. She is concerned with the increased traffic.

Jennifer Cotch, 12522 Valencia Dr., stated that her main concern is the traffic. She stated she is asking that the access to Anderson Hill Road be removed from the development. She stated that she would like to see the landscape buffer expanded. She stated that she wants the lighting and hours of operation for the commercial site regulated, and she does not want the drive-thru approved.

Hector Serrano, 13106 Tamarack Blvd., stated that he is the president of the HOA. He stated that they already have issues with lighting, noise and people crossing through their yards.

Commissioner Whitehead asked about the lighting.

Mr. Kruse stated there is standard language in the code that restricts lighting to the site only. He stated that when developers come in for site review, they are required to submit a photometric plan.

Commissioner Martin asked about the height of the light pole.

Mr. Kruse stated he believes the height limit is 12 to 15 feet.

Commissioner Whitehead stated that she is concerned about the landscape buffer and people having access to the residents' properties.

Mr. Kruse stated that at this time the developer meets code.

Mr. Mantzaris stated that the Commission could request a condition for additional buffering.

Commissioner Smith asked if commercial would be allowed if the property stayed in the County.

Mr. Kruse stated that the parcels are Lake County Urban Low, which is the same as Kohl's zoning.

Commissioner Smith stated that he suggests closing the access to and from Anderson Hill Road.

Mr. Kruse stated that the access would be determined by Lake County.

Mr. Pensa stated that FDOT would not allow two entrances from U.S. Highway 27 because it does not meet the spacing requirements. He stated that they would be providing sidewalks along Anderson Hill Road in front of the development out to U.S. Highway 27.

Commissioner Martin asked about the retaining walls.

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MINUTES
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Mr. Pensa stated that the retaining wall will be a six-foot wall along Anderson Hill Road and would be about three feet tall closer to U.S. Highway 27. He stated that on the rear and western side of the property there will be a double retaining wall.

Commissioner Hubbard asked about acquiring access from Gerber Collision since they already have an entrance on U.S. Highway 27.

Mr. Pensa stated that if each building was developed independently, then FDOT would have to allow access if you could not obtain access from your neighbor.

Chairman Jones stated that his concerns is the loading zone for Commercial F.

Mr. Pensa stated that the loading zone is next to Commercial E. He stated that the idea is that the user for Commercial F will not receive deliveries.

Carole Campbell, 13112 Tamarack Blvd., stated that she lives directly across the road from the proposed development. She stated that she can hear the noises from Walmart and Harley Davidson.

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

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

Commissioner Hubbard moved to recommend approval of the conditional use permit with the elimination of the access to Anderson Hill Road; seconded by Commissioner Smith. The vote was unanimous to recommend approval.

9. REQUEST FOR COMPREHENSIVE PLAN AMENDMENT

REQUEST: To change the future land use from Lake County Regional Commercial to City of Clermont Commercial

APPLICANT: Tommy's of Clermont/Matt Borisch

10. REQUEST FOR REZONING

REQUEST: To change the zoning from UE Urban Estate to C-2 General Commercial

APPLICANT: Tommy's of Clermont/Matt Borisch

LEGAL NOTICE

Notice is hereby given that the City of Clermont will consider a request for a Conditional Use Permit to allow for a structure over 20,000 square feet in the C-2 General Commercial zoning district, at the following location:

LOCATION

West and Northwest of the intersection of US Hwy 27 and Anderson Hill Rd
AK 1453496, 3828239, and 2826541

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

A public meeting to consider the request will be held before the Planning and Zoning Commission on Tuesday, February 7, 2017 at 6:30pm.

A public meeting to consider the request will be held before the City Council on Tuesday, March 14, 2017 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
January 31 and March 7, 2017



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date														
Tuesday, April 11, 2017														
Agenda Item Name														
Resolution No. 2017-14 <i>Bees Auto, Inc./Weatherbee Conditional Use Permit</i>														
Requested Action														
Recommend approval of Resolution 2017-14.														
Staff Report														
This request was originally advertised for March public hearings and tabled to the April 11, 2017 Council meeting. The applicant has requested to operate an automotive and truck repair service center within the Central Business Zoning District (CBD). According to Sec. 122-244 of the Land Development Code, this use requires approval of a Conditional Use Permit (CUP). An automotive and truck repair service center has operated on this site in the past. However, because the operation ceased, any new operations must attain a CUP. The owner wishes to redevelop the site as shown by the attached site plan, which incorporates site improvements including: 1,345-square-foot building addition, buffer fencing, landscaping, entrances, on-site retention, and parking spaces sized per code. This automotive and light truck repair service would be limited strictly to cars, SUVs, vans, recreational vehicles, and small utility (light) trucks. No semi-trailer, or heavy equipment (e.g. bulldozers), repairs, parking or storage shall be permitted.														
Additional Analysis														
Fiscal Impact Summary														
Fiscal Impact	Fund Number and Description	Available Budget Amount												
Exhibits Attached (copies of original agreements)														
<table border="0"><tr><td>1.</td><td>Resolution</td><td>2017 CUP RES 2017-14.docx</td></tr><tr><td>2.</td><td>Location Map</td><td>Location Map for 898 West Montrose St.docx</td></tr><tr><td>3.</td><td>Site Plan</td><td>CONCEPT PLAN- BEE'S AUTO.pdf</td></tr><tr><td>4.</td><td>Legal ad</td><td>2017 CUP legal ad.docx</td></tr></table>			1.	Resolution	2017 CUP RES 2017-14.docx	2.	Location Map	Location Map for 898 West Montrose St.docx	3.	Site Plan	CONCEPT PLAN- BEE'S AUTO.pdf	4.	Legal ad	2017 CUP legal ad.docx
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**CITY OF CLERMONT
RESOLUTION NO. 2017-14**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A
CONDITIONAL USE PERMIT TO ALLOW FOR AN AUTOMOTIVE
SERVICE CENTER IN THE CENTRAL BUSINESS DISTRICT.**

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held April 4, 2017 recommended approval of this Conditional Use Permit to allow for an automotive service center in the Central Business District, at the following location:

LOCATION:

898 West Montrose Street
AK 1615062 & 2512971

WHEREAS, the granting of this Conditional Use Permit will not adversely affect the officially adopted Comprehensive Plan of the City; such use will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity; the proposed use will comply with the regulations and conditions specified in the codes for such use; and the proposed use may be considered desirable at the particular location;

WHEREAS, the applicant has applied for a Conditional Use Permit to allow for an automotive service center in the Central Business District.

The City Council deems it advisable in the interest of the general welfare of the City of Clermont, Lake County, Florida to grant this Conditional Use Permit.

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

This application for a Conditional Use Permit to allow for an automotive service center in the Central Business District; be granted subject to the following conditions:

Section 1 - General Conditions

1. This Resolution shall inure to the benefit of, and shall constitute a covenant running with the land and the terms, conditions, and provisions hereof, and shall be binding upon the present owner and any successor in title or interest, and shall be subject to each and every condition herein set out.
2. Upon approval of the resolution the aforementioned property shall only be used for the purposes described herein. No further expansion of the use or additions to this project shall be permitted except as approved by another Conditional Use Permit. Any other proposed use shall be specifically authorized by amendment and approval of the City of Clermont City Council.

CITY OF CLERMONT
RESOLUTION NO. 2017-14

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

CITY OF CLERMONT
RESOLUTION NO. 2017-14

Section 2 – Land Use

1. This automotive and light truck repair service would be limited strictly to cars, SUVs, vans, recreational vehicles, and small utility (light) trucks. No semi-trailer, or heavy equipment (e.g. bulldozers), repairs, parking or storage, shall be permitted.
2. In the event that the noise levels create a nuisance to the surrounding property owners, the City reserves the right to open the Conditional Use Permit for further review and additional conditions. Recurring documented complainants related to noise or other disturbances emanating from the operation shall be considered prima facie evidence of a violation of this provision. The owner shall be given written notice of such violations and shall have seven (7) days after receipt of such notice within which to demonstrate that adequate measures have been taken to alleviate the source of the disturbance which gave rise to the recurring complaints. If in the opinion of the Development Services Director, the disturbances have not been corrected, the owner will be scheduled for the next available City Council meeting to determine the appropriate action necessary to alleviate the disturbance, including any additional restrictions on the operation of the business deemed necessary to alleviate the complaints.
3. If any of the stated conditions are violated, the applicant understands and agrees that the City Council may revisit and/or revoke the Conditional Use Permit by Resolution.
4. Any and all signage, appendage, attachments, displays, depictions or the like, attached to the building or placed on the premises, shall be in accordance with City of Clermont Codes.
5. All repairs must be done within an enclosed building, or within the enclosed fence or wall area of the site.
6. Display sales of any vehicle(s) shall not be allowed.
7. No outside storage of any vehicles shall be allowed on site, except for vehicles awaiting immediate repair.
8. No parking, storage of vehicles or equipment, or other uses of any kind are allowed on any adjacent right-of-way.
9. A six-foot privacy fence and associated opaque gates shall be provided per the site plan drawn by Germana Engineering. Said fencing shall be generally described as being along the eastern side of the site; portions of the northern rear of the site; the Montrose St. entrance driveway area; and the western exit drive area on West Ave.

CITY OF CLERMONT
RESOLUTION NO. 2017-14

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 11th day of April, 2017.

CITY OF CLERMONT

Gail L. Ash, Mayor

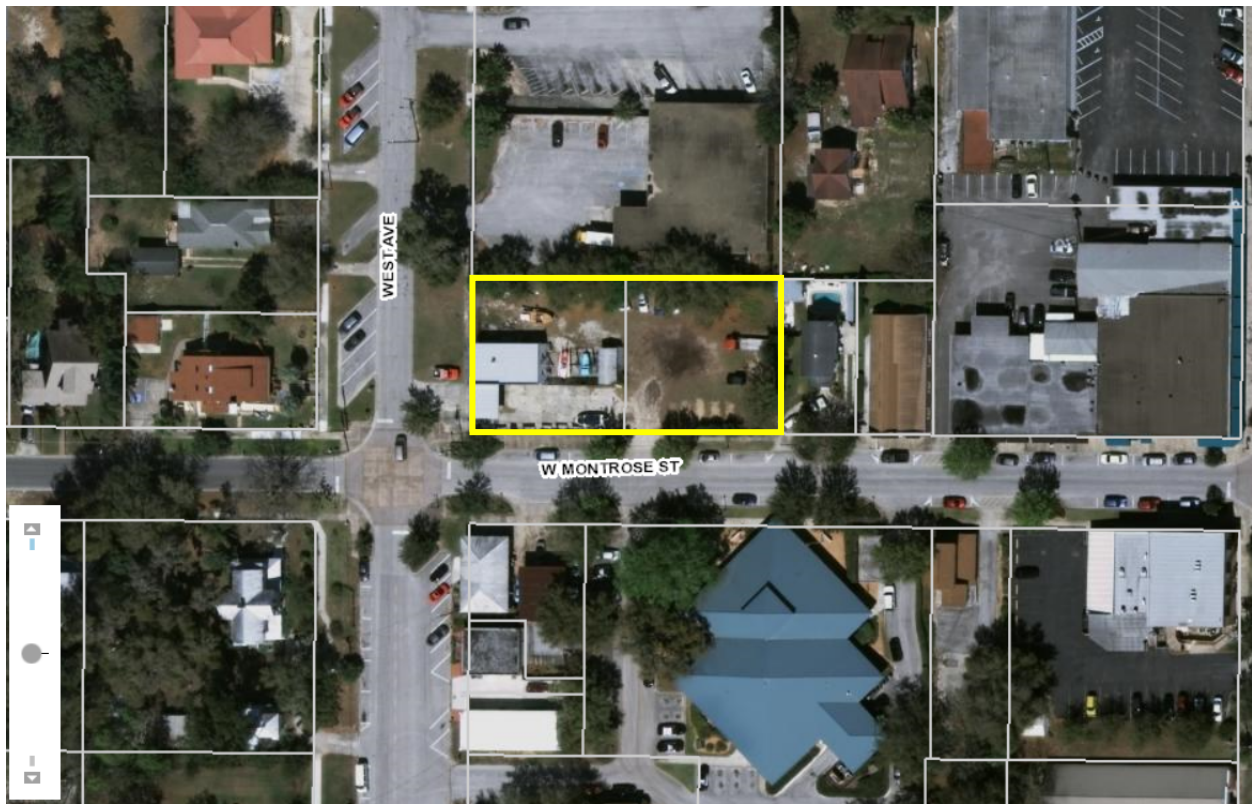
ATTEST:

Denise Noak, Acting City Clerk

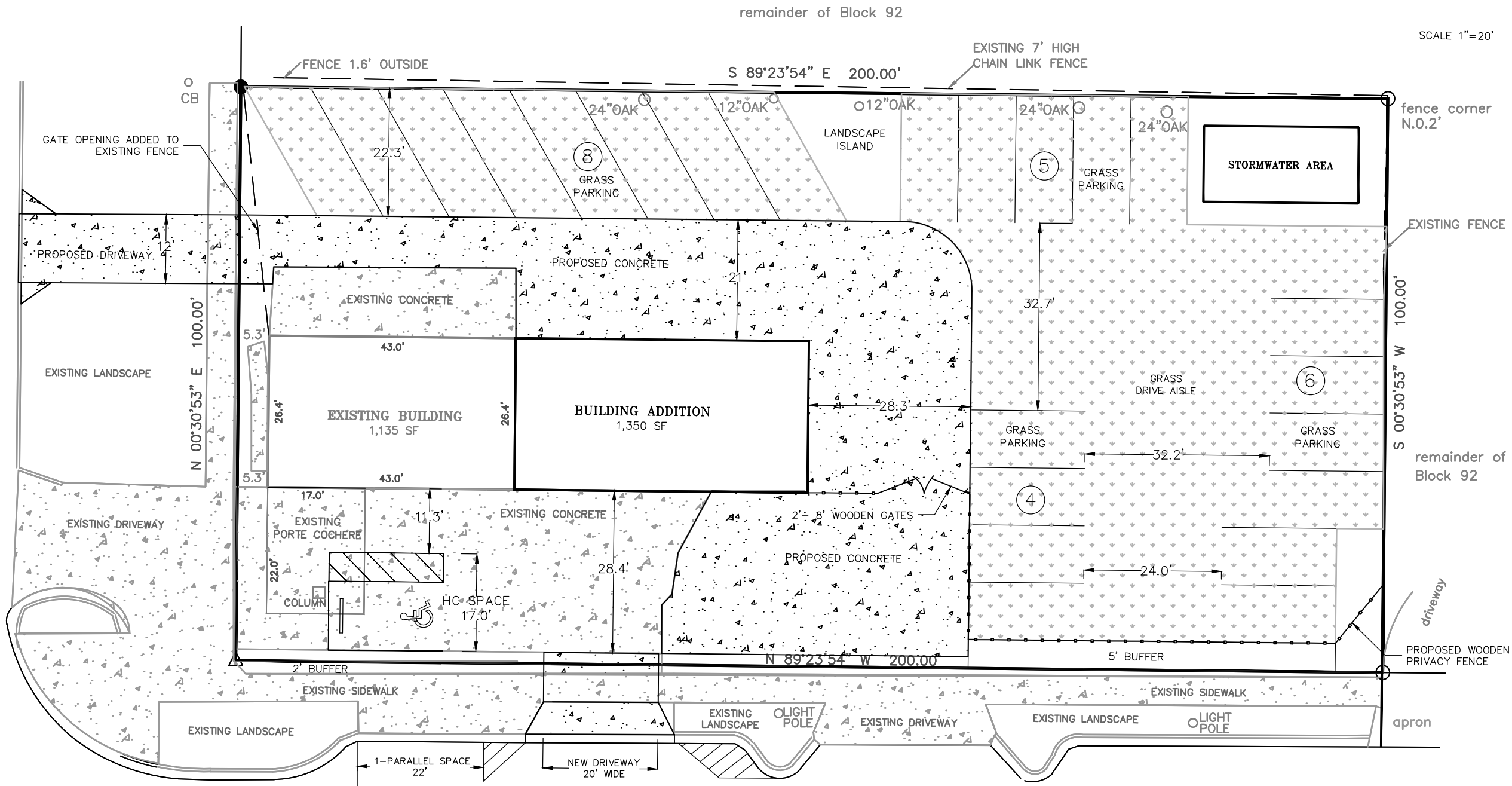
Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Location Map for 898 West Montrose St.



WEST AVENUE



W. MONTROSE STREET

CONCEPT PLAN
NOT FOR CONSTRUCTION OR PERMITTING
03-30-17

Germana Engineering and Associates, LLC CERTIFICATE OF AUTHORIZATION # 29279 1120 W. MINNEOLA AVENUE Phone: (352) 242-9529 WWW.GERMANAENGINEERING.COM © COPY-RIGHT 2017	CLERMONT, FLORIDA	PROJECT # GE0082017	CONCEPT PLAN		No.		REVISIONS		DATE	
SCALE: 1"=20'		DATE 03/30/17		EXHIBIT						

LEGAL NOTICE

Notice is hereby given that the City of Clermont will consider a request for a Conditional Use Permit to allow for an automotive service center in the Central Business District.

LOCATION

898 West Montrose Street
Alternate Key 1615062 & 2512971

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, March 7, 2017 at 6:30pm.

A public meeting to consider the request will be held before the City Council on Tuesday, March 28, 2017 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
March 1 and March 21, 2017



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, April 11, 2017		
Agenda Item Name		
Variance Requests <i>Bees Auto, Inc./Weatherbee</i>		
Requested Action		
Recommend approval of variance requests.		
Staff Report		
The applicant is requesting three variances to the land development code (LDC) for an automotive service center in the Central Business District: - To allow for less than a 15-foot landscape buffer adjacent to a right-of-way as required by the LDC, Section 118-37(e) Vegetation. - To allow for less than a 10-foot landscape buffer adjacent to an adjoining property line as required by the LDC, Section 118-37(d) Vegetation. - To allow for grass parking rather than paved parking as required by the LDC, Section 98-5 Parking. The first variance is to allow for a landscape buffer of less than 15 feet adjacent to the right-of-way. When a parking lot is established, a 15-foot landscape buffer is the minimum required per code. The applicant is requesting a minimum landscape buffer of 5 feet adjacent to the parking areas. The second variance request is to allow a landscape buffer of less than 10 feet adjacent to an adjoining property line. In several areas on the site plan (north and east property lines), the applicant is not proposing a landscape buffer. This is due to the existing conditions on the adjoining parcels. To the north, there is an existing 8-foot chain link fence owned by the U.S. Postal Service, and to the east, there is a partial wooden privacy fence owned by the neighboring property owner. The third variance request is to minimize the amount of impervious surface being added to the parcel by maintaining the existing grass parking area. Per City code, the parking area shall be paved. The applicant is proposing to install a paved drive aisle to circle the building, but the parking areas off the drive aisle are proposed to remain as grass parking. Section 86-174 of the LDC requires a positive finding on eight items in order to grant a variance, and staff believes that all eight meet these findings. Therefore, staff recommends approval of the variance requests.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)		
1.	Review Criteria	Bees Review Criteria.docx
2.	Site plan	CONCEPT PLAN- BEE'S AUTO.pdf
3.	Ad	898 W MONTROSE ST VAR.pdf

College Station Outparcel Variances

The requirements for a variance are as follows:

“Sec. 86-174, Review Criteria and Finding. When reviewing an application for a variance, the board of zoning adjustment 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:”

There are eight items that the applicant is required to respond to. Staff’s comments, based on the eight requirements for a positive finding as they relate to this request, are as follows:

FINDINGS:

- (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;

Applicant response:

Staff comments: *Other parcels within the downtown CBD district have been granted similar variance request.*

Positive finding

- (2) The condition giving rise to the requested variance has not been created by any person presently having an interest in the property;

Applicant response:

Staff comments: *The current owner did not develop the parcel as it is today. Current code regulations make it difficult to conform when an older structure is already established on the parcel.*

Positive finding

- (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;

Applicant response:

Staff comments: *Other parcels within the downtown CBD district have been granted similar variance request.*

Positive finding

- (4) The variance request is not based exclusively upon a desire to reduce the cost of developing the site or otherwise economically founded;

Applicant response:

Staff comments: *Staff does not feel the variance request is based on a desire to reduce the cost of development.*

Positive finding

- (5) The variance, if granted, is the minimum variance necessary to make possible the reasonable use of the land, building or structure;

Applicant response:

Staff comments: The applicant's request for the variance seems to be the minimum variances necessary to make the reasonable use of the property.

Positive finding

- (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;

Applicant response:

Staff comments: The City Council has granted similar variance requests in the past.

Positive finding

- (7) The proposed variance will not substantially diminish property value in, or alter the essential character of the area surrounding the site; and

Applicant response:

Staff comments: The proposed variances do not seem to substantially diminish property values or alter the essential character of the area.

Positive finding

- (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.

Applicant response:

Staff comments: Staff feels that granting the variance will not be injurious to the surrounding properties or detrimental to the public welfare.

Positive finding

STAFF RECOMMENDATION:

Section 86-174 of the LDC requires a positive finding on eight items in order to grant a variance, and staff believes that **all** eight meet these findings. Therefore, staff recommends **approval** of the variance requests by the applicant to the Clermont Land Development Code.

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

CITY OF CLERMONT
Nadine
P.O. BOX 120219
CLERMONT, FL 34712

Account Number: 7101866
Order Number: 10062601
Phone: (352) 241-7331
Date: 03/27/17
Ad Taker: liana davis

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
LEGAL NOTICE Notice is hereby given that the City Council of the City of Cle	03/28/2017	03/28/2017	\$107.24

LEGAL NOTICE

March 28, 2017

Notice is hereby given that the City Council of the City of Clermont will consider a request for the following two variances: (1) To allow for less than a 15 foot landscaper buffer adjacent to a right-of-way as required by the Land Development Code, Section 118-37 (e) Vegetation. (2) To allow for less than a 10 foot landscaper buffer adjacent to an adjoining property line as required by the Land Development Code, Section 118-37 (d) Vegetation. (3) To allow for grass parking rather than paved parking as required by the Land Development Code, Section 98-5 Parking, at the following location:

LOCATION

Alt. Key 1615062 and 2512971
898 West Montrose Street

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, April 11, 2017 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.

Denise Noak
Acting City Clerk

Ad No: 10062601

Payment Info	
Ad Price	\$107.24
Tax	\$0.00
Sub Total	\$107.24
Prepaid Amount	\$0.00
Balance Due	\$107.24