



**CITY OF CLERMONT
PLANNING AND ZONING COMMISSION AGENDA
6:30 PM, Tuesday, November 7, 2017
City Hall – 685 W. Montrose Street, Clermont, FL**

**CALL TO ORDER
INVOCATION AND PLEDGE OF ALLEGIANCE**

MINUTES

Minutes of the October 3, 2017 Planning and Zoning Meeting

REPORTS

NEW BUSINESS

Item 1 - Ordinance No. 2017-41
Eddy Property Large-scale Comprehensive Plan
Amendment

Consider ordinance to change the future land use from Lake County Rural to City of Clermont Low Density Residential for property located 3/4 mile east of Heritage Hills Boulevard on Hartwood Marsh Road and Eddy Drive.

Item 2 - Ordinance No. 2017-42
Eddy Property Rezoning Request

Consider ordinance to rezone 114 +/- acres from Urban Estate to Planned Unit Development for up to 340 single-family homes on property located north of Lovers Lane and Hartwood Marsh Road intersection.

Item 3 - Ordinance No. 2017-49
The Shops at Waterbrooke Rezoning

Consider ordinance to rezone 45 +/- acres to a Planned Unit Development to allow up to 162,000 square feet of C-2 General Commercial Use and 85 townhomes for property located at the southwest corner of Emil Jahna and SR 50.

Discussion of Non-Agenda Items

ADJOURN

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

In accordance with the Americans with Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, then not later than two (2) business days prior to the proceeding, he or she should contact the Development Services at 352-241-7302.

Please be advised that if you intend to show any document, picture, video or items to the

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6:30 PM, Tuesday, November 7, 2017

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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 Recording Clerk for the City's records.

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October 3, 2017

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The meeting of the Planning & Zoning Commission was called to order Tuesday, October 3, 2017 at 6:30 p.m. by Chairman Nick Jones. Other members present were Cuqui Whitehead, Carol Thayer, Jack Martin, Tony Hubbard, and Herb Smith. Shannon Schmidt, Development Services Director, Curt Henschel, Planning Manager, Regina McGruder, Senior Planner, Dan, Mantzaris, City Attorney and Jane McAllister, Planning Specialist, were also in attendance.

Commissioner Whitehead moved to approve the minutes of the September 18, 2017 meeting as written; seconded by Commissioner Thayer.

MINUTES of the Planning and Zoning Commission meeting held September 18, 2017 were approved as written.

Chairman Jones reviewed the fact that the Planning and Zoning Board is a recommending body and does not make a final decision. That is the duty of the City Council.

REPORTS: Commissioner Whitehead introduced Shannon Schmidt the Acting Director for Development Services.

Ms. Schmidt greeted everyone and explained that in an effort for the City to better serve the public, they are looking at more ways to condense the response time in several areas.

Ms. Schmidt then announced that Item 6 has been removed from the agenda.

Commissioner Whitehead announced that she has been working with a task force to assist those coming in from Puerto Rico and other areas that were severely impacted by the recent hurricanes. She said there is a trailer at the Arts and Recreation Center for donations of items to be sent to Puerto Rico.

Chairman Jones asked when the debris throughout the city will be cleaned up.

Ms. Schmidt said it will all be cleaned up by the end of October.

1. REQUEST FOR A CONDITIONAL USE PERMIT

REQUEST: To allow for a skilled nursing facility in the C-2 General Commercial District.

APPLICANT: Greystone Healthcare Management

Planning Manager, Curt Henschel, presented the staff report as follows:

The applicant is proposing to construct and operate a 73,000 square foot skilled nursing facility at the southwest corner of Citrus Tower Blvd and Hooks Street.

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The facility is designed to operate 24 hours a day while patients recover from their operations or injuries. Registered nurses and LPN's will staff the facility providing services and amenities such as specialized orthopedic, cardia, and stroke programs. A patient's typical stay may last from 20 to 30 days at the facility, and this will not be considered a permanent housing facility. Other programs offered by the facility will include wound care programs, pain management, fall reduction programs, and dietitian services.

The existing commercial future land use and the C-2 commercial zoning district do permit this proposed use with an approved Conditional Use Permit.

Staff has reviewed the application and believes that the proposed use will not be detrimental to the health, safety of general welfare of persons residing or working in the vicinity Therefore staff recommends approval.

Ms. Kelly Bullock, of Kimley Horn, 116 S. Kentucky Avenue, Lakeland FL, is present to answer questions.

Commissioner Martin asked if there would be a sidewalk along Hooks Street.
Mr. Henschel said there is a sidewalk already in place on Hooks Street and on Citrus Tower Boulevard as well.

Chairman Jones opened the floor to the public. There was no one who wished to speak

Chairman Jones closed the public hearing, and asked the Board for comments or questions.

Commissioner Whitehead said this is something that is desperately needed in Clermont.
She asked how many beds will be there.

Ms. Bullock said there will be between 60 and 80 beds in the facility.

Commissioner Whitehead moved to approve the request, seconded by Commissioner Martin.
The vote unanimous in favor of approval for the request.

2. REQUEST FOR A CONDITIONAL USE PERMIT

REQUEST: To allow for a carwash facility in the Urban Estate Low Density Residential Zoning District.

APPLICANT: Blue Water Express Wash 8, LLC

Senior Planner, Regina McGruder, presented the staff report as follows:

The applicant is requesting a Conditional Use Permit (Resolution No. 2017-38) to allow a full service carwash facility in the Urban Estate Low Density Residential zoning district. The subject

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property will be an out-parcel located within the Plaza Collina Planned Unit Development. The approved Master Development Plan allows for automotive service establishments as a permitted use with a Conditional Use Permit. The subject property is approximately 1.43 acres+/- and will be developed to meet the City's Architectural Standards and Land Development Codes. The conceptual site plan dated 9/2017; as submitted will require two variances in order to comply with the Land Development Regulations for development that include (1) To allow for a reduction of the required 30 feet special setback for accessory structure canopies, as required by the Land Development Code, Section 122-342 and (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. The variance request will be heard concurrently by the City Council on October 24, 2017.

Staff has reviewed the application and believes that the proposed use is consistent with the Plaza Collina Planned Unit Development Master Plan and 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 Conditional Use Permit to allow a carwash facility in the Urban Estate Low Density Residential zoning district with the conditions contained in Resolution No. 2017-38.

Applicant Stuart Anderson, an engineer with Interplan, 604 Courtland St., Orlando, FL said he is here to answer any questions.

Chairman Jones asked about access to the car wash.

Mr. Anderson explained there is an access road from in front of the car dealership next door where there is a traffic light, or from a right turn off of Highway 50.

Ken Terryll, the owner said the biggest challenge for this site was the jog in the road. It caused them to have to place their building further to the rear of the property.

Chairman Jones opened the floor to the public. There was no one who wished to speak. Chairman Jones closed the public portion, and asked for additional comments or questions from the Board. There being none, he asked for a motion.

Commissioner Whitehead moved to approve the request, seconded by Commissioner Smith. The vote was unanimous in favor of approval of the request.

3. REQUEST FOR A CONDITIONAL USE PERMIT

REQUEST: To amend Resolution #1370 for Oakley Seaver Plaza to allow the addition of an automotive service center.

APPLICANT: Transtech Auto & Transmission Service, LLC

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Planning Manager, Curt Henschel presented the staff report as follows:

The applicant is seeking to occupy an existing automotive service center located at 1220 Oakley Seaver Drive.

The location was previously operated as an automotive Mobile Quick Lube center under Resolution #1370. There is a condition under Resolution 1370 Section 2 “Land Use” #6 that specifically states “the oil change facility shall not utilize power hydraulic or air powered tools. All operations within the oil change facility shall be performed by hand tools”.

The new applicant is not requesting to operate an automotive transmission service center that would need to modify this condition for powered tools. This location is ideal for the applicant because of the existing automotive lifts that are already in the facility.

The applicant will not be expanding the building, and all automotive work will be required to be completed within the building.

The existing commercial future land use and commercial zoning district do permit this proposed use with an approved Conditional Use Permit.

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 an automotive transmission repair center at 1220 Oakley Seaver Drive with the conditions contained in Resolution 1370.

Applicant Rafael Calderon, 1220 Oakley Seaver Dr. Clermont FL 34711, said everything is already in place. He said the noise will not be an issue because air powered tools are not nearly as loud as they used to be. He added that the motors that drive the hydraulic tools are quiet as well. Also, the doors will be closed most of the time and the noise will be contained.

Commissioner Thayer asked hours of operation. Mr. Calderon said the hours would be week days from 8 to 5. He doesn’t intend to operate on the weekend, but if that becomes necessary it would only be on Saturday from 8am to 1pm.

Mr. Calderon promised to immediately address any issues that might arise

Chairman Jones opened the floor to the public. There was no one who wished to speak. Chairman Jones closed the public portion of the hearing, and returned it to the Board.

Commissioner Whitehead moved to approve the request, seconded by Commissioner Thayer. The vote was unanimous in favor of approving the request.

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4. REQUEST FOR LARGE-SCALE COMPREHENSIVE PLAN AMENDMENT

REQUEST: 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 36.87 +/-acre parcel from Lake County Regional Commercial to Industrial.

APPLICANT: John Kingman Keating

Planning Manager, Curt Henschel, presented the staff report as follows:

The applicant, is requesting a large-scale comprehensive plan amendment for the subject property. The property is approximately 35.87+/- acres in size. The property is located within the Inter-local Service Agreement (ISBA) and the Joint Planning Area (JPA) between the City and Lake County. This request is being heard concurrently with a request for annexation. The rezoning will come before the Planning and Zoning Commission later this year.

The large-scale comprehensive plan amendment would change the Future Land Use from Lake County's Regional Commercial to the City's Industrial designation. The property is currently zoned Planned Industrial in Lake County and the applicant desires to continue those permitted uses in the City of Clermont. The City's Industrial Future Land Use designation is supported by the physical characteristics of the site, such as the high voltage transmission line with a 200-foot power easement extending over a third of the property and the location of the property to major transportation corridors with the existing industrial uses in the area. In addition, Industrial uses are permitted through the current Lake County zoning classification, which would continue under the City's Industrial future land use designation.

Lake County's Regional Commercial FLU, under Policy I -1.2.2, Table FLUE in their comprehensive plan, allows a floor area ratio of 3.0 FAR. The City's Industrial Land Use, under Policy 1.10.3 limits the floor area ratio to 1.0 FAR, which is considerably less than allowable under Lake County and decreases the intensity.

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

Staff recommends approval of the transmittal of the large-scale comprehensive plan amendment to change the future land use from Lake County Regional Commercial to Industrial in the City.

Attorney Mantzaris explained that the City has a portion of this property under contract for the future public works facility.

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Chairman Jones opened the floor to the public. There was no one who wished to speak. Chairman Jones closed the public portion and returned it to the Board for questions or comments.

Commissioner Martin asked if the property was in the city limits, and how the property to the north of it is zoned.

Mr. Henschel said the property will be annexed in the future, but that this procedure needs to take place earlier than that because it takes such a long time to accomplish.

In answer to Mr. Martin's other question, Mr. Henschel said the property to the north is zoned as commercial, and so is the property to the south of the parcel.

Mr. Martin said that he doesn't think industrial use is compatible with the surrounding subdivisions which are high end residential.

Commissioner Whitehead moved to approve the request, seconded by Commissioner Smith. The vote was 5-1 in favor of approval with Mr. Martin voting no.

5. REQUEST FOR A CONDITIONAL USE PERMIT

REQUEST: To allow for the expansion of an automotive dealership in the C-2 General Commercial zoned district.

APPLICANT: AVID Group

Planning Manager, Curt Henschel, presented the staff report as follows:

The applicant is seeking to expand the Ford of Clermont Automotive dealership located at 1101 East Highway 50.

The existing Ford dealership operates under Resolution 1173, which was last approved in January 2001, allowing for expansion and renovation of the showroom and the construction of a new body shop and service center on the south side of the site.

The current proposal includes expanding the dealership parking area to the western parcel which remains unpaved with vehicle inventory on site, and also the addition of a Quick Lane service center. The proposed service center is a 12 bay center with a one bay car wash (11,000 square feet total). The service center will provide minor service and repairs such as oil changes, tire service, and maintenance services. This expansion will free up the existing service center located behind the dealership for major service and repairs. Access to the service center will be through the dealership or the existing frontage road to the northwest of the parcel.

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The existing commercial future land use and commercial zoning district do permit this proposed use with an approved Conditional Use Permit.

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 the expansion of the automotive dealership and service center with up to 11,000 square feet of building space in the C-2 zoning district with the conditions contained in Resolution 2017-52.

Applicant Peter Pence, AVID Group, 2300 Curley Road, Palm Harbor, FL said the Ford Dealership is so successful that they have been unable to keep up with the demand for oil changes, and other minor repairs etc. This addition would alleviate that problem as they would continue using the present bays for warranty and body work and other large jobs, and this facility would handle the smaller repairs. Mr. Pence said they are not asking for any variances or waivers.

Chairman Jones opened the floor to the public. There was no one who wished to speak. Chairman Jones closed the public portion, and returned it to the Board for comments or questions.

Commissioner Whitehead moved to approve the request, seconded by Commissioner Smith. The vote in favor of approval was unanimous.

6. SIGN CODE AMENDMENT (removed from the agenda)

REQUEST: To allow for the enactment of Ordinance No. 2017-27 amending the Code of Ordinances of the City of Clermont, Chapter 102, Signs.

APPLICANT: City of Clermont

Senior Planner, Regina McGruder, presented the staff report as follows:

The Florida Constitution provides that it is the policy of the State to conserve and protect its scenic beauty, and the regulation of signage for purposes of aesthetics directly serves that policy. The regulation of signs as provided herein is based upon their function, and is not based upon the content of the message contained on any such sign. Following an opinion of the United States Supreme Court that local governments may not impose more stringent restrictions on directional signs than on signs conveying a message, the City of Clermont seeks to repeal in its entirety and replace Land Development Code, Chapter 102 – Signs.

The City Attorney has amended the existing sign code to comply with the Florida Constitution and the recent Court findings by removing regulations that are dependent on the communicative

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content of the sign with Ordinance No.2017-27. The existing regulations of signs regarding the size, height, type and location of signs has not been changed in the amended sign ordinance. Staff recommends approval of Ordinance No. 2017-27 to repeal in its entirety and replace Land Development Code, Chapter 102 – Signs.

Chairman Jones asked about how the sign code is being amended.

City attorney Mantzaris explained the process. He said there will be a workshop before the City Council on Dec 19, 2017, at 6:30pm.

There being no further business, the meeting was adjourned at 7:39 p.m.

Nick Jones, Chairman

ATTEST:

Jane C. McAllister – Planning Specialist



CITY OF CLERMONT

AGENDA ITEM

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Meeting Date	
Tuesday, November 7, 2017	
Agenda Item Name	
Ordinance No. 2017-41 Eddy Property Large-scale Comprehensive Plan Amendment	
Requested Action	
Recommend approval of Ordinance 2017-41.	
Staff Report	
The applicant, Chuck Piper, is requesting a Future Land Use change on the subject property. This request is being heard concurrently with requests for annexation and a rezoning to a Planned Unit Development (PUD) for single-family housing. The property is located within the Interlocal Service Boundary Agreement (ISBA) and the Joint Planning Area (JPA). The property has been historically used for agricultural uses but is now inactive. The proposed map amendment will change the future land use from Lake County's Rural to the City's Low Density Residential. The City's Low Density Residential does not permit commercial or industrial uses. The applicant is requesting up to 340 units on 114.39 +/- acres, which equates to 2.97 units per acre. The City's Low Density Residential allows up to three (3) dwelling units per acre. This proposed land use is the City's lowest density residential land use category. Several policies in the City's Comprehensive Plan support the proposed map amendment. These policies include: <u>Policy 1.1.1:</u> Urban services such as water and sewer shall not be extended outside the Lake County/Clermont Joint Planning Area (JPA) without a companion land use plan amendment modifying the boundary and amending the land uses. An exception may be considered where public health, safety and welfare require a community water system or the extension of water service to ensure safe potable water. <u>Policy 1.6.1:</u> Low-Density Residential. Areas delineated on the FLUM for low-density residential development shall accommodate a maximum density of up to three dwelling units per acre and shall be comprised primarily of single-family detached homes on individual lots. <u>Policy 1.12.3:</u> The City shall encourage requests for voluntary annexation into the City when those lands are logical extensions of the existing City limits, when services can be properly provided and when proposed uses are compatible with the City's comprehensive plan. Upon approval by the City Council, the proposed amendment would be transmitted to the Florida Department of Economic Opportunity (DEO) and the reviewing agencies for review. DEO would then issue an Objections, Recommendations and Comments letter to the City, and the amendment would then be scheduled for a final public hearing in January. Staff recommends approval of the large-scale comprehensive plan amendment to change the future land use from Lake County Rural to the City's Low Density Residential.	
Additional Analysis	

Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Ord. No 2017-41	Ord 2017-41 Eddy CPA.doc	
2. Maps	Eddy Maps Final.pdf	
3. Exhibit WO EA	Eddy CPPA report rev 10 11 17 WO EA.pdf	
4. Updated App via Letter	1709 Eddy property Future land use letter 10-11-17.pdf	
5. App	Eddy Comp Plan App.pdf	
6. Legal Ad	CPA AD Eddy.docx	

CITY OF CLERMONT
ORDINANCE No. 2017-41

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

The Northwest 1/4 of Section 1, Township 23 South, Range 26 East, less the North 400 feet and less the East 70 feet and less from the North 1/4 corner of section, run South 0°24'23" East along the East line of the Northwest 1/4 a distance of 400 feet; thence South 89°45'17" West along the South line of the North 400 feet of the Northwest 1/4 a distance of 1007.31 feet for Point of Beginning; thence run South 23°44'13" West 92.02 feet; thence South 01°41'26" West 206.35 feet; thence South 00°54'02" East 132 feet; thence South 89°45'17" West 1573.47 feet to West line of said section; thence North 0°08'15" West along said West line 422.30 feet to South line of North 400 feet of the Northwest 1/4; thence North 89°45'17" East 1615.54 feet to the Point of Beginning and

CITY OF CLERMONT
ORDINANCE No. 2017-41

less the South 33 feet for road right of way, and lying and being in Section 1, Township 23 South, Range 26 East, Lake County, Florida.

The above described tract of land contains 114.39 acres more or less. AK 1593174

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

Section 2.

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

Section 3.

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

Section 4.

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

Subject Property

Hartwood Marsh Road

Orange County

CITY OF CLERMONT
ORDINANCE No. 2017-41

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida, this 23rd day of January, 2018.

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Exhibit - Location Map - Eddy Property

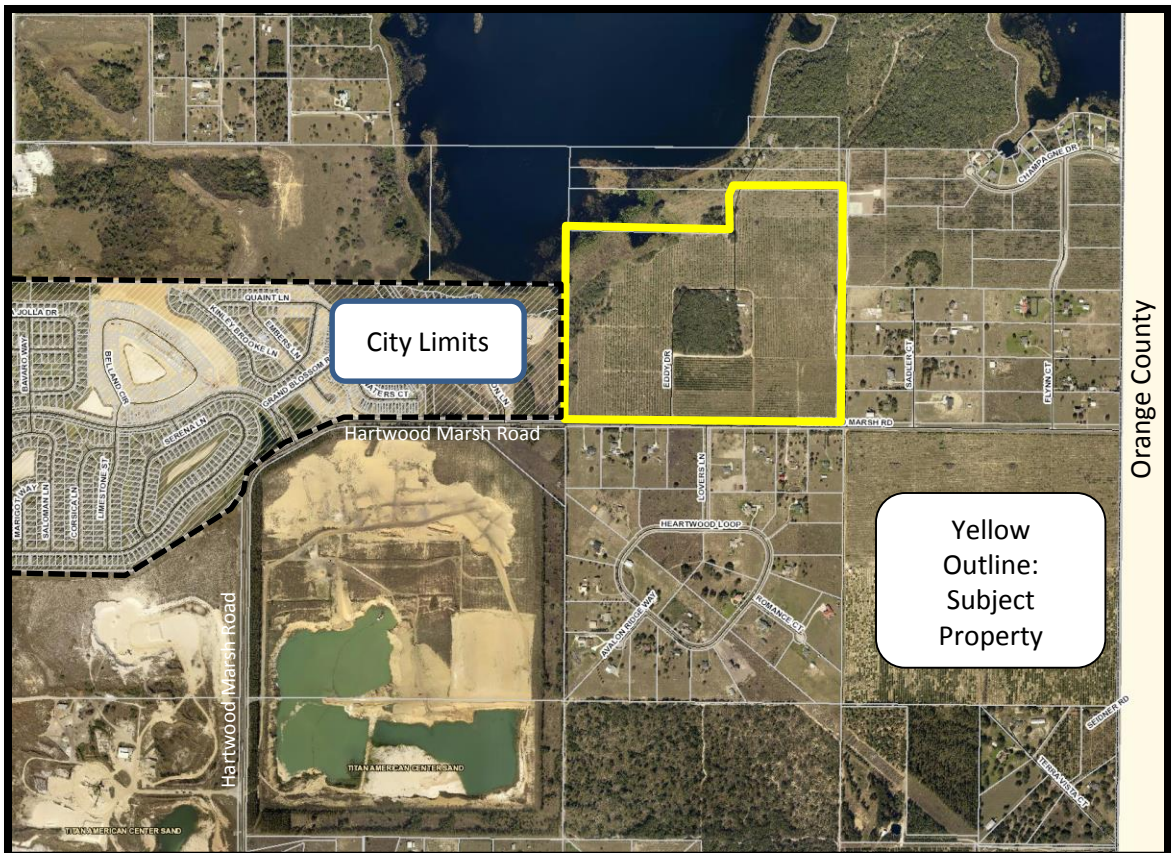
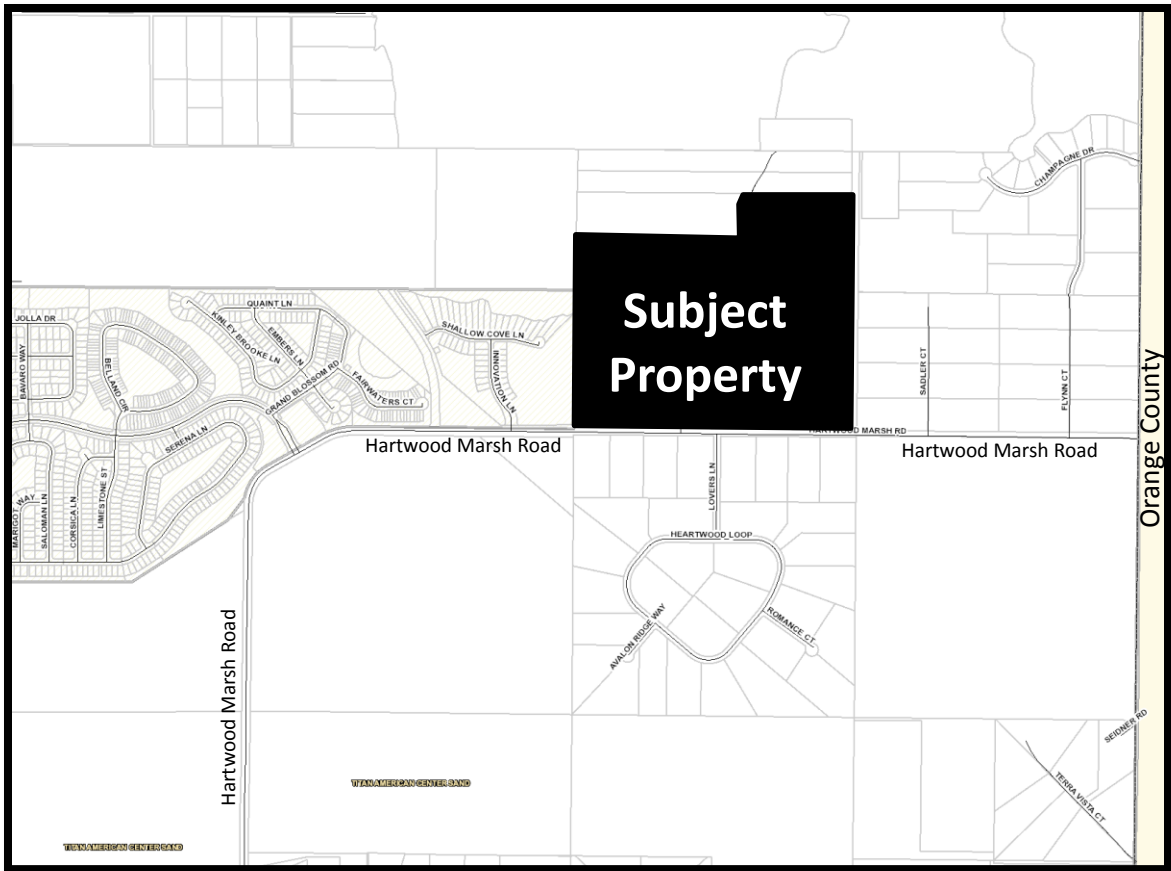


Exhibit – Future Land Use Map – Eddy Property

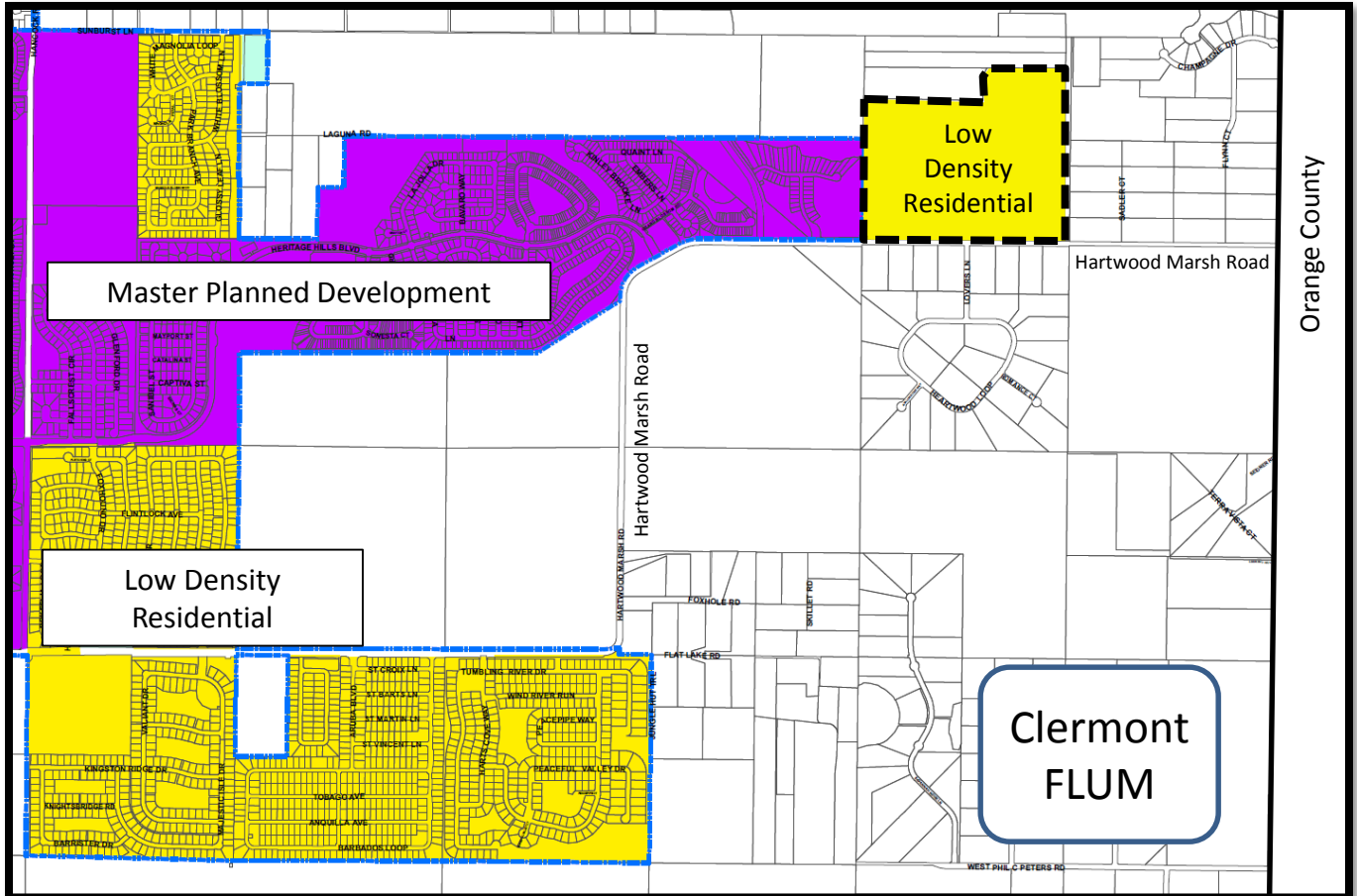
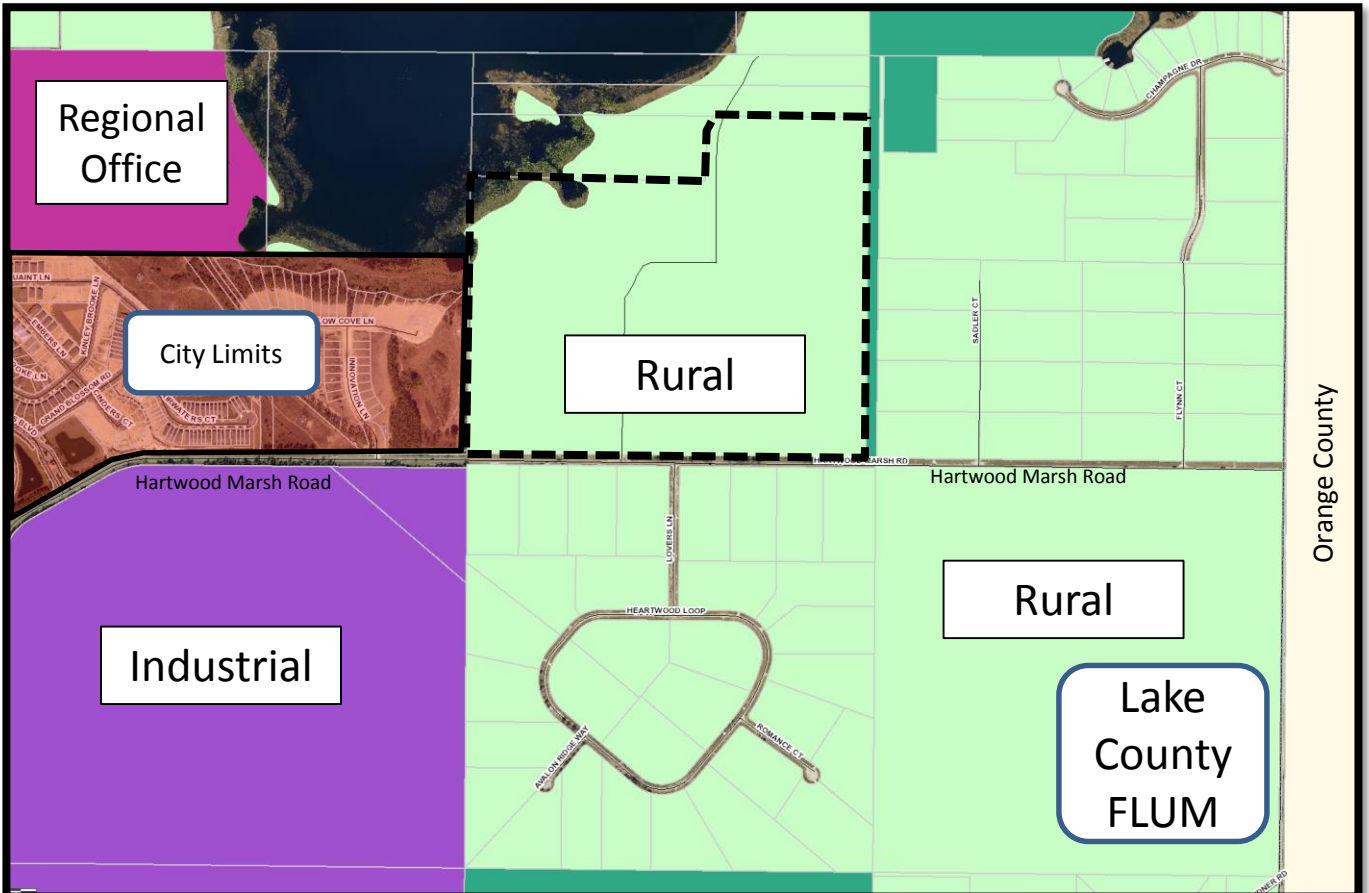
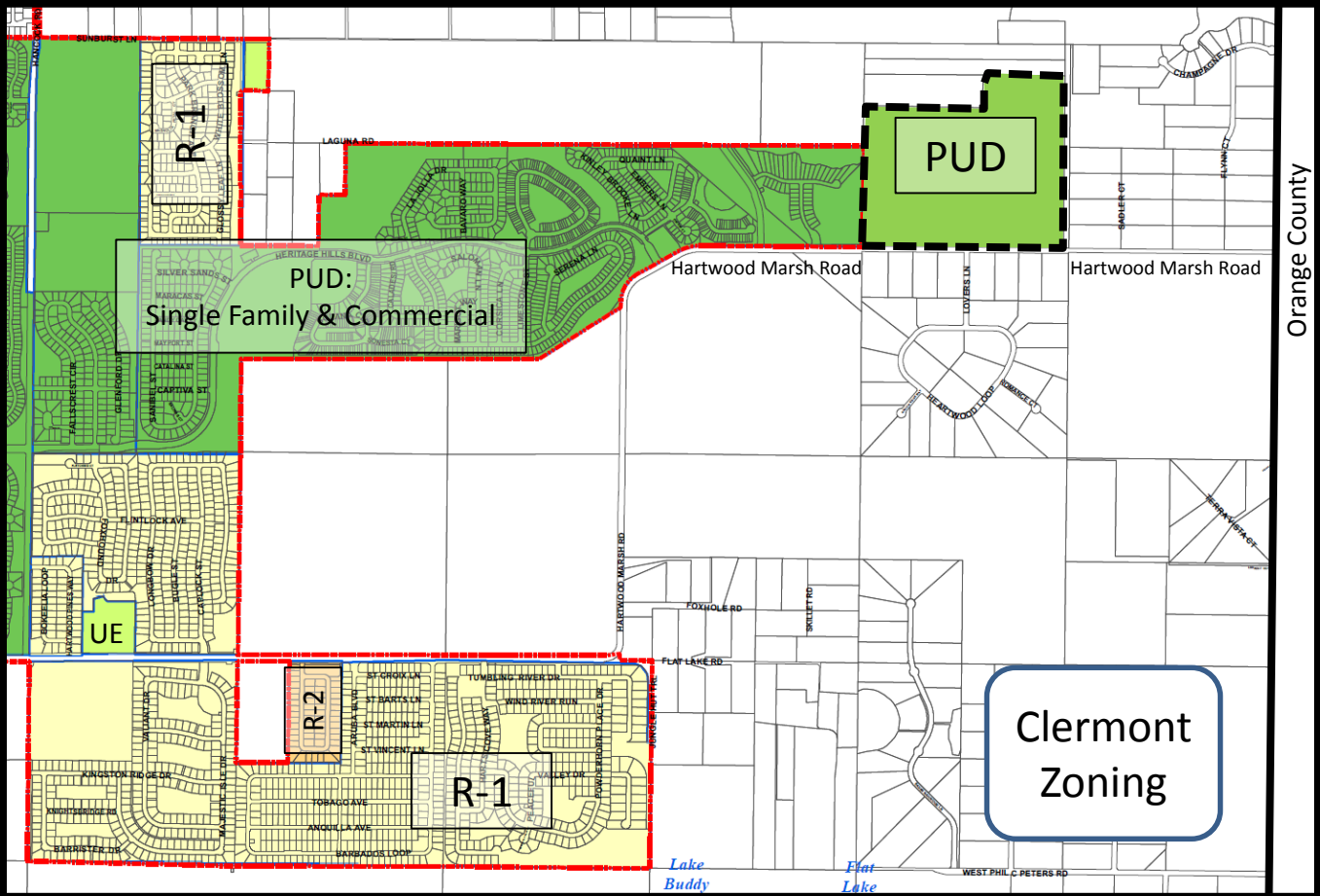
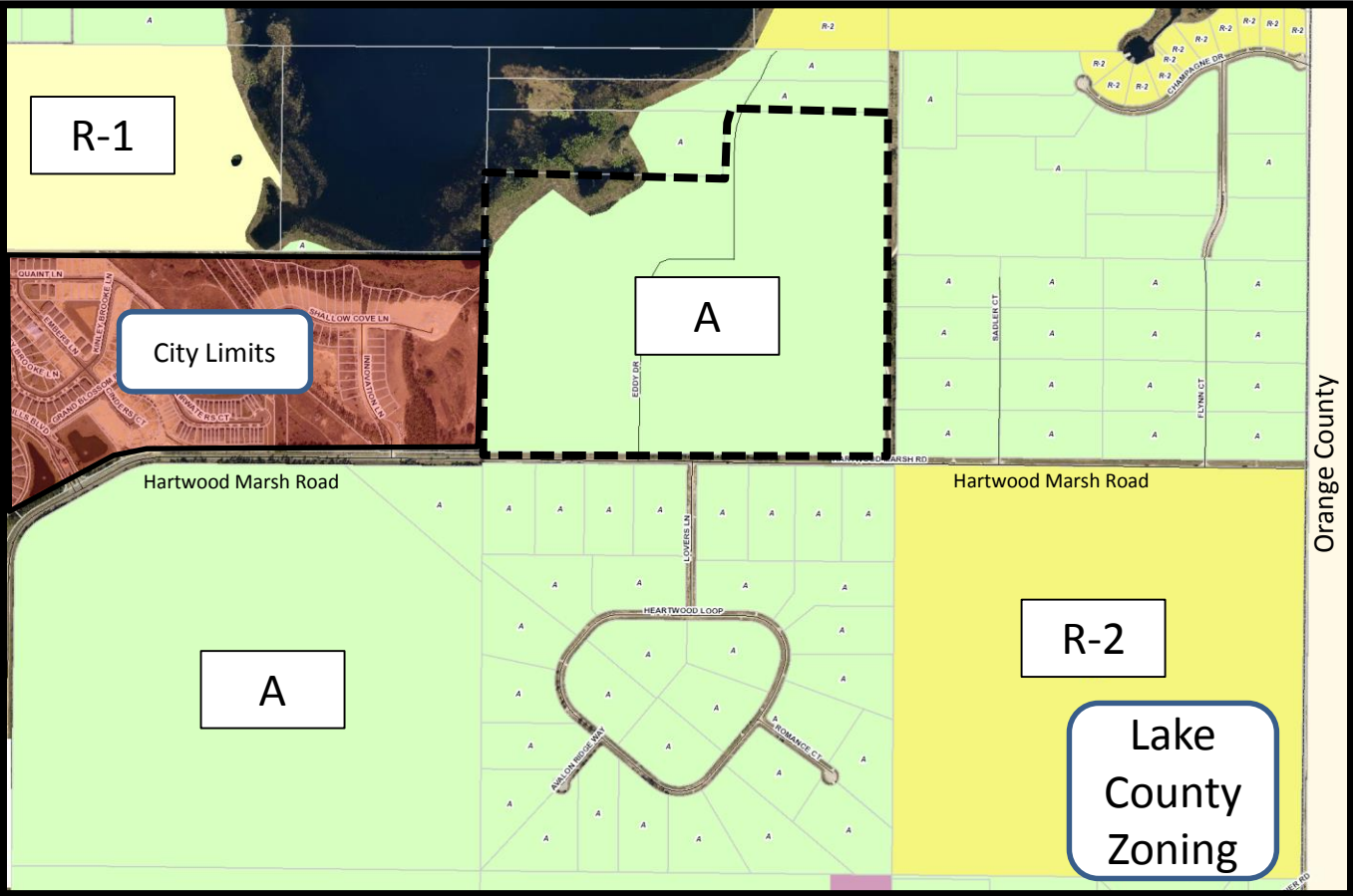


Exhibit – Zoning Map – Eddy Property





EDDY PROPERTY

COMPREHENSIVE PLAN

AMENDEMENT

PREPARED

REVISED

OCTOBER 11, 2017

daly design group

Urban Planning · Landscape Architecture · Project Management
913 N Pennsylvania Ave, Winter Park, Florida 32789
Phone 407.740.7373 · www.dalydesign.com



Eddy Property Comprehensive Plan Amendment

Property Owners:

Mary B Eddy, Trustee
11955 Eddy Dr
Winter Garden FL 34787
Contact: Mrs Mary Eddy

Applicant:

Mr. Chuck Piper
804 W. 2nd Ave
Windermere, FL 34786
Contact: Mr Chuck Piper

Urban Planner:

Daly Design Group
913 N Pennsylvania Ave
Winter Park FL 32789
Contact: Mr Thomas Daly

Traffic Engineer:

Traffic & Mobility Consultants
1507 S. Hiawasse Road, suite 212
Orlando FL 32835
Contact: Mr Mohammed Abdallah

Environmental Consultant:

Bio-Tech Consulting, Inc.
2002 E. Robinson Street
Orlando, FL 32803
Contact: Mr John Miklos

Engineer:

Madden, Moorhead and Stokes, Inc.
431 E Horatio Ave
Maitland, FL 32751
Contact: Mr David Stokes

Surveyor:

Allen and Company.
213 S Dillard Street, Ste 210
Winter Garden, FL 34787
Contact: Mr James Rickman

Eddy Property Comprehensive Plan Amendment

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- 1.7 Consistency with Future Land Use Element – pg 5
- 1.8 Level of Services – pg 6

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- Exhibit 2 – Topography Map
- Exhibit 3 – Soils Map
- Exhibit 4 – Existing Future Land Use Map
- Exhibit 5 – Proposed Future Land Use Map

Table of Appendix

- Appendix 1 – Environmental Assessment Report, prepared by Bio-Tech Consultants
- Appendix 2 – Traffic Study (to be submitted under a separate cover), prepared by TMC

Eddy Property Comprehensive Plan Amendment

1.0 Location:

The subject site (Parcel ID:01-23-26-000200000300) (Alt Key: 1593174) is located north of Harwood Marsh Rd, East of Innovation Lane, North of Lovers Lane, South of Johns Lake and West of the Lake County Water Authority access tract. (Exhibit 1)

1.1 Legal Description:

The northwest 1/4 of section 1, township 23 south, range 26 east, less the north 400 feet and less the east 70 feet and less from the north 1/4 corner of section, run south 0°24'23" east along the east line of the northwest 1/4 a distance of 400 feet; thence south 89°45'17" west along the south line of the north 400 feet of the northwest 1/4 a distance of 1007.31 feet for point of beginning; thence run south 23°44'13" west 92.02 feet; thence south 01°41'26" west 206.35 feet; thence south 00°54'02" east 132 feet; thence south 89°45'17" west 1573.47 feet to west line of said section; thence north 0°08'15" west along said west line 422.30 feet to south line of north 400 feet of the northwest 1/4; thence north 89°45'17" east 1615.54 feet to the point of beginning and less the south 33 feet for road right of way, and lying and being in section 1, township 23 south, range 26 east, Lake County, Florida.

The above described tract of land contains 114.394 acres more or less.

1.2 Site Description:

The subject site is currently an inactive orange grove, with a majority of the trees no longer producing crops. The current owner has considered other types of crops such as blueberries as an alternative crop; however to date those efforts have not come to fruition.

The topography varies on the site with the elevations along Hartwood Marsh Road that range between 140' and 160' along the frontage, and generally slopes towards Johns Lake. (Exhibit 2)

The soils on the subject site consist of Candler sand, 0 to 5% slopes, Candler sand, 5 to 12% slopes, lake sand 0 to 5 percent slopes, Orlando fine sand and Placid and Mykka fine sands, depression. The soils are suitable for residential development. (Exhibit 3)

An environmental assessment report has been prepared by Bio-Tech Consulting and is attached for review. (Appendix 1)

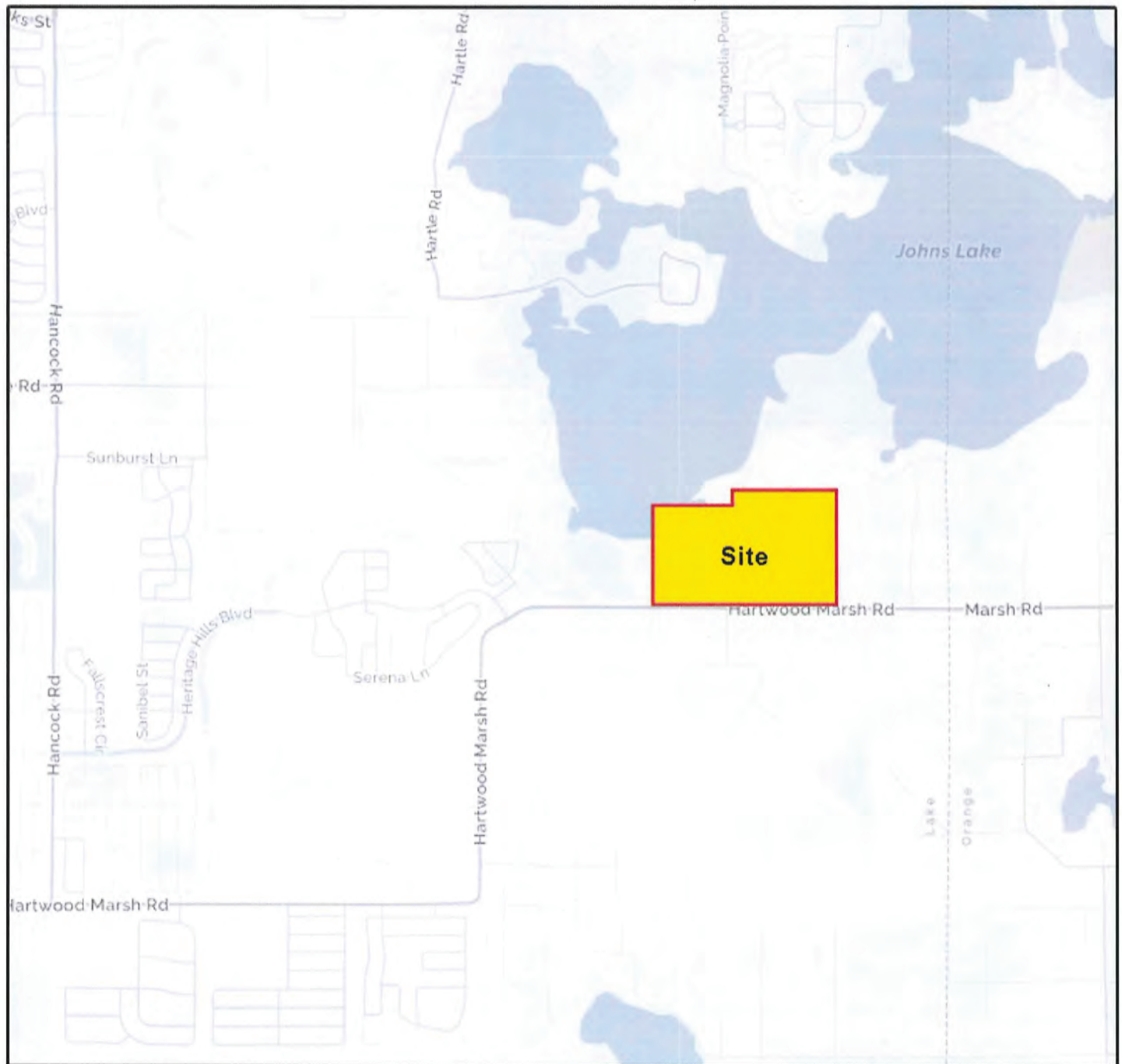
1.3 Adjacent Future Land Uses:

Heritage Hills subdivision is adjacent to the western property boundary. This development is within the City limits and has an existing Future Land Use of Master Planned Development.

There are 2 properties adjacent to the northern property boundary that are existing large lot single family dwellings. These properties are within Lake County and have an existing FLU of Rural 1du/5ac. Access to these properties shall be provided via the internal subdivision roads.

The Lake County Water Authority owns the 70' access tract on the eastern property boundary. This tract provides an access road and paved parking area for the conservation area owned by the Water Authority located along the south side of Johns Lake. This property and has an existing FLU of Conservation.

Eddy Property Clermont, Florida



daly design group

Urban Planning · Landscape Architecture · Project Management

913 N Pennsylvania Ave, Winter Park, Florida 32789

Phone 407.740.7373 · www.dalydesign.com

Job No.: 1709 Scale: nts Date: August 2017



EXHIBIT 1

Eddy Property Clermont, Florida



daly design group

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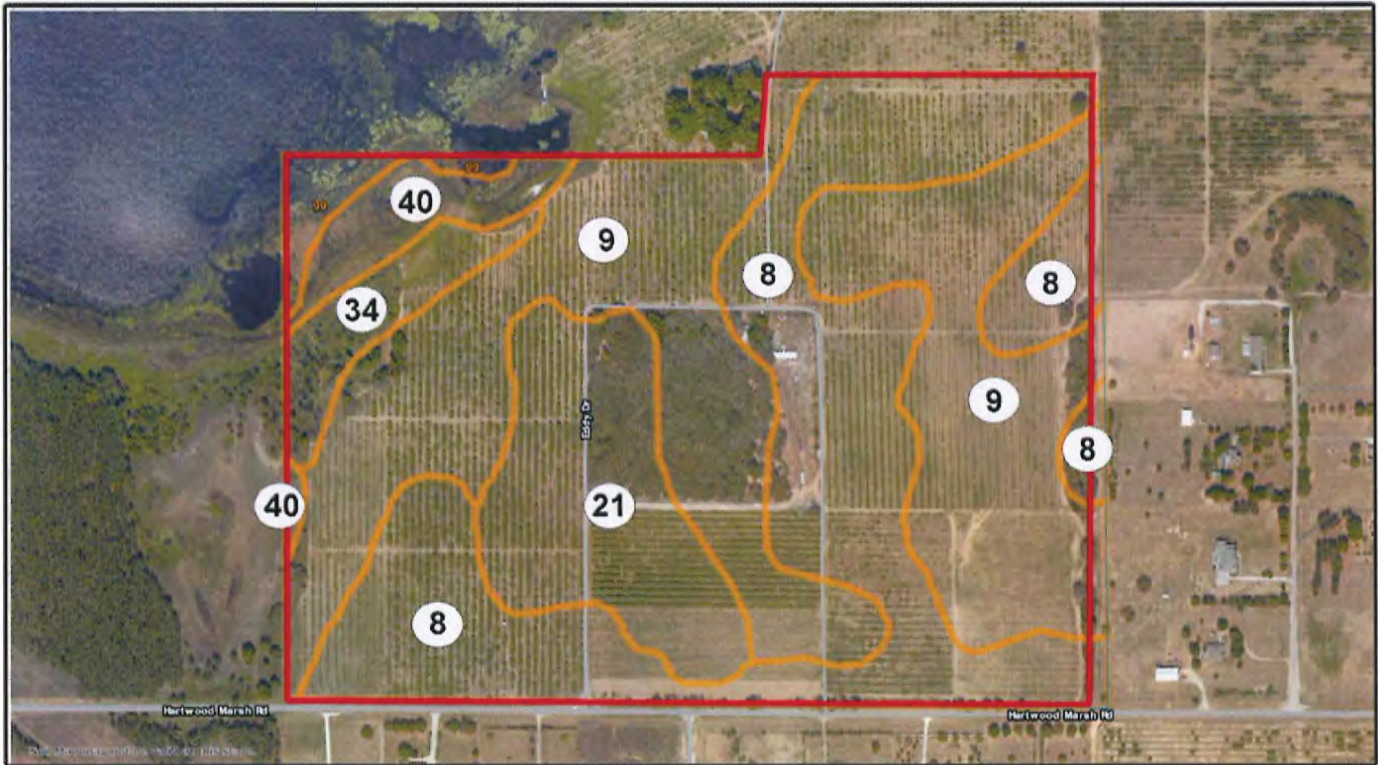
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Job No.: 1709 Scale: nts Date: August 2017



EXHIBIT 2

Eddy Property Clermont, Florida



LEGEND

- 8 - CANDLER SAND, 0 TO 5% SLOPES**
- 9 - CANDLER SAND, 5 TO 12% SLOPES**
- 21 - LAKE SAND, 0 TO 5% SLOPES**
- 34 - ORLANDO FINE SAND**
- 40 - PLACID AND MYAKKA FINE SANDS, DEPRESSIONAL**



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EXHIBIT 3

Eddy Property Comprehensive Plan Amendment

The southern property boundary has frontage on the north side of Hartwood Marsh Road. There are (8) 5 acre lots within Lake County that front along the south side of Hartwood Marsh Road. These existing residential homes have an existing FLU of Rural. (Exhibit 4)

1.4 Project Overview:

The requested Comprehensive Policy Plan Amendment (CPPA) is to amend the Future Land Use Map (FLUM) on the subject site from Lake County Rural (R) to the City of Clermont Low Density Residential (LDR). Currently the site is within the jurisdictional boundary of Lake County; however an annexation request to annex into the City of Clermont has been submitted along with the CPPA. (Exhibit 5)

The applicant seeks approvals to develop a maximum of 340 single family units on 114.39 acres of land. The site is contiguous on the western property boundary to the City of Clermont and the Heritage Hill Subdivision along Hartwood Marsh Road. The site is within the Interlocal Service Boundary Agreement (ISBA) and will receive utility service from the City of Clermont.

The requested CPPA seeks approvals to amend the existing FLU from Lake County Rural to the City of Clermont Low Density Residential in order to develop a single family detached residential community consistent with the City of Clermont's regulations. The request to develop a single family residential community is an orderly and efficient transition of uses, densities and intensities which currently exist within the City of Clermont.

1.5 Compatibility of Land Use:

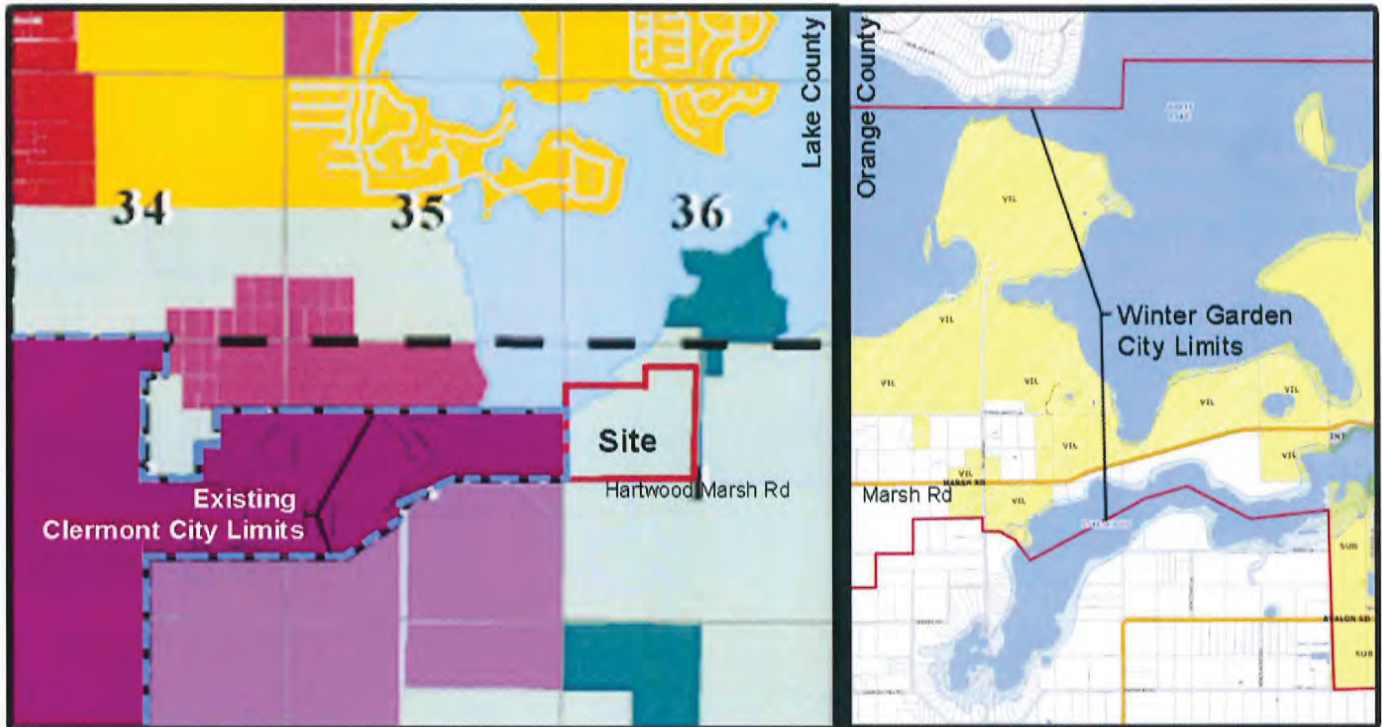
The western boundary of the subject site is contiguous with the City of Clermont. The existing Heritage Hill subdivision is a large planned community with multiple lot sizes ranging from townhome lots to single family lots. The applicant seeks approvals consistent with the Heritage Hill subdivision, which would allow for a natural extension of the existing development pattern within the Clermont City Limits and act as a transitional use to existing development within Lake County.

The majority of the northern boundary consist lakeshore along Johns Lake. However, there are (2) existing single family lots located along a portion the northern boundary line. These 2 properties have an existing Lake County FLU of R. (Alt Key: 3887116 & 1593166) Access to these sites will be provided by the internal subdivision roads within the project boundaries.

The eastern boundary is continuous to the Lake County Water Authority 70' access tract. PID# 01-23-26-000200002500 (Alt Key: 3638875). This tract acts as a natural 70' buffer to the exiting single family homes that reside within Lake County. Pedestrian and vehicular access may be provided to the Water Authorities land in order to provide access to existing conservation park lands that provide recreational opportunities for the residents of Lake County.

The City has also recently approved the Waterbrooke PD, which is large planned development located along east side of Hancock Road and the Northwest corner of Johns Lake. This community proposed 950 residential units with multiple size lots. The applicant seeks approvals consistent with the emerging development pattern being established in this area of the City.

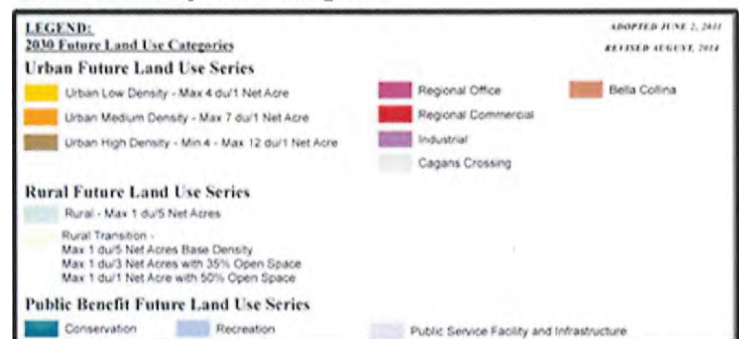
Eddy Property Clermont, Florida



Clermont FLU Legend



Lake County FLU Legend



daly design group

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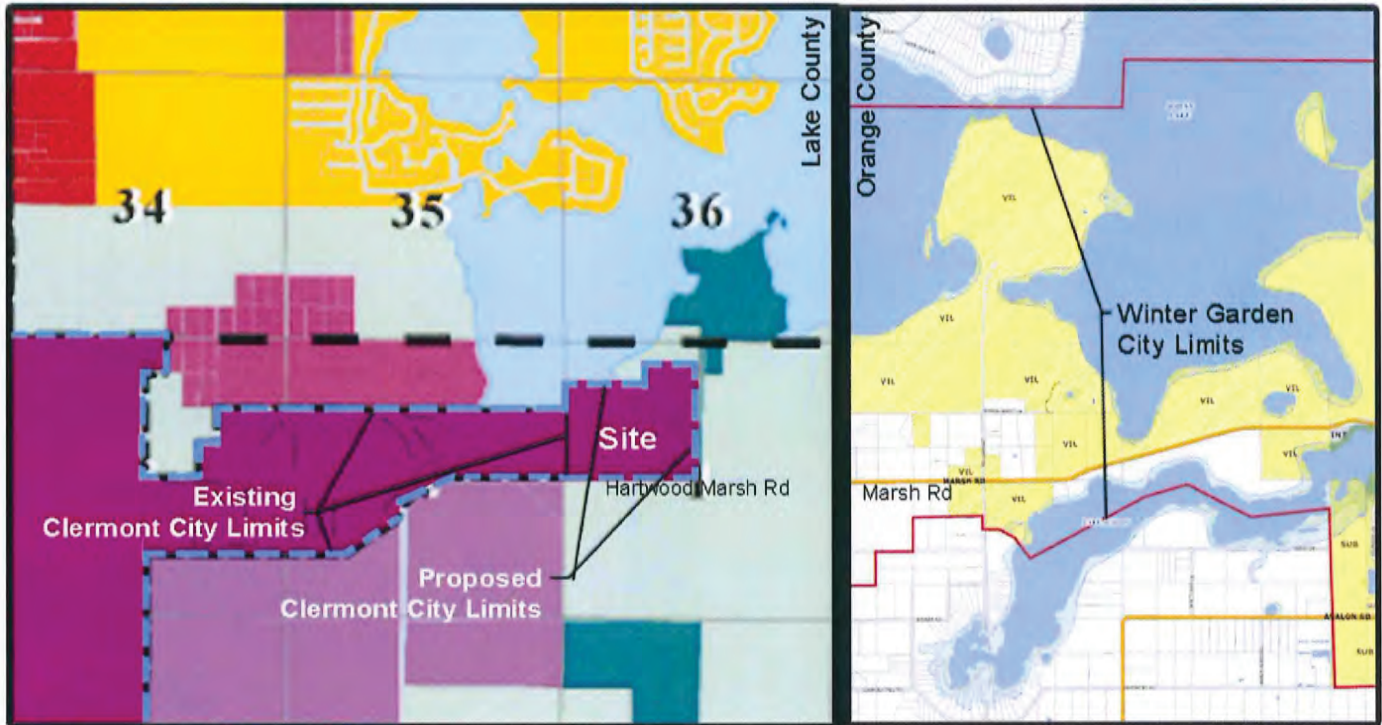
Phone 407.740.7373 · www.dalydesign.com

Job No.: 1709 Scale: nts Date: August 2017



EXHIBIT 4

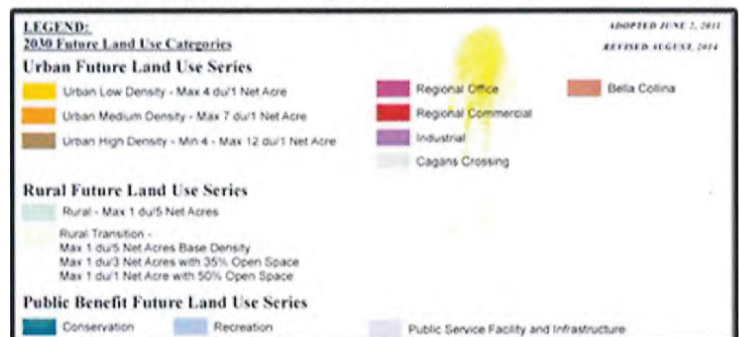
Eddy Property Clermont, Florida



Clermont FLU Legend



Lake County FLU Legend



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EXHIBIT 5

Eddy Property Comprehensive Plan Amendment

1.6 Consistency with Future Land Use Element:

This request is consistent with the following Goals, Objectives and Policies of the City of Clermont Future Land Use Element.

Objective 1.1: Discourage Urban Sprawl. The City shall discourage and/or reduce urban sprawl through a future land use pattern that promotes orderly, compact development and the provision of public facilities and services that minimize costs and environmental impacts and maximize efficiency.

Response: The application is to develop a maximum 340 single family residential lots on 114 acres of land. The site is contiguous to the City limits on the western boundary and is within the ISBA. The proposed development is consistent with the existing development pattern for this area of the City.

Policy 1.1.1: Urban services such as water and sewer shall not be extended outside the Lake County/Clermont Joint Planning Area (JPA) without a companion land use plan amendment modifying the boundary and amending the land uses. An exception may be considered where public health, safety and welfare require a community water system or the extension of water service to ensure safe potable water.

Response: The subject site is within the ISBA. Existing utility services are located along Hartwood Marsh Road and the developer will extend these services to the proposed community.

Policy 1.2.1: The City shall consider the compatibility of adjacent future land use categories during the land use plan amendment process. The City shall consider potential maximum densities and intensities and the appropriate transition of uses, densities and intensities.

Response: The proposed development is consistent with the existing development pattern within the Heritage Hills subdivision located to the west of the site. The proposed development proposes a mixture of lot sizes that will act as a transition of uses from the existing development within the City and the existing residential development to the east that will remain in Lake County.

Policy 1.6.1: Low-Density Residential. Areas delineated on the FLUM for low-density residential development shall accommodate a maximum density of up to three dwelling units per acre and shall be comprised primarily of single-family detached homes on individual lots.

Response: The subject site is a 114.39 acre parcel that would allow for a maximum 340 single family lots developed at 3du/ac.

Policy 1.12.3: The City shall encourage requests for voluntary annexation into the City when those lands are logical extensions of the existing City limits, when services can be properly provided and when proposed uses are compatible with the City's comprehensive plan.

Response: The applicant has filed for voluntary annexation in the City. The proposed development offers a logical extension of the existing city limits and urban services. The site is located within the ISBA and the City has capacity to service the site.

Eddy Property Comprehensive Plan Amendment

1.7 Level of Services:

The average household in Lake County per the 2010 census is 2.45 persons per household. It is estimated that this community will generate approximately 833 persons.

The subject parcel is within the ISBA and the City has capacity to serve the community.

This community will generate 58,310gpd (70gpd per capita) of wastewater. The city has capacity to serve this community.

This community will use 83,300gpd (100gpd per capita) of Potable water. The city has capacity to serve this community.

This community will produce 5,523 lbs per day (6.63 lbs per capita). The City of Clermont will provide service to this community.

Active and passive recreation shall be provided consistent with the residential PUD requirements.

The applicant shall submit an Adequate School Facilities Determination application and will work with the City and the School Board to ensure adequate level of service is provided to the community.

A traffic study demonstrating roadway LOS shall be submitted under a separate cover.

October 11, 2017

Mr. John Kruse
Senior Planner
City of Clermont
685 W. Montrose St.
Clermont, Fl. 34711

Re: Eddy Property Future land use application

Mr. Kruse,

It has come to our attention that the application to amend the cities future Land Use Map did not indicate the appropriate requested designation. That application requested a future land use designation of MPD (master planned development). The correct request should be Low Density Residential.

Please accept this letter as a change in our request to amend the cities future land use on the Eddy property to Low Density Residential.

Attached are an updated project narrative and the zoning plan that reflects this change.

We apologize for the inconvenience. Please let us know if you need anything further on this matter.

Sincerely



Thomas Daly
President





**CITY OF CLERMONT
COMPREHENSIVE PLAN AMENDMENT
Application**

DATE: 09/06/2017

FEE: \$2,325.00

Project Name (if applicable): Eddy Property

Applicant: Chuck Piper

Contact Person: Chuck Piper

Address: 804 W 2nd Ave

City: Windermere State: Florida Zip: 32786

Phone: 407-908-6986 Fax: _____

E-Mail: chuckpiper@cfl.rr.com

OWNER: Mary Eddy

Address: 11955 Eddy Drive

City: Winter Garden State: Florida Zip: 34783

Phone: _____ Fax: _____

E-Mail: _____

General Location: East of Heritage Hills subdivision, North side of Hartwood Marsh Rd
Eddy Drive Winter Garden FL

Legal Description (include copy of survey): _____

NW 1/4--LESS N 400 FT & LESS E 70 FT & LESS FROM N 1/4 COR [OF SEC RUN S 0-24-23 E ALONG E LINE OF NW 1/4
A DIST OF 400 FT, S 89-45-17 W ALONG S LINE OF N 400 FT OF NW 1/4 A DIST OF 1007.31 FT FOR POB, RUN S
23-44-13 W 92.02 FT, S 01-41-26 W 206.35 FT, S 0-54-02 E 132 FT, S 89-45-17 W 1573.47 FT TO W LINE OF SEC, N
0-08-15 W ALONG SAID W LINE 422.30 FT TO S LINE OF N 400 FT OF NW 1/4, N 89-45-17 E 1615.54 FT TO POB &
LESS S 33 FT FOR RD R/W-- [ORB 1529 PG 1669]

Property size (in acres or square feet): 114 ac

Flood hazard area (yes) ☒ and approx. acreage 6.4 ac (no) _____

Existing (Actual) Land Use: (Vacant Orange Grove

Existing Zoning: A-1

Existing Future Land Use: Rural (Lake County)

Proposed Future Land Use: MPD (City of Clermont)

Type of development proposed: Develop a maximum 340 Single Family Residential
Units





Proposed density (dwelling units/acre) or intensity: 3 du/ac

Proposed Zoning District: PD

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 Comprehensive Plan Amendment Report

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



OWNER'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE:

Before me, the undersigned authority personally appeared

Mary Eddy, who being

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

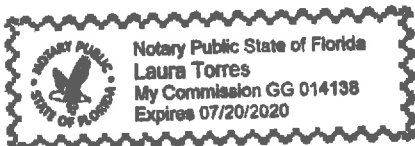
1. That he (she) is the fee-simple owner of the property legally described on the attachment of this application.
2. That he (she) desires a Future Land Use Amendment from Lake County Rural to City of Clermont Master Planned Development for the property legally described on the attachment of this application.
3. That the owner of said property has appointed Chuck Piper 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. Chuck Piper as applicant

Mary B Eddy as owner
Affiant - Applicant Name (print)

X Mary B Eddy
Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

or personally known by me this 1st day of September, 2017.



X Laura Torres
Notary Public, State of Florida at Large

My Commission Expires: 7/20/2020



APPLICANT'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE:

Before me, the undersigned authority personally appeared

Chuck Piper

, 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 Lake County Rural to City of Clermont MPD 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.

Chuck Piper

Affiant - Applicant Name (print)

X

[Signature]

Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

or personally known by me this 6th day of SEPT, 2017



X

[Signature]

Notary Public, State of Florida at Large

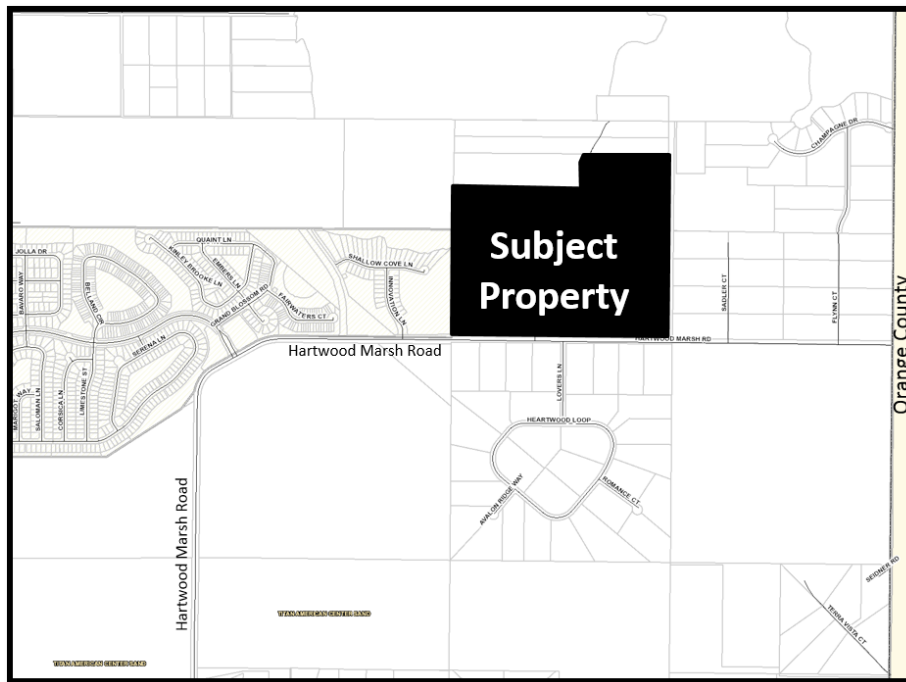
My Commission Expires: 5/24/2018

CITY OF CLERMONT

NOTICE OF PROPOSED AMENDMENT TO COMPREHENSIVE PLAN ORDINANCE NO. 2017-41

The City of Clermont will hold public hearings on Tuesday, November 7, 2017 at 6:30 p.m. before the Planning and Zoning Commission to consider a proposed change to the City's Future Land Use Map; and on Tuesday, November 14, 2017 at 6:30 p.m. before the City Council to consider introduction of the ordinance and transmittal of the proposed amendment. The map amendment would change the Future Land Use designation for the parcel below from Lake County Rural to Low Density Residential.

The City of Clermont will hold a public hearing on Tuesday, January 23, 2018 (final hearing) 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:

$\frac{3}{4}$ of a mile east of Heritage Hills Boulevard on Hartwood Marsh Road,
North of the intersection of Lovers Lane and Hartwood Marsh Road
Alternate Key 1593174

Ordinance #2017-41:

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 27, 2017 and January 9, 2018



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date	
Tuesday, November 7, 2017	
Agenda Item Name	
Ordinance No. 2017-42 Eddy Property Rezoning Request	
Requested Action	
Recommend approval of Ordinance 2017-42.	
Staff Report	
The applicant, Chuck Piper, is requesting a rezoning to a Planned Unit Development (PUD) consisting of up to 340 single-family residential units on 114.39 +/- acres. The property is east of the Heritage Hills Development, north of Hartwood Marsh Road. This request is being heard concurrently with requests for annexation and a large-scale comprehensive plan amendment. The property is currently in Lake County with a zoning designation of Rural. Once the property is annexed, it will become Urban Estate. The applicant has provided a conceptual site plan, prepared by Daly Design Group Inc., revision date 10-11-17, showing the proposed layout. The project will consist of up to 340 residential lots. The development will be at a density of 2.97 units per acre. The applicant desires to offer a range of lot sizes from 40 feet in width up to 75 feet in width. The minimum lot area ranges from 4,400 square feet up to 9,000 square feet. The applicant has limited the maximum number of 40-foot wide lots to 30% of the development or a maximum of 102 lots. These lots will be placed in the interior of the project and shall not be allowed on the perimeter of the project. In addition, the applicant has included a design item table with the minimum lot sizes and associated setbacks and criteria. This has been done in the past with other Planned Unit Developments, such as WaterBrooke and Highland Ranch. Staff understands the very nature of the PUD zoning allows waivers to the Land Development Code in order to provide flexible development options for the project. The applicant has requested several waivers to the Land Development Code. These waivers include the following: 1. Allow private streets within the subdivision with gated entry/exits. Section 110-192(1) 2. Allow fifty-foot (50') right-of-way width for interior roadway network for the development instead of the minimum sixty-foot (60") right-of-way. Section 110-193 3. A minimum of 25 % of the net buildable area of the Planned Unit Development shall be provided as open space. A waiver is requested to allow individual phases of the PUD to exceed the net buildable area without providing common open space in proportion to that contained within the entire PUD. The final open space upon buildout will be 25% or greater. Section 122-316(b)4 4. Allow Impervious Surface Ratio (ISR) of 0.75 (75%) for the individual lots, while maintaining an overall PUD development ISR of 0.65 (65%). Section 122-315 (2) 5. Allow solid roof covered screen rooms to encroach seven and one-half feet (7 ½ feet) into the rear setback. Section 122-342 6. Allow street trees within the right-of-way along the frontage of a residential lot to count toward the minimum number of required trees on the lot and to allow such trees to be less than six feet from curbs and sidewalks as long	

as minimum of five feet of clearance is provided between the tree and any public potable water, wastewater or reclaimed water main. Section 118-71(1)

Staff has reviewed the applicant's proposal and believes the proposed use at this location is compatible with the uses in the area. This property is along a corridor between the City of Clermont and the City of Winter Garden that has experienced rapid growth patterns in the past several years. The City has received comments from the Lake County Water Authority, the Lake-Sumter MPO, and Lake County Public Works. Conditions have been added to the PUD ordinance to address most of the concerns.

Staff believes the proposal meets the standards in regards to Section 122-315, Review Criteria for a PUD. However, staff is not supportive of the fifty-foot (50') rights-of-way, the street trees counting towards the lot trees, and the impervious surface ratio (ISR) for individual lots at 75%. However, staff recognizes that these requests has been sought in other developments. Therefore, staff recommends approval of Ordinance 2017- 42 for a Planned Unit Development to be developed in substantial accordance with the conceptual site plan prepared by Daly Design Group Inc., revision date 10-11-17.

Additional Analysis

Fiscal Impact Summary

Fiscal Impact	Fund Number and Description	Available Budget Amount
---------------	-----------------------------	-------------------------

Exhibits Attached (copies of original agreements)

- | | | |
|----|-------------------------------------|---|
| 1. | Ordinance 2017-42 | 2017-42EddyRezone.docx |
| 2. | Maps | Eddy Maps Final.pdf |
| 3. | Land Use Plan | Eddy Property revised LUP 10 11 17.pdf |
| 4. | Lake County Water Authority Letter | LCWA Comments.pdf |
| 5. | Lake-Sumter MPO Comments | LSMPO Comments_Eddy Property Methodology_10-2-2017.pdf |
| 6. | Lake-Sumter MPO Additional Comments | Updated LSMPO_Response to Comments-Eddy Property Methodology_10-26-2017.pdf |
| 7. | App | Eddy Property Rez app.pdf |
| 8. | Legal Ad | REZ Eddy Ad.docx |

CITY OF CLERMONT
ORDINANCE No. 2017-42

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

The Northwest 1/4 of Section 1, Township 23 South, Range 26 East, less the North 400 feet and less the East 70 feet and less from the North 1/4 corner of section, run South 0°24'23" East along the East line of the Northwest 1/4 a distance of 400 feet; thence South 89°45'17" West along the South line of the North 400 feet of the Northwest 1/4 a distance of 1007.31 feet for Point of Beginning; thence run South 23°44'13" West 92.02 feet; thence South 01°41'26" West 206.35 feet; thence South 00°54'02" East 132 feet; thence South 89°45'17" West 1573.47 feet to West line of said section; thence North 0°08'15" West along said West line 422.30 feet to South line of North 400 feet of the Northwest 1/4; thence North 89°45'17" East 1615.54 feet to the Point of Beginning and less the South 33 feet for road right of way, and lying and being in Section 1, Township 23 South, Range 26 East, Lake County, Florida.

The above described tract of land contains 114.394 acres more or less.

LOCATION

¾ of a mile east of Heritage Hills Boulevard on Hartwood Marsh Road,
North of the intersection of Lovers Lane and Hartwood Marsh Road
Alternate Key 1593174

From: Urban Estate (UE)
To: Planned Unit Development (PUD)

CITY OF CLERMONT
ORDINANCE No. 2017-42

SECTION 2 – Land Uses:

This application for a Planned Unit Development to allow for single family residential development; be granted subject to the following conditions:

1. A total of up to 340 single family residential dwelling units may be permitted on the site, not to exceed a density of 2.97 units per acre within the project.
2. Development Standards: Development standards for the development of the residential dwelling units shall be based on the size of the lot, as indicated in the table below. The lots sizes may be adjusted over time to respond to market conditions. For example, 55 foot wide lots may be utilized within the development without an amendment to this document.

<u>Design Item</u>	<u>40' Lot*</u>	<u>50' Lot</u>	<u>60' Lot</u>	<u>75' Lot</u>
Minimum Lot Area	4,400 sf	5,500 sf	6,600 sf	9,000 sf
Minimum Living Area	1,200 sf	1,500 sf	1,500 sf	1,500 sf
Minimum Lot Width	40'	50'	60'	75'
Minimum Lot Depth	110'	110'	110'	120'
Minimum Front Building setback	15'	15'	15'	15'
Minimum Front Garage Setback	20'	20'	20'	20'
Minimum Side Yard Setback	5'	5'	5'	5'
Setback from Side Street	15'	15'	15'	15'
Minimum Rear Yard Setback	15'	15'	15'	20'
Minimum Building Separation	10'	10'	10'	10'
Minimum Rear Yard Setback for Pools, Patios, Decks, Screen Rooms or Ancillary Structures	5'	5'	5'	5'
Maximum Impervious Surface Ratio (ISR)	0.75	0.75	0.75	0.75
Maximum Building Height	40'	40'	40'	40'
Setbacks from High Water Line, Mean High Water Line, or Jurisdictional Wetland Line	50'	50'	50'	50'
Minimum front yard easement	5'	5'	5'	5'
Minimum side and Rear Yard Drainage and Utility Easement	5'	5'	5'	5'

* Limited to 102 lots or 30 percent of the approved development.

CITY OF CLERMONT
ORDINANCE No. 2017-42

3. The minimum lot size for the development shall be 4,400 square feet in size, consisting of no more than 30 percent of the approved development or 102 lots and shall not be located along the perimeter of the project and shall be internal to the subdivision.
4. Phasing of Development: The project may be developed in one or more phases.
5. The property shall be developed in substantial accordance with the Land Use Plan prepared by Daly Design Group, Inc. dated August 2017 with a revised date of October 11, 2017, attached hereto. Formal construction plans incorporating all conditions stated in this permit shall be submitted for review and approved by the Site Review Committee prior to the issuance of development permits.
6. Solid roof covered screen rooms may be allowed to encroach 7.5 feet into the rear yard setback.
7. The developer shall be allowed to construct up to five model homes prior to the recording of the initial plat for this development with the approval of the City's Fire Marshal.

SECTION 3 – Open Space:

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

SECTION 4 – Landscaping, Buffering, and Screening:

1. A 20-foot wide buffer with a six foot masonry/pre-cast concrete wall will be installed along the southern property line adjacent to the Hartwood Marsh Road right-of-way. The buffer will also include a solid hedge and a minimum of three (3) canopy trees and five (5) understory trees per 100 feet.
2. A fifty foot buffer is required along the eastern property line, which is a conservation area owned by the Lake County Water Authority. This buffer shall consist of Florida Friendly Landscaping and shall not contain exotic vegetation.
3. Per a private agreement between the developer and the land owner to the north, a wall and landscaping will be provided on the north side and adjacent to the property retained by the land owner.
4. No buffer is required along the western property line as this area is a conservation area on the adjacent property.

CITY OF CLERMONT
ORDINANCE No. 2017-42

5. All other landscaping, buffering, and screening requirements shall be in accordance with the Land Development Code, as amended. Existing trees may be used to meet the landscape buffer requirements in accordance with the Land Development Code, as amended.
6. A waiver to Section 118-71(1) of the Land Development Code is granted in order to allow street trees within the right-of-way of the private streets along the frontage of a residential lot to count toward the minimum number of required trees on the lot and to allow such trees to be less than six feet from the curbs and sidewalks as long as a minimum of five feet of horizontal clearance is provided between the tree and any public potable water, wastewater or reclaimed water main.

SECTION 5 – Environmental:

1. An environmental assessment addressing habitat and species shall be submitted to the City during the construction plan approval stage of the overall development. Applicable permits for any gopher tortoises and associated burrow commensal species or other endangered species found on the property must be received from the appropriate regulatory agencies prior to the initiation of the development activity.
2. Wetlands on site shall be placed in a conservation easement with the recording of the final plat for each phase of development.
3. The developer is required to notify homeowners of the Lake County Water Authority's prescribed burn program occurring on Scrub Point Preserve. This shall be accomplished through inclusion in the covenants and restrictions and other homeowner association documents. As well, the homeowners shall be notified of the existing sand mine in close proximity of the mine.

SECTION 6 – Utilities:

1. The project shall be developed in accordance with the City of Clermont Utility Standards.
2. Any proposed City maintained utilities that are not located within a City maintained right of way shall be placed in a utility easement dedicated to the City. Easements shall be provided at no expense to the City.
3. Fiber optic conduit and pull boxes may be required to be installed by the developer in the utility easements to extend the City's fiber optic network. The City's Information Technology Director will work with the developer at the time of site plan review to determine the extent of fiber optic conduit. The City will reimburse the developer at 100 percent for all costs including design, permitting, materials, and construction of the fiber optic conduit and pull boxes.

CITY OF CLERMONT
ORDINANCE No. 2017-42

SECTION 7 – Transportation Improvements/Access Management:

1. Primary site access shall be from Hartwood Marsh Road at the approximate location shown on the land use plan. A secondary entrance shall also be provided onto Hartwood Marsh Road and shall be for emergency vehicles only. The secondary emergency access point shall be approved by the City's fire marshal and be constructed prior to the issuance of the first building permit.
2. A waiver to Section 110-192(1) of the Land Development Code is granted to allow private streets with gates. The developer or Home Owner's Association will maintain the streets within the development.
3. A waiver to Section 110-193 of the Land Development Code is granted to allow for a 50-foot right-of-way for the internal private street system within the development.
4. Sidewalks are to be constructed on both sides of residential streets internally, as well as from the exiting sidewalk on the west side of the property along Hartwood Marsh Road to the eastern property boundary for the subdivision.
5. Any improvements to Hartwood Marsh Road will be at the request of Lake County Public Works Department. These include turn lanes, consisting of both left and right, at the entrance and paved shoulders within the limits of the offsite road improvements.
6. Additional right-of-way dedication along Hartwood Marsh Road may be required by Lake County Public Works. A detailed right-of-way survey for the Hartwood Marsh Road along the property frontage will be required with plan and permit submittals.
7. Coordination between the developer and Lake County Solid Waste Office, Lake County Public Works Department/Environmental Services Division, will be required to provide gate access for trash and recycling service pickups for the adjacent parcels that currently are accessing through Eddy Drive.
8. The Developer will need to provide letters of agreement for change of access and willingness to access through gated subdivision and non-public paved road from all adjacent parcels that currently access through Eddy Drive.
9. The development may have a pedestrian and road connection to the Lake County Water Authority property, as shown on the Land Use Plan, with submission of written approval from the Lake County Water Authority.
10. A Tier 3 Traffic Impact Study shall be completed and reviewed by the Lake-Sumter Metropolitan Planning Organization. The study and comments shall be shared with all jurisdictions within the traffic impact area. If the study identifies a deficiency in the Level of Service of transportation facilities due to the proposed project, the developer shall be required to participate in mitigation strategies.

CITY OF CLERMONT
ORDINANCE No. 2017-42

11. Roadway Lighting: The developer shall arrange with the power utility provider for installation of street lights along their property boundary adjacent to Hartwood Marsh Road. The cost of installation shall be paid by the developer and shall be installed prior to the first Certificate of Occupancy.
12. The development shall comply with all applicable County and Florida Department of Transportation access management requirements.

SECTION 8 – Schools:

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

SECTION 9:

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

SECTION 10:

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 11:

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. 2017-42

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 23rd day of January, 2018.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Exhibit - Location Map - Eddy Property

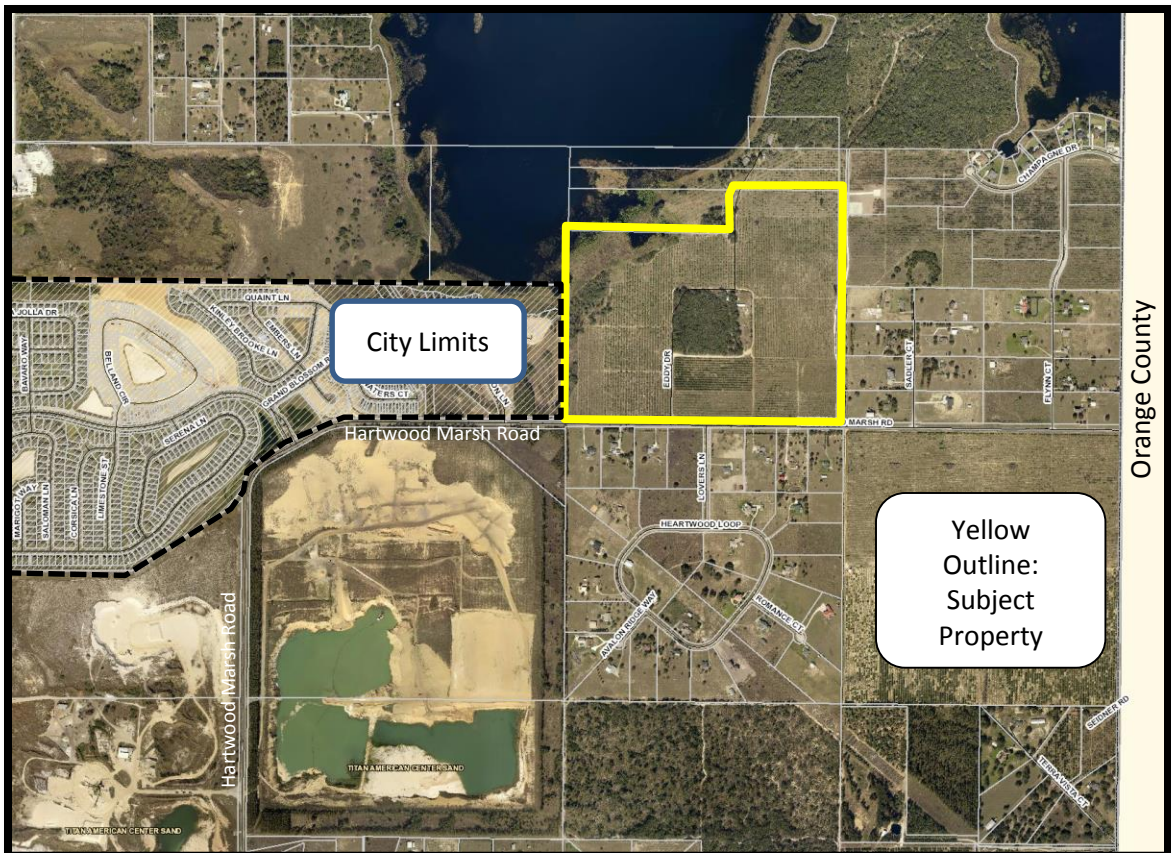
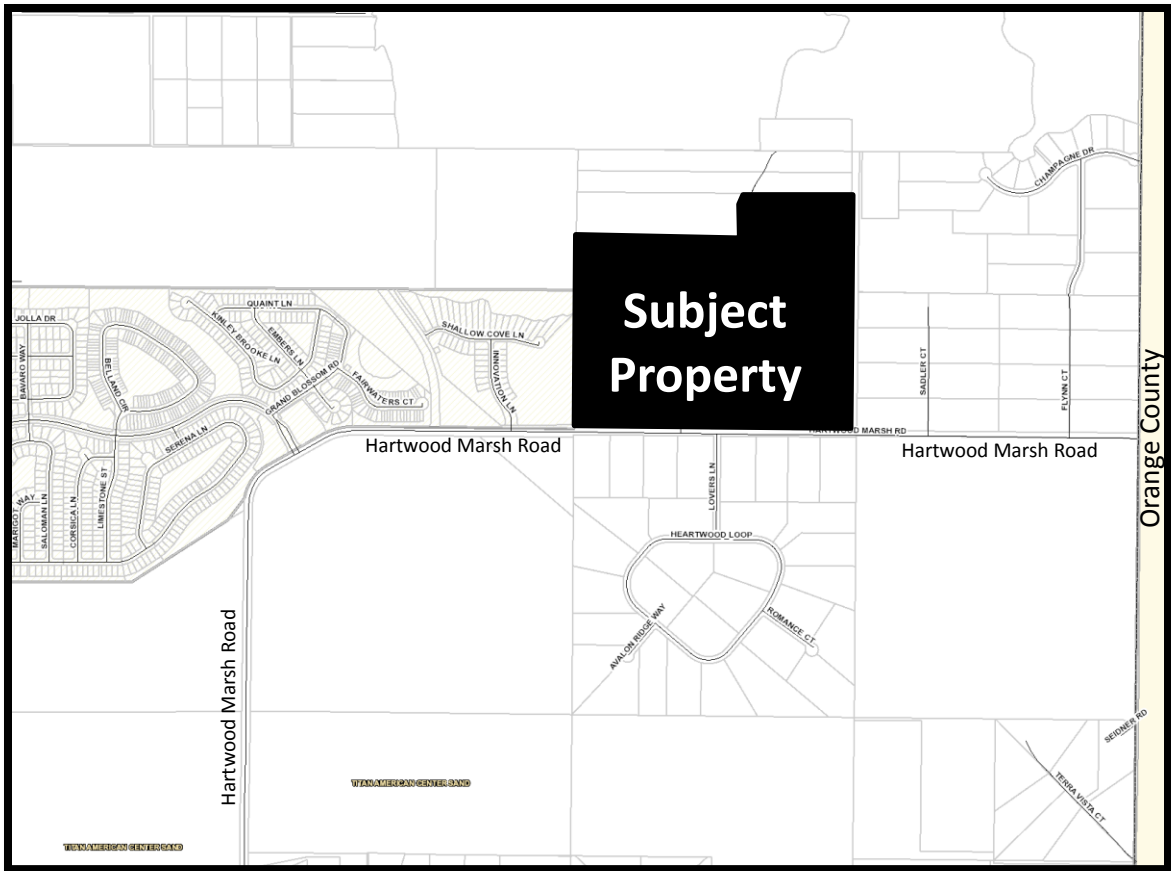


Exhibit – Future Land Use Map – Eddy Property

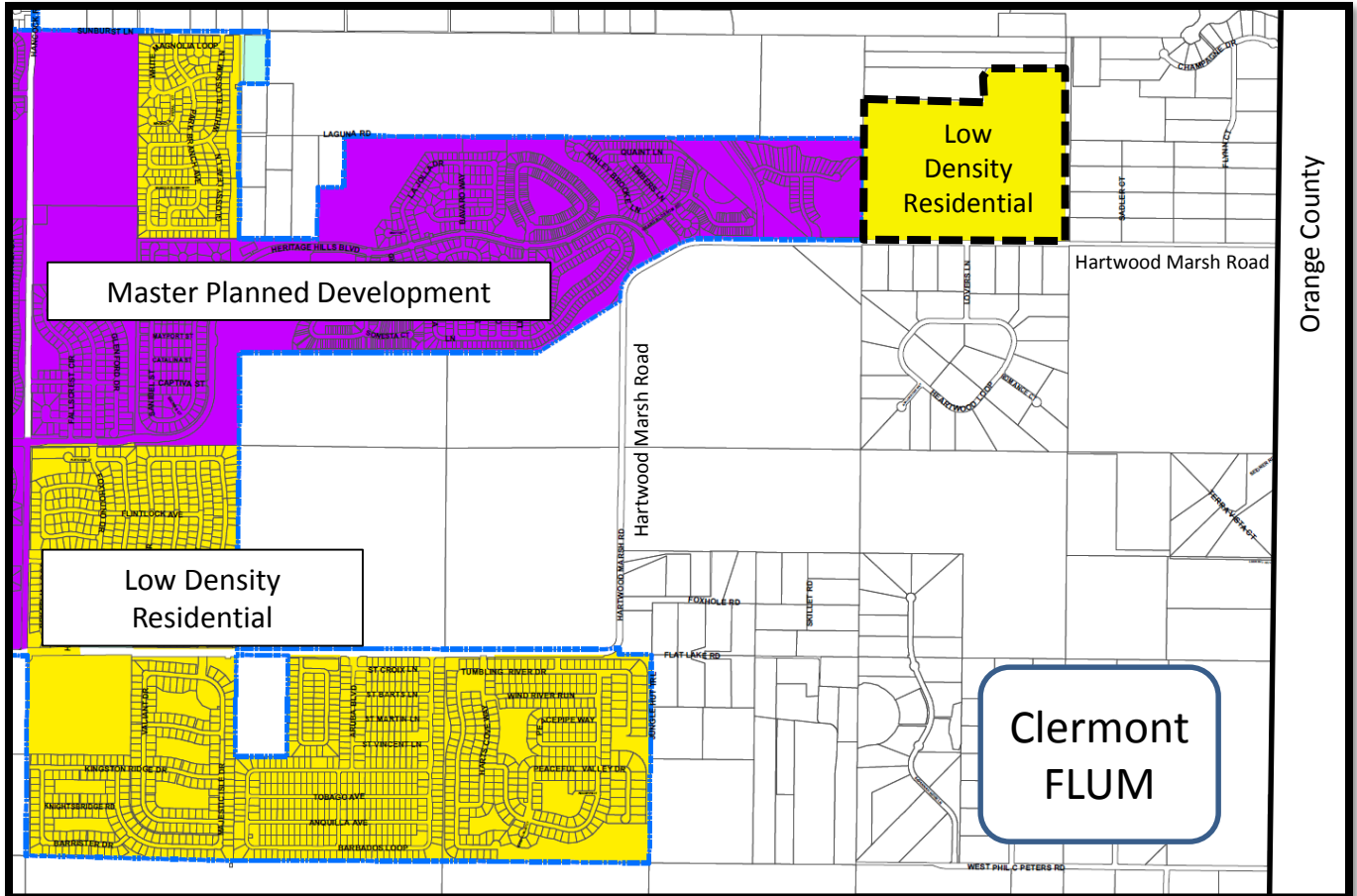
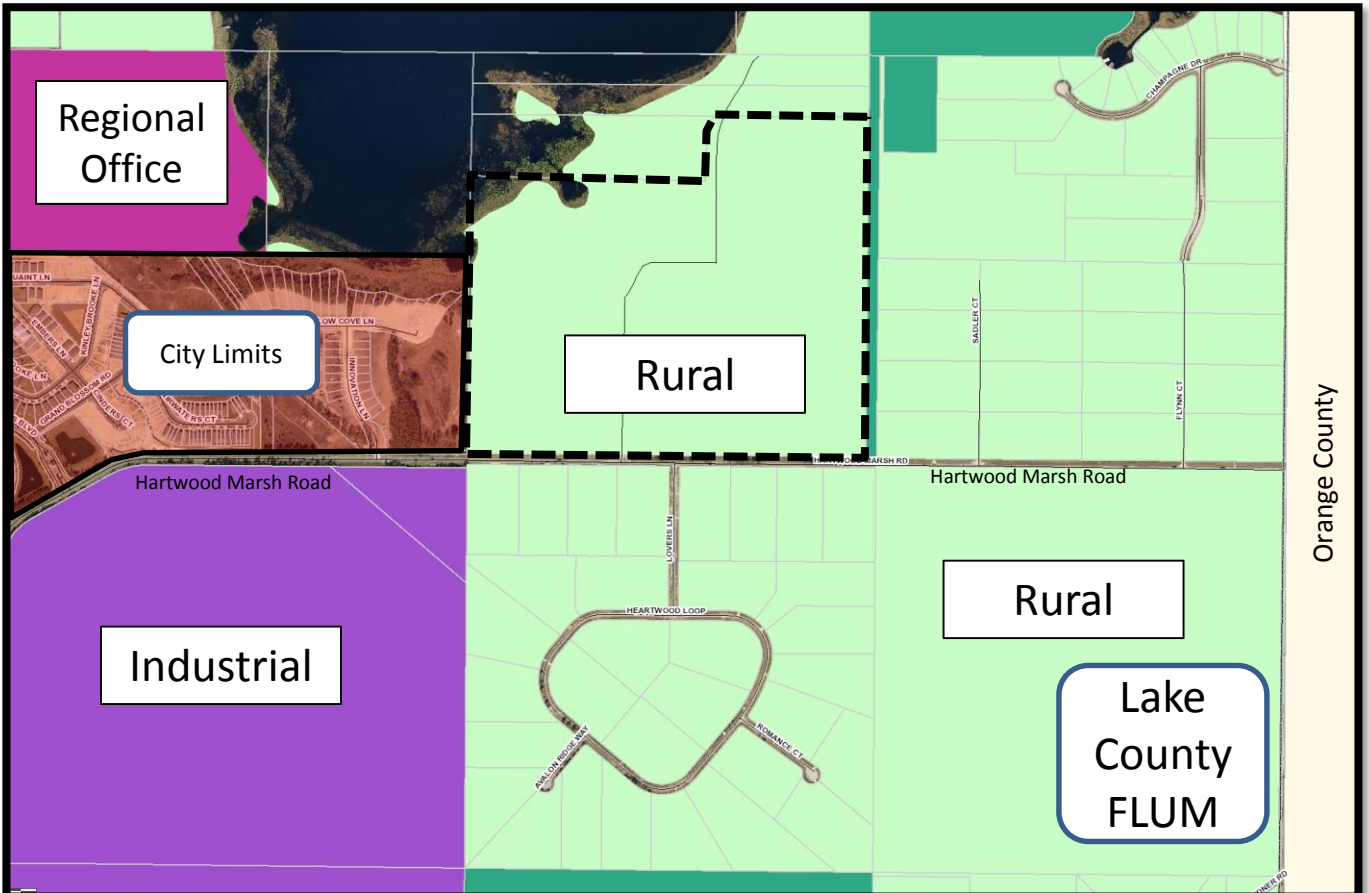
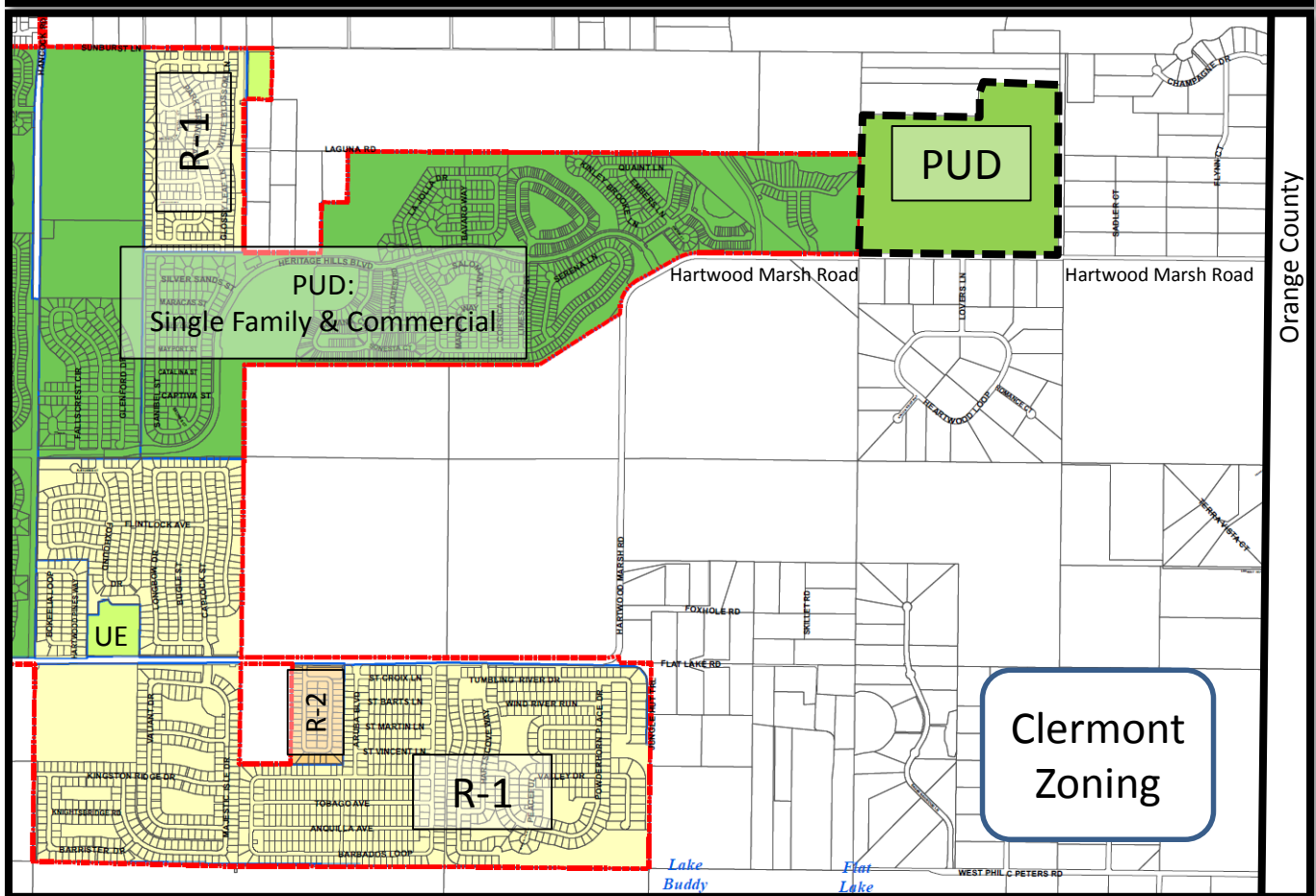
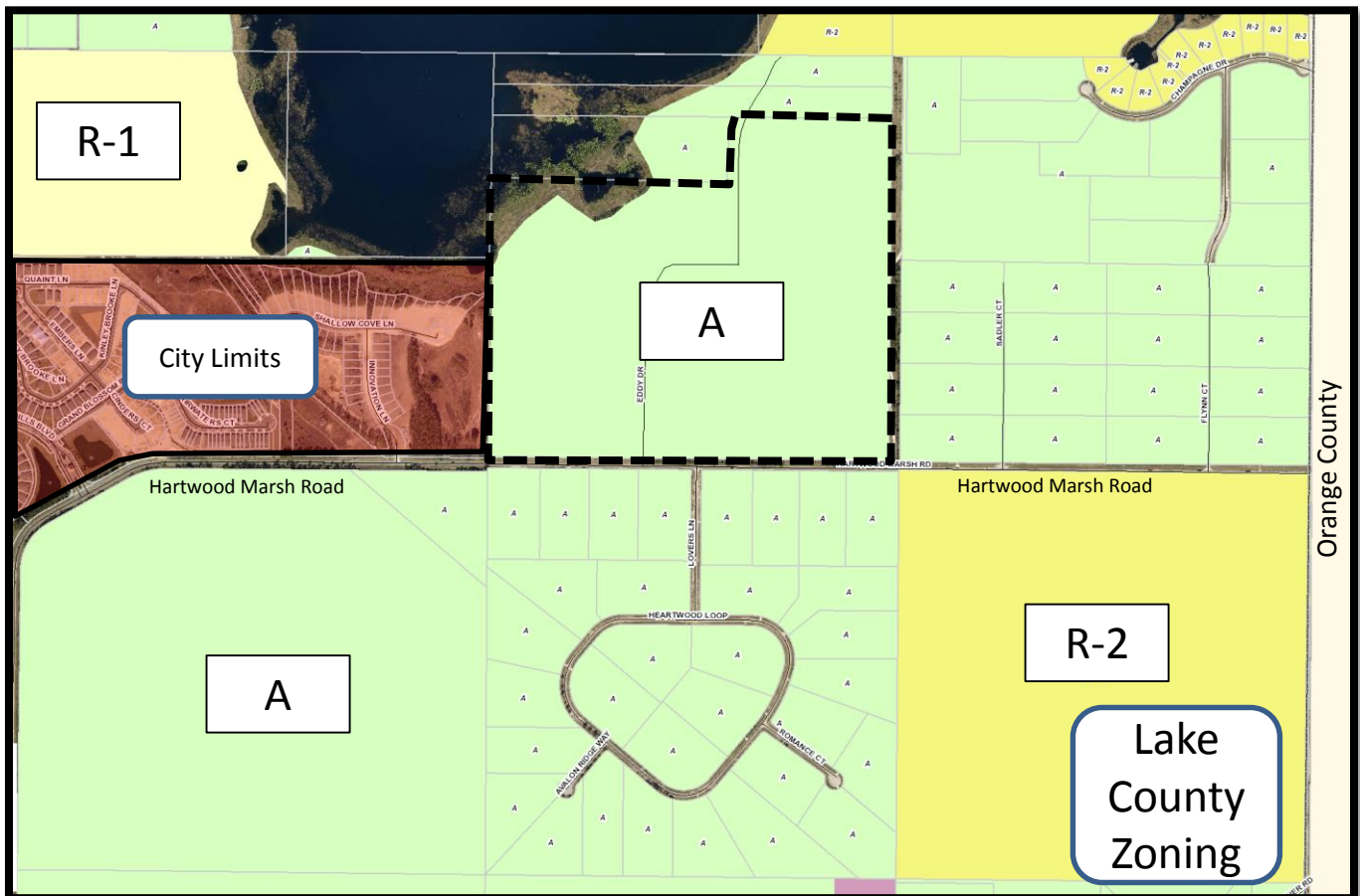


Exhibit – Zoning Map – Eddy Property



The northwest 1/4 of section 1, township 23 south, range 26 east, less the north 400 feet and less the east 70 feet and less from the north 1/4 corner of section, run south 0°24'23" east along the east line of the northwest 1/4 a distance of 400 feet; thence south 89°45'17" west along the south line of the north 400 feet of the northwest 1/4 a distance of 1007.31 feet for point of beginning; thence run south 23°44'13" west 92.02 feet; thence south 01°41'26" west 206.35 feet; thence south 00°54'02" east 132 feet; thence south 89°45'17" west 1573.47 feet to west line of said section, thence north 0°08'15" west along said west line 422.30 feet to south line of north 400 feet of the northwest 1/4; thence north 89°45'17" east 1615.54 feet to the point of beginning and less the south 33 feet for road right of way, and lying and being in section 1, township 23 south, range 26 east, Lake County, Florida.

1. Primary site access shall be via Hartwood Marsh Road. The internal roads shall be private with access easements granted to the City and County. Emergency access shall be provided along Hartwood Marsh Road. Access to parcels adjacent to North & East Property Boundary shall be provided via the internal private subdivision roads. All internal roads shall be owned and maintained by the HOA.

15. This Land Use Plan is considered conceptual in nature and is subject to change based upon site conditions.

Site Data				
Total Land Area	114.39	ac		
Johns Lake	1.28	ac		
Potential Conservation	5.2	ac		
Net Developable Area	107.91	ac		
Current Lake County FLU	RURAL			
Current Lake County Zoning	A			
Proposed Clermont FLU	Low Density Residential			
Proposed Clermont Zoning	PUD			
Minimum Open Space (25% of net)	26.98	ac		
Proposed Uses				
Single Family Residential				
Maximum Proposed Units	340	du		
Proposed Density	2.97	du/ac		
Design Item	*40' Lot	50' Lot	60' Lot	75' Lot
Minimum Lot Area	4,400 sf	5,500 sf	6,600 sf	9,000 sf
Minimum Living Area	1,200 sf	1,500 sf	1,500 sf	1,500 sf
Minimum Lot Width	40'	50'	60'	75'
Minimum Lot Depth	110'	110'	110'	120'
Minimum Front Building Setback	15'	15'	15'	15'
Minimum Front Garage Setback	20'	20'	20'	20'
Minimum Side Yard Setback	5'	5'	5'	5'
Setback from Side Street	15'	15'	15'	15'
***Minimum Rear Yard Setback	15'	15'	15'	20'
Minimum Building Separation	10'	10'	10'	10'
Minimum Rear Yard Setback for Pools, Patios, Decks, Screen Rooms or Ancillary Structures	5'	5'	5'	5'
**Maximum Impervious Surface Ratio (ISR)	0.75	0.75	0.75	0.75
Maximum Building Ht	40'	40'	40'	40'
Setbacks from High Water Line, Mean High Water Line, or Jurisdictional Wetland Line	50'	50'	50'	50'
Minimum front yard easement	5'	5'	5'	5'
Minimum side and Rear Yard Drainage and Utility Easement	5'	5'	5'	5'

CVR
L709



**Lake County
WATER AUTHORITY**

Michael J. Perry, Executive Director • Neil Kelly, Secretary-Treasurer

27351 SR 19 • Tavares, Florida 32778-4251 • (352) 324-6141 • Fax (352) 324-6364 • email: info@lcwa.org • www.lcwa.org

October 26, 2017

John E. Kruse, AICP
Senior Planner
City of Clermont
Development Services Department
685 W. Montrose St., Clermont, FL 34711

Subject: Eddy Property, Alternate Key #1593174 Public Hearings

Mr. Kruse:

The Lake County Water Authority Board of Trustees met on October 25th to discuss the potential zoning and the comp plan changes to the Eddy Property, Alt Key #1593174. As you may know, this property is adjacent to the Water Authority's 92-acre Scrub Point Preserve, which was acquired by the Water Authority in 1996.

Mr. Chuck Piper, on behalf of the applicant, was present to discuss concerns that the Board may have. Discussions with Mr. Piper will continue; however, the Water Authority Board wanted to formally advise the City of Clermont regarding the following concerns regarding this proposed development, in advance of the November 7th Planning and Zoning Commission meeting, so that they may be taken into consideration:

- Based upon the site plan that had been submitted to the City, the Water Authority is concerned about the infringement by the development's eastern retention pond on the historic public road access to the Preserve, which has been in use since before 1996, and would request that the retention pond be moved or realigned in such a manner as to allow the historic road to continue in place;
- The Water Authority is concerned about damage to a strand of mature oaks, which are located to the east of the public, historic, road, in the event the access road were required to be moved easterly in order to accommodate the proposed eastern retention pond in the configuration and location as currently proposed by the applicant, and again, would request that the retention pond be moved or realigned in such a manner as to allow the historic road to continue in place without damage to the trees;
- The Water Authority is concerned about damage to the strand of mature oaks with placement of the eastern retention pond in such close proximity to the trees and would request that the retention pond be relocated and/or realigned and designed in such a manner as to minimize any potential damage to the trees;
- The Water Authority is concerned about potential impacts of the proposed development on the adjacent Preserve property, and would request that an adequate buffer of no less than Fifty (50) feet, be required and designed into the development plan to minimize the impacts upon the Preserve vegetation and wildlife habitat.

BOARD OF TRUSTEES

District One
Peggy Cox

District Two

District Three
Diana M. Mullins

District Four
Doug Bryant

District Five
Amy Stone

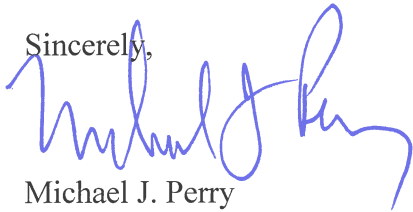
At-Large
Adam Dufresne

At-Large
Keith A. Farner

- The Water Authority is concerned about the continuation of its prescribed burn program to ensure the health of the Preserve and safety of adjacent residents, and would request that the developer be required to include an acknowledgement of the Water Authority's prescribed burn program in covenants and restrictions and Homeowner Association documents;
- The Water Authority is concerned about the potential installation of exotic vegetation along the Preserve's border and the damage that would do to Preserve vegetation and wildlife habitat, and would request that no exotic vegetation be permitted within Fifty (50) feet of the Preserve boundary.

Please share the Water Authority's concerns with the Planning and Zoning Commission and the City Council prior to any decisions being made by the City. Please feel free to contact me if you have questions or care to discuss this further. Staff of the Water Authority will attend the November 7, 2017 and January 23, 2018 meetings.

Sincerely,



Michael J. Perry
Executive Director

cc: Darren Gray, City Manager



October 2, 2017

Mr. John E. Kruse, AICP
Senior Planner
Development Services Dept.
685 W. Montrose St.
Clermont, FL 34711

RE: Eddy Property, Traffic Impact Study Methodology

Mr. Kruse,

The Lake~Sumter MPO has reviewed the document submitted for the Eddy Property Traffic Impact Study Methodology. The Lake~Sumter MPO offers the following Observations and Comments:

Observations Regarding the Project:

1. The project site is on approximately 115 acres of Land which is currently agricultural and has one existing dwelling unit and a barn. The site is located on the north side of Hartwood Marsh Road approximately 0.8 miles west of the Lake County/Orange County line.
2. The project will consist of 340 single family detached residential units with a buildout year of 2021.
3. Access to the property is proposed to be onto Hartwood Marsh Road via the existing Eddy Drive. However, according to the submitted Conceptual Site Plan 'A' there will be two gated driveways onto Hartwood Marsh Road. The main gated driveway will be a primary access and is located approximately at the midpoint of the property and aligned with Lovers Lane. A secondary gated access, to the west of the main driveway, is shown as a secondary emergency access. This secondary access is shown to the west of the existing Eddy Drive, which apparently will be closed since there are residential lots and a retention pond in the roadway alignment.
4. The proposed residential land use will generate approximately 3,237 daily trips, 248 AM Peak Hour Trips, and 316 PM Peak Hour Trips. These calculations were done using the ITE equations (not the rates).
5. With 316 PM Peak Hour trips, this project qualifies for a Tier 3 Traffic Impact Study, which is acknowledged in the Methodology.
6. The study radius for roadway segments is 4.55 miles from the site.
7. The project distribution will be determined using FSUTMS and the CFRPM (V6.1) as indicated in the model plot attachment.

Comments Regarding Traffic Impacts:

1. The trip generation calculations are acceptable.

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Phone (352) 315-0170

2. Since the project is only 0.8 miles west of the Orange County line, please extend the analysis into Orange County on Marsh Road/Stoneybrook Pkwy. to SR 429 and use the Orange County traffic data as well as FDOT Florida Traffic Information (FTI) DVD as appropriate for these segments.
3. Regarding the 'Trip Distribution' section:
 - a. Please note in the text that the CFRPM (V6.1) is being used. Also, note any modifications that are made to the model network.
 - b. The model results as plotted in the attachments needs to have the centroids revised as follows:
 - Just west of the site there is a centroid that shows a connection to SR 50 to the north with 3% of the project traffic on it. There is no such connection, please remove.
 - South of the site entrance (TAZ 1641) there is a centroid that shows a connection to the south 90° bend with 1% of the project traffic on it. There should be no project trips on this centroid since there is no roadway connection and the land uses are a mine and low density residential.
 - The first centroid connector going to the south to the east of the project is for Williams Road which connects to CR 545 (Avalon Road) via Seidner Road and Davenport Road. Please make this roadway connection when running the model (it is a potential cut through to CR 545 (Avalon Road)).
4. Regarding the 'Traffic Analysis' section, the proposed radius of 4.55 miles is acceptable.
5. Regarding the 'Study Segments' section, be aware of the CR 455 extension which is currently funded for a PD&E and is next on the priority list after Citrus Grove Road is finished. It is feasible that the CR 455 extension will be funded near the end of the next five years or shortly thereafter.
Also, please add the following:
 - Hartwood Marsh Road from Project to Williams Road (in Orange County).
 - Marsh Road from Williams Road to CR 545 (Avalon Road).
 - Stoneybrook Parkway from CR 545 (Avalon Road) to SR 429 (Western Beltway).
6. Regarding the 'Study Intersections' section, as noted in comment #2 above and since there is 60% of the project traffic going to the east (Orange County), please add the following intersections:
 - a. Hartwood Marsh Road at US 27.
 - b. Hartwood Marsh Road at Williams Road.
 - c. Marsh Road at CR 545 (Avalon Road).
 - d. Stoneybrook Pkwy. at SR 429 (Western Beltway).
7. Be aware that Hartwood Marsh Road is on the List of Priority Projects and planned to be a 4 lane section from US 27 to Hancock Road. East of Hancock Road the roadway is policy bound to remain a 2 lane section (in both Lake County and in Orange County) to CR 545 (Avalon Road).

Recommended Multimodal Accommodations:

1. Please consider a safe, secure and convenient system for pedestrians and bicyclists which provide direct non-motorized access, linkages, and through-cuts between common origins and destinations.
2. Consider continuous pedestrian facilities along all major streets; these should be direct and interconnect with all other modes of transportation within the project and onto adjacent properties.
3. Require the developer to provide ramps and curb cuts throughout the pedestrian system for physically challenged persons.

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Phone (352) 315-0170

Should you have any questions please contact me by email at or by phone at (352)315-0170 ext. 3.

Thank You,

Brian R. Hutt

Brian R. Hutt
Lake~Sumter MPO
TMS Project Manager
bhutt@lakesumtermpo.com
Phone: (352) 315-0107 Ext. 3

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Phone (352) 315-0170



October 26, 2017

Mr. John E. Kruse, AICP
Senior Planner
Development Services Dept.
685 W. Montrose St.
Clermont, FL 34711

**RE: Eddy Property, Traffic Impact Study Methodology
Response to Review Comments**

Mr. Kruse,

The Lake~Sumter MPO has reviewed the document submitted from Traffic Mobility Consultants (TMC) to the Lake~Sumter MPO comments regarding the Eddy Property Traffic Impact Study Methodology. The Lake~Sumter MPO (LSMPO) offers the following Observations and Comments:

Observations Regarding the Project:

1. The project site is on approximately 115 acres of Land which is currently agricultural and has one existing dwelling unit and a barn. The site is located on the north side of Hartwood Marsh Road approximately 0.8 miles west of the Lake County/Orange County line.
2. The project will consist of 340 single family detached residential units with a buildout year of 2021.
3. Access to the property is proposed to be onto Hartwood Marsh Road via the existing Eddy Drive. However, according to the submitted Conceptual Site Plan 'A' there will be two gated driveways onto Hartwood Marsh Road. The main gated driveway will be a primary access and is located approximately at the midpoint of the property and aligned with Lovers Lane. A secondary gated access, to the west of the main driveway, is shown as a secondary emergency access. This secondary access is shown to the west of the existing Eddy Drive, which apparently will be closed since there are residential lots and a retention pond in the roadway alignment.
4. The proposed residential land use will generate approximately 3,237 daily trips, 248 AM Peak Hour Trips, and 316 PM Peak Hour Trips. These calculations were done using the ITE equations (not the rates).
5. With 316 PM Peak Hour trips, this project qualifies for a Tier 3 Traffic Impact Study, which is acknowledged in the Methodology.
6. The study radius for roadway segments is 4.55 miles from the site.
7. The project distribution will be determined using FSUTMS and the CFRPM (V6.1) as indicated in the model plot attachment.

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Phone (352) 315-0170

Comments Regarding Traffic Impacts:

Lake Sumter MPO (LSMPO) accepts the responses to the comments submitted on October 2, 2017 with the exception of responses to #2, #5 and #6 as follows:

1. **Response to comment #2 from TMC:** *We agree that the development will have some traffic impact in Orange County. However, the proposed analysis is consistent with the City of Clermont's and the Lake Sumter MPO methodology requirements, which do not extend into adjoining counties. Therefore, the analysis will not be extended into Orange County or the City of Winter Garden as requested by the reviewer.*

LSMPO Response: The Methodology Guidelines do not specify jurisdictional boundaries only the area of influence and study area. It would not be good planning practice nor would we be good neighbors if we ignored the impacts of a project to adjacent jurisdictions. The LSMPO will be contacting the Orange County Planning Department to make them aware of this project. Please include the analysis to the extents requested.

2. **Response to comment #5 from TMC:** *As per our response to comment #2, the study will be expanded to include the segments within Lake County and the City of Clermont. The analysis will not be extended to include facilities in Orange County or the City of Winter Garden.*

LSMPO Response: As noted in the LS MPO response above, The Methodology Guidelines do not specify jurisdictional boundaries only the area of influence and study area. Please extend the analysis as requested.

3. **Response to comment #6 from TMC:** *As per our response to comment #2, the study will be expanded to include the segments within Lake County and the City of Clermont. The analysis will not be extended to include facilities in Orange County or the City of Winter Garden.*

LSMPO Response: As noted in the LSMPO response above, The Methodology Guidelines do not specify jurisdictional boundaries only the area of influence and study area. Please extend the analysis as requested.

Recommended Multimodal Accommodations:

1. Please consider a safe, secure and convenient system for pedestrians and bicyclists which provide direct non-motorized access, linkages, and through-cuts between common origins and destinations.
2. Consider continuous pedestrian facilities along all major streets; these should be direct and interconnect with all other modes of transportation within the project and onto adjacent properties.
3. Require the developer to provide ramps and curb cuts throughout the pedestrian system for physically challenged persons.

Should you have any questions please contact me by email at or by phone at (352)315-0170 ext. 3.

Thank You,

Brian R. Hutt, AICP

Brian R. Hutt
Lake~Sumter MPO
TMS Project Manager

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Phone (352) 315-0170

Rez 1709-0001



**CITY OF CLERMONT
REZONING
APPLICATION**

DATE: 09/06/2017

FEE: \$542.⁰⁰
+ cost of advertisement

PROJECT NAME (if applicable): Eddy Property

APPLICANT: Chuck Piper

CONTACT PERSON: Chuck Piper

Address: 804 W 2nd Ave

City: Windermere State: Florida Zip: 32786

Phone: 407-908-6986 Fax: _____

E-Mail: chuckpiper@cfl.rr.com

OWNER: Mary B. Eddy

Address: 11955 Eddy Drive

City: Winter Garden State: Florida Zip: 34783

Phone: _____ Fax: _____

Address of Subject Property: Eddy Drive, Winter Garden Florida

Legal Description (include copy of survey): _____

NW 1/4--LESS N 400 FT & LESS E 70 FT & LESS FROM N 1/4 COR |
OF SEC RUN S 0-24-23 E ALONG E LINE OF NW 1/4 A DIST OF 400 FT, S 89-45-17 W ALONG S LINE
OF N 400 FT OF NW 1/4 A DIST OF 1007.31 FT FOR POB, RUN S 23-44-13 W 92.02 FT, S 01-41-26 |
W 206.35 FT, S 0-54-02 E 132 FT, S 89-45-17 W 1573.47 FT TO W LINE OF SEC. N 0-08-15 W ALONG
SAID W LINE 422.30 FT TO S |LINE OF N 400 FT OF NW 1/4, N 89-45-17 E 1615.54 FT TO POB & |
LESS S 33 FT FOR RD R/W-- |ORB 1529 PG 1669 |

Acreage: 114 Land Use: Rural (Lake County)
(City verification required)

Present Zoning: A-1 (Lake County) Proposed Zoning: PD (City of Clermont)
(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?

CONSTRUCT SINGLE FAMILY COMMUNITY

Chuck Piper
Applicant Name (print)

X [Signature]
Applicant Name (signature)

Mary B Eddy
Owner Name (print)

X Mary B Eddy
Owner Name (signature)

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

Eddy Property Legal Description

Legal Description:

The northwest 1/4 of section 1, township 23 south, range 26 east, less the north 400 feet and less the east 70 feet and less from the north 1/4 corner of section, run south 0°24'23" east along the east line of the northwest 1/4 a distance of 400 feet; thence south 89°45'17" west along the south line of the north 400 feet of the northwest 1/4 a distance of 1007.31 feet for point of beginning; thence run south 23°44'13" west 92.02 feet; thence south 01°41'26" west 206.35 feet; thence south 00°54'02" east 132 feet; thence south 89°45'17" west 1573.47 feet to west line of said section; thence north 0°08'15" west along said west line 422.30 feet to south line of north 400 feet of the northwest 1/4; thence north 89°45'17" east 1615.54 feet to the point of beginning and less the south 33 feet for road right of way, and lying and being in section 1, township 23 south, range 26 east, Lake County, Florida.

The above described tract of land contains 114.394 acres more or less.

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. 2017-42

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

¾ of a mile east of Heritage Hills Boulevard on Hartwood Marsh Road,
North of the intersection of Lovers Lane and Hartwood Marsh Road
Alternate Key 1593174

LEGAL DESCRIPTION

The Northwest 1/4 of Section 1, Township 23 South, Range 26 East, less the North 400 feet and less the East 70 feet and less from the North 1/4 corner of section, run South 0°24'23" East along the East line of the Northwest 1/4 a distance of 400 feet; thence South 89°45'17" West along the South line of the North 400 feet of the Northwest 1/4 a distance of 1007.31 feet for Point of Beginning; thence run South 23°44'13" West 92.02 feet; thence South 01°41'26" West 206.35 feet; thence South 00°54'02" East 132 feet; thence South 89°45'17" West 1573.47 feet to West line of said section; thence North 0°08'15" West along said West line 422.30 feet to South line of North 400 feet of the Northwest 1/4; thence North 89°45'17" East 1615.54 feet to the Point of Beginning and less the South 33 feet for road right of way, and lying and being in Section 1, Township 23 South, Range 26 East, Lake County, Florida.

The above described tract of land contains 114.39 acres more or less.

From: Urban Estate
To: Planned Unit Development

This request will be considered by the Planning & Zoning Commission on Tuesday, November 7, 2017 at 6:30 p.m.

A public meeting to consider the request will be held before the City Council on Tuesday, January 23, 2018 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
October 31, 2017 and January 9, 2018



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date	
Tuesday, November 7, 2017	
Agenda Item Name	
Ordinance No. 2017-49 The Shops at Waterbrooke Rezoning	
Requested Action	
Recommend approval of Ordinance 2017-49	
Staff Report	
The applicant is requesting a rezoning from Urban Estate to Planned Unit Development (PUD). A portion of this project was subject to a rezoning request earlier this year, however, the applicant requested a withdrawal to further refine the development plans and work with staff on the Hooks Street extension and alignment. The applicant has made changes and improvements to the original plan and is seeking a rezoning to a Planned Unit Development (PUD) for the subject property that consists of 45 +/- acres. The property is south of SR 50 at the intersection of Emil Jahna Road and SR 50. The property has over 1,500 lineal feet of frontage on SR 50. The subject property consists of the existing FDOT stormwater pond and the applicant's property. If the zoning is approved, the applicant will relocate the existing stormwater pond to the rear of the property. FDOT is aware of the applicant's proposal and has not objected. The applicant is requesting the northern portion of their site along with FDOT's parcel be used for a commercial shopping center consisting of retail and restaurant uses while the southern portion will be comprised of Hooks Street and a townhome development. The proposed commercial uses would be limited to the uses permitted under the C-2 General Commercial zoning with no automotive dealerships or other automotive uses allowed. Lot 5 would also permit a gas station/convenience store. The applicant is proposing a total commercial building area of up to 162,000 square feet. The applicant has submitted a conceptual site plan, as prepared by Lochrane Engineering, dated Oct. 19, 2017, showing the configuration of 5 commercial lots with proposed buildings. The largest lot, lot 1 with 18 +/- acres, will consist of three (3) buildings that will exceed 20,000 square feet but no more than 45,000 square feet. The applicant has identified these buildings on the plan as A, C, and E. The other buildings on the lot will be 20,000 square feet or less. The four (4) out parcels, lots 2-5, are on much smaller lots and will consist of single buildings and users. The remaining portion of the project will consist of Hooks Street, Emil Jahna Road, an open space tract, and a residential portion consisting of up to 85 townhomes. The developer has agreed to construct their portion of Hooks Street and dedicate the necessary right-of-way. The applicant has identified six waivers to the Land Development Code in order to develop the site. The waivers to be considered are: (1) a reduction in the required number of dumpster pads from 22 to 10, (2) a reduction in the required number of loading zones from 16 to 12, (3) maximum grade change from 15 feet to 30 feet, primarily due to the filling of the existing FDOT pond and relocation with the addition of a small depressed area south of the existing stormwater pond, (4) a shared 10 foot interior landscaping buffer between abutting property boundaries, (5) one additional multi-tenant sign, and (6) allow buildings to occupy more than 20,000 square feet of floor space, up to a maximum building floor space of 45,000 square feet. These areas on the conceptual plan have been depicted on the attached waiver map.	

Staff understands the very nature of the PUD zoning district allows for waivers to the Land Development Code for flexible development purposes. Staff has worked with the applicant in identifying areas on the original site plan that were adjusted to reduce the waiver requests and the site plan has undergone several revisions to accommodate these changes. Staff has reviewed the waivers and agrees that a majority of the waivers presented have been granted in the past with previous developments and staff is able to support the waivers.

Staff has reviewed the applicant's request for a rezoning from Urban Estate to PUD zoning. The Future Land Use is Commercial and the applicant's proposal reflects uses appropriate in this land use. Staff believes the proposal meets the standards in regards to Section 122-315, Review Criteria for a PUD. Therefore, staff recommends approval of Ordinance 2017-49 for a PUD with the conditions contained in the ordinance.

Additional Analysis

Fiscal Impact Summary

Fiscal Impact

Fund Number and Description

Available Budget Amount

Exhibits Attached (copies of original agreements)

- | | | |
|----|----------------------|---|
| 1. | Ordinance 2017-49 | 2017-49 Shops at Waterbrooke.doc |
| 2. | Maps | Shops at WaterBrooke 2 Maps.pdf |
| 3. | Conceptual Site Plan | Clermont Property Rezoning Plan Final.pdf |
| 4. | Waiver Map | Waiver Map.pdf |
| 5. | Sample Elevations | A001 WaterBrooke Elevations 20170907.pdf |
| 6. | FDOT Letter | FDOT Rezoning Letter.pdf |
| 7. | App | The Shops At Waterbrooke 2 App.pdf |
| 8. | Legal ad | REZ Shops at WaterBrooke 2 legal ad.docx |

CITY OF CLERMONT
ORDINANCE No. 2017-49

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

OVERALL DESCRIPTION

THAT PORTION OF THE EAST 222.00 FEET OF THE SE $\frac{1}{4}$ OF NW $\frac{1}{4}$ TOGETHER WITH A PORTION OF THE SW $\frac{1}{4}$ OF NE $\frac{1}{4}$, ALL LYING IN SECTION 27, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH $\frac{1}{4}$ CORNER OF SECTION 27, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, RUN S 00°30'12" W. ALONG THE WEST LINE OF THE NORTHEAST $\frac{1}{4}$ OF SAID SECTION 27, A DISTANCE OF 1363.52 FEET TO A POINT ON THE RIGHT OF WAY LINE OF STATE ROAD 50, PER F.D.O.T. RIGHT OF WAY MAP SECTION 11070-2505, THIS BEING THE POINT OF BEGINNING: THENCE RUN S 89°06'29" E, ALONG SAID SOUTH RIGHT OF WAY LINE. A DISTANCE OF 1308.00 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$ OF SECTION 27; THENCE RUN S 00°25'59" W. ALONG SAID EAST LINE, A DISTANCE OF 1293.07 FEET, TO THE SOUTHEAST CORNER OF THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$ OF SAID SECTION 27, THENCE RUN N 88°58'56" W. ALONG THE SOUTH LINE OF THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$ OF SAID SECTION 27, A DISTANCE OF 1309.61 FEET TO THE SOUTHWEST CORNER OF SAID SOUTHWEST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$; THENCE RUN N 88°58'56" W. ALONG THE SOUTH LINE OF THE SOUTHEAST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ OF SAID SECTION 27, A DISTANCE OF 222.01 FEET TO A POINT, 222.00 FEET, WESTERLY OF , WHEN MEASURED PERPENDICULAR TO THE WEST LINE OF THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$ OF SAID SECTION 27; THENCE RUN N 00°30'12"E. ALONG A LINE PARALLEL WITH THE WEST LINE OF THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$ OF SAID SECTION 27, A DISTANCE OF 1289.70 FEET TO A POINT ON THE AFORESAID SOUTH RIGHT OF WAY LINE; THENCE RUN S 89°06'29" E, ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 222.00 FEET TO THE POINT OF BEGINNING.

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CONTAINING 45.38 ACRES, MORE OR LESS.

Alternate Keys 3868854 & 3868851

From: Urban Estate (UE)
To: Planned Unit Development (PUD)

SECTION 2:

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

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.

SECTION 5: General Conditions:

This application for a Planned Unit Development to allow for a multi-tenant commercial development with C-2 General Commercial uses along with residential dwelling units, be granted subject to the following conditions:

1. The conditions as set forth in this Planned Unit Development shall be legally binding upon any heirs, assigns and successors in title or interest.
2. The property shall be developed in substantial accordance with the Site Plan prepared by Lochrane Engineering, dated October 19, 2017. The City Manager or authorized designee, will have the right to administratively approve revisions to the Site Plan, including the configuration of buildings, provided no building will exceed 45,000 square feet and the overall square footage of the commercial site does not exceed 162,000 square feet. Formal construction plans incorporating all conditions stated in this permit shall be submitted for review and approved by the Site Review Committee prior to the issuance of a zoning clearance or other development permits.
3. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.

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4. An environmental assessment addressing habitat and species shall be submitted to the City during the construction plans approval stage of each phase of the project. Applicable permits for any gopher tortoises and associated burrow commensal species or other threatened or endangered species found on the property must be received from the appropriate regulatory agencies prior to the initiation of development activity.
5. Fiber optic conduit and pull boxes may be required to be installed by the developer in the utility easements to extend the City's fiber optic network. The City will reimburse the developer at 100 percent for all costs including design, permitting, materials, and construction of the fiber optic conduit and pull boxes. At the time of site plan review, the City's Information Technology Director or authorized designee will make this determination.
6. Easements shall be provided on any existing and proposed utilities that the City will own and maintain at no expense to the City.

SECTION 6: Land Uses and Specific Conditions:

1. A total of up to 162,000 square feet of C-2 General Commercial Uses shall be allowed on Lots 1 through 5, as shown on the site plan. Lot 5 may also allow a gas station/convenience store. No automotive dealerships or other automotive uses shall be permitted.
2. The required number of dumpster pads have been reduced from 22 to 10. A minimum of one dumpster pad on each of the Lots 2 through 5 and one pad or compactor for each retail building on Lot 1. The City's Code Enforcement will monitor and enforce through Section 114-8 - Solid Waste Collection Services.
3. The required number of loading zones have been reduced from 16 to 12. A minimum of one loading berth on each of the Lots 2 through 5 and one for buildings 30,000 and under, and two for buildings greater than 30,000 square feet.
4. The project may have elevation changes of up to 30 feet with regards to filling an existing depression area south of the existing Florida Department of Transportation (FDOT) stormwater system and with the filling and relocation of existing FDOT stormwater system. These changes will be submitted to the City Engineer at the time of final engineering showing the extent of the cut and fill.
5. Interior landscape buffers between abutting property boundaries may have a shared 10 foot wide landscape buffer with a 5 foot wide buffer on each lot to achieve a minimum 10 foot wide buffer. If the shared landscape buffer is not maintained to City standards, both lot owners will be held liable for the deficiencies.
6. All required landscape buffers shall have an additional 30 percent more plant material, which includes trees and shrubs, to enhance the site.

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7. Three buildings; A, C, and E, may be greater than 20,000 square feet but no more than 45,000 square feet, as shown on the site plan. The applicant has the ability to reduce these buildings so long as the overall square footage of the entire site does not exceed 162,000 square feet.
8. By virtue of the transportation system needs for the project, the developer shall dedicate on the final plat and/or commercial site plan, a 100-foot right-of-way for Hooks Street within the project boundary, from the western property line through the property towards to east, terminating in the southeast corner of the property boundary. In addition to this 100-foot right-of-way, additional land necessary to accommodate temporary construction easements; not to exceed 100 feet in width, shall be provided. The slope easement shall be identified at preliminary plat and/or preliminary commercial site plan review and shown on the final plat/commercial site plan. The developer shall coordinate with the County and City on alignment and grading of Hooks Street. The slope easement width will be adjusted with design plans approved by the County and the City. This will be required prior to the first Certificate of Occupancy for the site.
9. The developer will agree to construct that segment of Hooks Street lying within the property boundaries in exchange for impact fee credits or other consideration as outlined in an agreement with the City and Lake County. This will be completed prior to Lot 1 receiving a Certificate of Occupancy.
10. Lots 6 and 7 may have up to 85 dwelling units consisting of fee simple townhomes. Should the developer seek to increase the amount of fee simple town homes, this may be accomplished by decreasing the commercial acreage and increasing the residential acreage, not to exceed a 12 unit to one-acre ratio for density.
11. The table below would be the minimum requirements for the residential townhome portion of the development:

Minimum Lot Area	1,800 Square Feet
Minimum Living Area	1,000 Square Feet
Minimum Lot Width	20 FT
Minimum Lot Depth	90 FT
Minimum Front Building Setback	15 FT
Minimum Front Porch Setback	10 FT
Minimum Front Garage Setback	20 FT
Minimum Side Yard Setback*	5 FT
Setback from Side Street	15 FT
Minimum Rear Yard Setback	20 FT
All other applicable requirements of the City of Clermont R-3 Zoning Code apply	
* Does not apply to interior side yards of attached townhomes	

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12. School concurrency shall be met before final plat approval in accordance with the Comprehensive Plan and Land Development Code.
13. Sidewalks/Streets:
 - a. Sidewalks to be constructed on both sides of residential and commercial streets.
 - b. Streets shall have F-type curb and street pavement must be a minimum 24 feet wide.
 - c. Right-of-way width for residential streets must be a minimum 60 feet.
 - d. A minimum of three (3) pedestrian-oriented ingress and egress walkways shall be installed within the project. The design features that enhance pedestrian safety, efficiency and connectivity with a clear delineation between vehicular areas and pedestrian walkways shall be used. At a minimum, walkways shall connect focal points of pedestrian activity such as, street crossings, building and store entry points and shall feature adjoining landscaped areas that include trees, shrubs, benches, flower beds, ground covers or other such materials for no less than 50 percent of the length of the walkway.
14. Roadway Lighting: The developer shall arrange with the power utility provider for installation of street lights along Hooks Street. The cost of installation shall be paid by the developer and shall be installed at the time of construction of Hooks Street. The developer shall also coordinate with the WaterBrooke development in the installation of street lights along Emil Jahna Road.
15. The development may have one monument sign placed in the eastern open space tract within the State Road 50 corridor. The sign shall be co-branded with the City's brand and the final location and design shall be approved by the City Manager, or authorized designee. The signage may only consist of reference to the Shops of Waterbrooke, the future townhome development and the Waterbrooke/Mattamy development. No individual tenant signs shall be permitted.
16. The existing billboard on site will be removed prior to issuance of first building permit.
17. The development shall comply with all applicable County and Florida Department of Transportation access management requirements.
18. A Tier 3 Traffic Impact Study shall be completed and reviewed by the Lake-Sumter Metropolitan Planning Organization. If the study identifies a deficiency in the Level of Service of transportation facilities due to the proposed project, the developer shall be required to participate in mitigation strategies.

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19. The project shall be developed according to the C-2 General Commercial zoning designation in the Land Development Code, unless expressly stated above.

SECTION 7:

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

SECTION 8:

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 9:

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

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PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 28th day of November, 2017.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Exhibit - Location Map The Shops at WaterBrooke

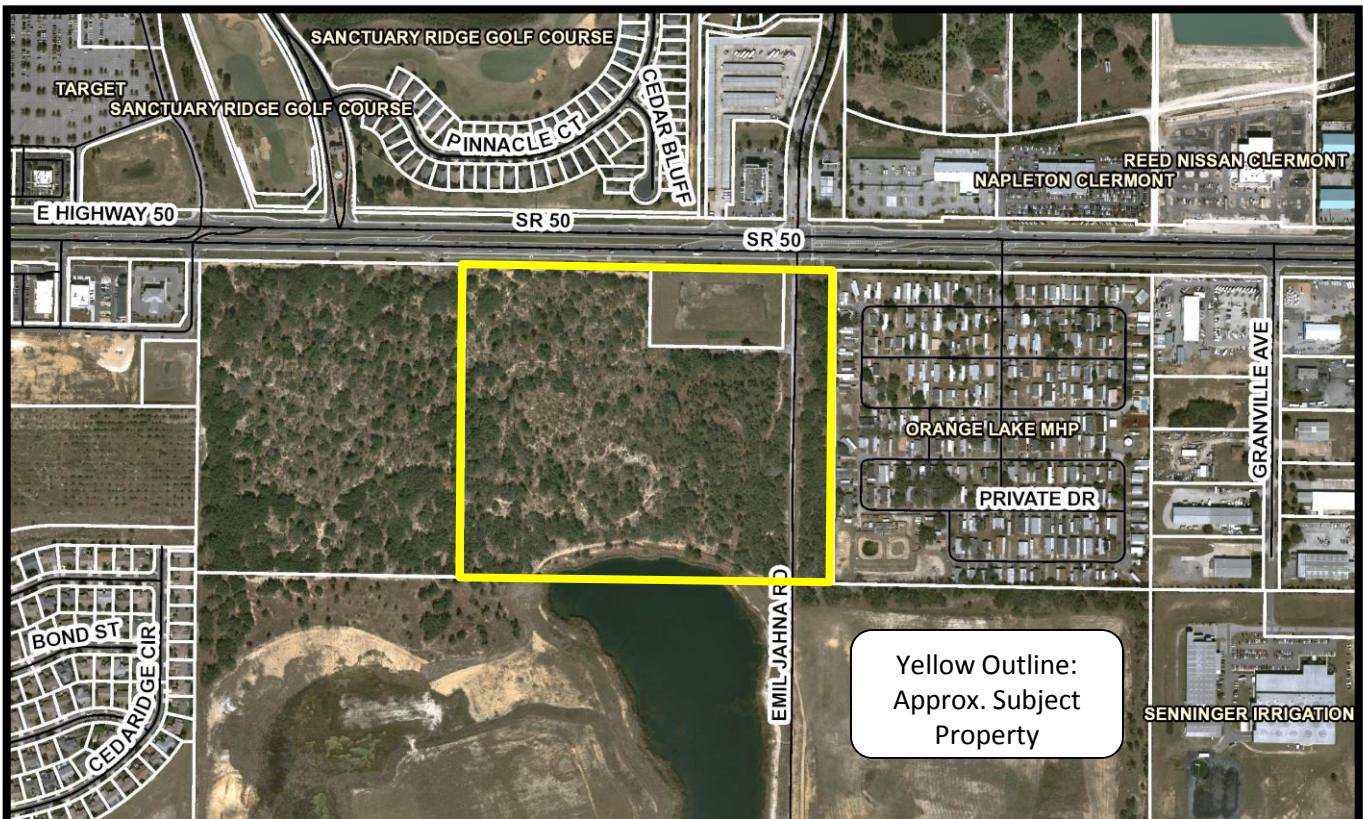
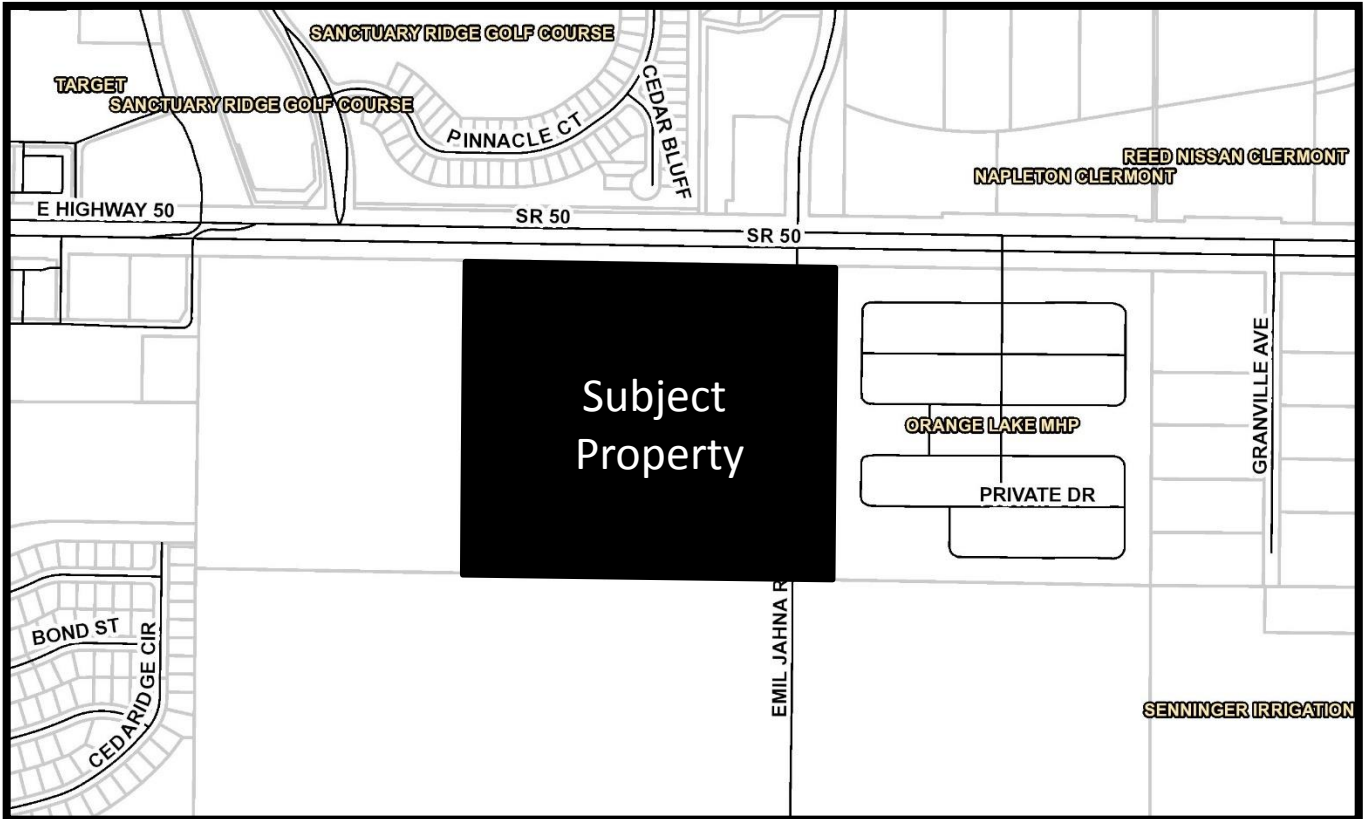
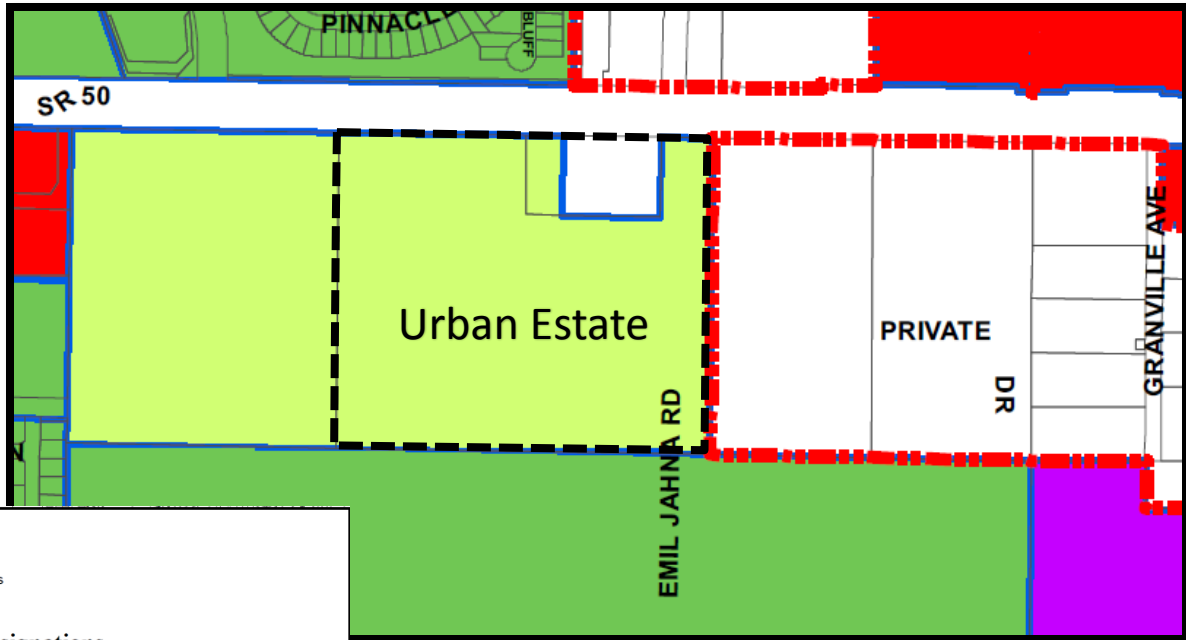


Exhibit – Zoning The Shops at WaterBrooke

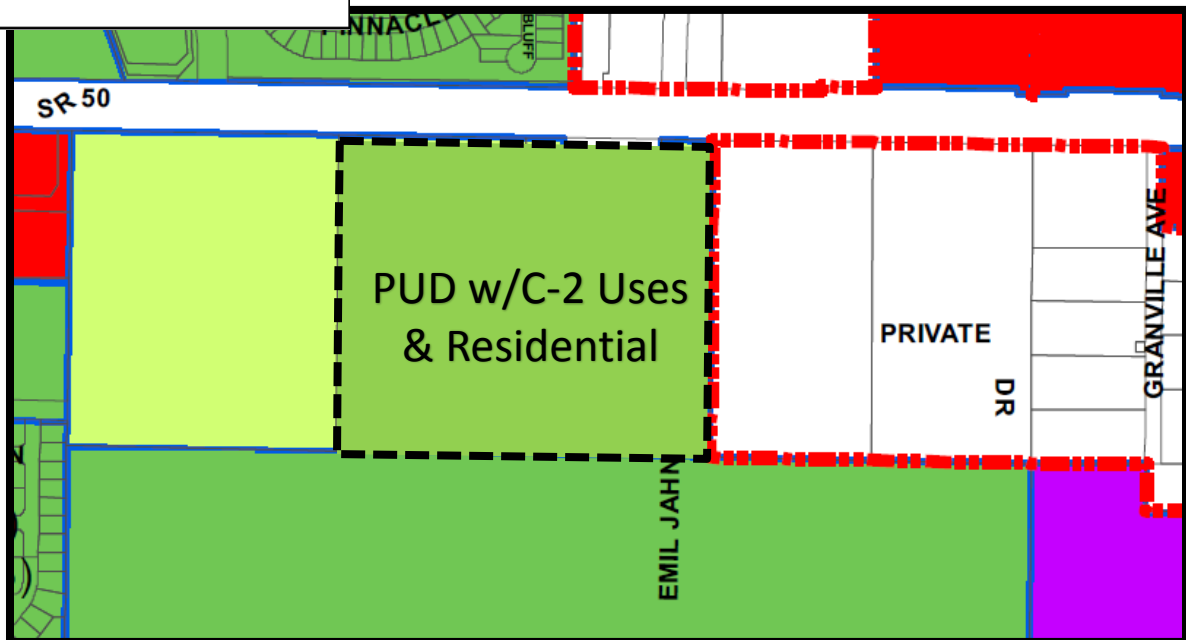


Legend

City Limits

Zoning Designations

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

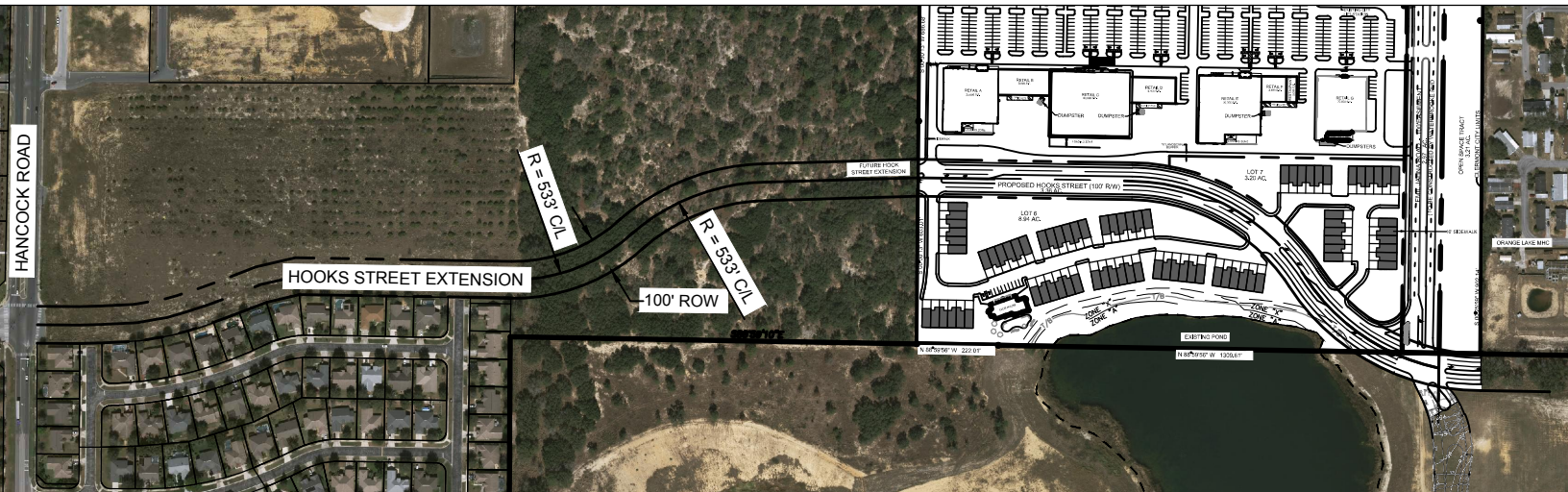


CITY OF CLERMONT CODE VARIANCES REQUESTED			
NO.	CODE SECTION	CODE REQUIREMENT	VARIANCE REQUESTED
1	114-8(a)(2)	ONE (1) DUMPSTER PAD WITH AN APPROVED ENCLOSURE PER 7,500 S.F. OF RETAIL SPACE. MIN. REQUIRED BASED ON 160,950 S.F. = 22 DUMPSTER PADS	A MAX. OF TEN (10) DUMPSTER PADS ARE PROPOSED, WITH A MIN. OF ONE (1) DUMPSTER PAD ON EACH OF LOTS 2-5 AND ONE PAD OR COMPACTOR FOR EACH RETAIL BLDG ON LOT 1
2	98-8(d)	ONE (1) LOADING BERTH FOR EVERY 10,000 S.F. OF FLOOR AREA. MIN. REQUIRED BASED ON 160,950 S.F. = 16 LOADING BERTHS	A MAX. OF TWELVE (12) LOADING BERTHS ARE PROPOSED, WITH A MIN. OF ONE (1) LOADING BERTH ON EACH OF LOTS 2-5, RETAIL C / D / E / F / G AND TWO (2) LOADING BERTHS FOR RETAIL A / B
3	94-195(d)(4)	ELEVATION CHANGES IN TOPOGRAPHY SHALL BE LIMITED TO 15 FEET	PORTIONS OF THE EXISTING FDOT RETENTION POND AND A SMALL DEPRESSIONAL AREA SOUTH OF THE POND REQUIRE FILL IN EXCESS OF 15 FEET IN SOME LOCATIONS AS PART OF SITE DEVELOPMENT
4	118-37(d)(1)	A MIN. 10 FOOT WIDE SHARED LANDSCAPE BUFFER SHALL BE PROVIDED BETWEEN ABUTTING PROPERTY BOUNDARIES	INTERNAL PROPERTY BOUNDARIES WILL NOT BE REQUIRED TO PROVIDE A MIN. 10 FOOT WIDE LANDSCAPE BUFFER. RATHER, A 5 FOOT WIDE BUFFER WILL BE PROVIDED ON EACH LOT TO ACHIEVE A MIN. 10 FOOT WIDE BUFFER.
5	102-15(a),(2), a.1	MULTITENANT OFFICE BUILDINGS AND COMMERCIAL CENTERS, INCLUDING SHOPPING CENTERS, SHALL BE PERMITTED SIGNAGE UNDER THIS SECTION. A CENTER IDENTIFICATION GROUND SIGN SHALL BE LOCATED ON THE SITE AND SHALL BE LIMITED TO THE NAME OF THE CENTER AND/OR THE NAMES OF THE OCCUPANTS OF THE CENTER.	THE APPROVED WATERBROOKE PD INCLUDES A GROUND-MOUNTED SIGN LOCATED AT THE INTERSECTION OF EMIL JAHNA AND SR 50, WITHIN A 100-FT WIDE ACCESS EASEMENT GRANTED BY THE APPLICANT. THE APPLICANT PROPOSES TO USE THIS SAME SIGN FOR THE PROPOSED SHOPS @ WATERBROOKE AND RESIDENTIAL LOTS 6 AND 7. NOTE: THE EXISTING BILLBOARD PYLON SIGN ALONG SR 50 WILL BE REMOVED.
6	122-223(b)	FLOOR SPACE, ANY BUSINESS ESTABLISHMENT OR STRUCTURE PROPOSING TO OCCUPY MORE THAN 20,000 SQUARE FEET OF FLOOR SPACE SHALL REQUIRE A CONDITIONAL USE PERMIT.	ALLOW FOR THE PERMITTING AND CONSTRUCTION OF THREE (3) STRUCTURES THAT OCCUPY MORE THAN 20,000 SQUARE FEET UNDER THIS PLANNED UNIT DEVELOPMENT ZONING APPROVAL. SEE RETAIL A, C AND E

PROJECT DATA	
PROJECT AREA	45.38 AC
ALTERNATE KEYS	3868851 (UP FIELDGATE US INVESTMENTS - CLERMONT HILLS LLC)
	3868854 (STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION)
EXISTING ZONING	UE (URBAN ESTATES) FDOT POND (NO ZONING)
PROPOSED ZONING	PUD (PLANNED UNIT DEVELOPMENT)
EXISTING USES	VACANT FDOT POND
2030 FUTURE LAND USE	COMMERCIAL
PROPOSED BUILDING AREA	LOT 1 139,850 S.F.
	LOT 2 5,000 S.F. (SEE NOTE 3)
	LOT 3 5,000 S.F. (SEE NOTE 3)
	LOT 4 5,000 S.F. (SEE NOTE 3)
	LOT 5 6,100 S.F.
	LOT 6 85 TOWNHOMES (FEE SIMPLE LOTS) (SEE NOTE 4)
	LOT 7 160,950 S.F.
PROPOSED USES	LOT 1 COMMERCIAL RETAIL, RESTAURANTS
	LOT 2 COMMERCIAL RETAIL, RESTAURANTS
	LOT 3 COMMERCIAL RETAIL, RESTAURANTS
	LOT 4 COMMERCIAL RETAIL, RESTAURANTS
	LOT 5 COMMERCIAL RETAIL, FUEL
	LOT 6 RESIDENTIAL TOWNHOMES - LOT SIZE APPROX. 24'X75'
	LOT 7 RESIDENTIAL TOWNHOMES - LOT SIZE APPROX. 24'X75'
MAX. PROPOSED IMPERVIOUS AREA	80%

GENERAL NOTES:
1. SIDEWALKS ARE NOT SHOWN. SIDEWALKS WILL BE PROVIDED PER CITY OF CLERMONT AND ADA CODE REQUIREMENTS.
2. BICYCLE RACKS ARE NOT SHOWN FOR LOTS 1-5. BICYCLE RACKS WILL BE PROVIDED PER CITY OF CLERMONT CODE REQUIREMENTS.
3. LOTS 2-4 MAY CONTAIN A DRIVE-THRU USE.
4. LOTS 6 AND 7 MULTIFAMILY DENSITY MAY INCREASE UP TO 12 UNITS/ACRE.

SITE DATA TABLE			
LOT	USERS	S.F.	ACRES
LOT 1	RETAIL A	25,000	17.86
	RETAIL B	9,800	
	RETAIL C	40,000	
	RETAIL D	8,400	
	RETAIL E	30,000	
	RETAIL F & RESTAURANT	4,650	
	RETAIL G	2,000	
LOT 2	RETAIL	5,000	1.34
LOT 3	RESTAURANT	5,000	1.38
LOT 4	RETAIL	5,000	1.34
LOT 5	RETAIL	6,100	1.78
LOT 6 & 7	85 TOWNHOMES (SEE NOTE 4)		12.14
HOOKS STREET R/W			3.36
EMIL JAHNA ROAD			2.97
OPEN SPACE TRACT			3.21
TOTAL			45.38



DETAIL A - FUTURE HOOKS STREET EXTENSION
EMIL JAHNA ROAD TO HANCOCK ROAD

SCALE: = 1"=500'

STORMWATER MANAGEMENT

THE STORMWATER MANAGEMENT FACILITIES ON THE WATERBROOKE PROJECT (LOCATED TO THE SOUTH) WILL PROVIDE TOTAL STORMWATER MANAGEMENT FOR LOTS 1-7. THE PROPOSED EXTENSION OF HOOKS STREET, THE PROPOSED EMIL JAHNA ROAD AND THAT PORTION OF S.R. 50 WHICH DRAINS INTO THE EXISTING FDOT POND AT THE SOUTHWEST CORNER OF S.R. 50 AND EMIL JAHNA ROAD. THE EXISTING FDOT POND WILL BE ABANDONED.

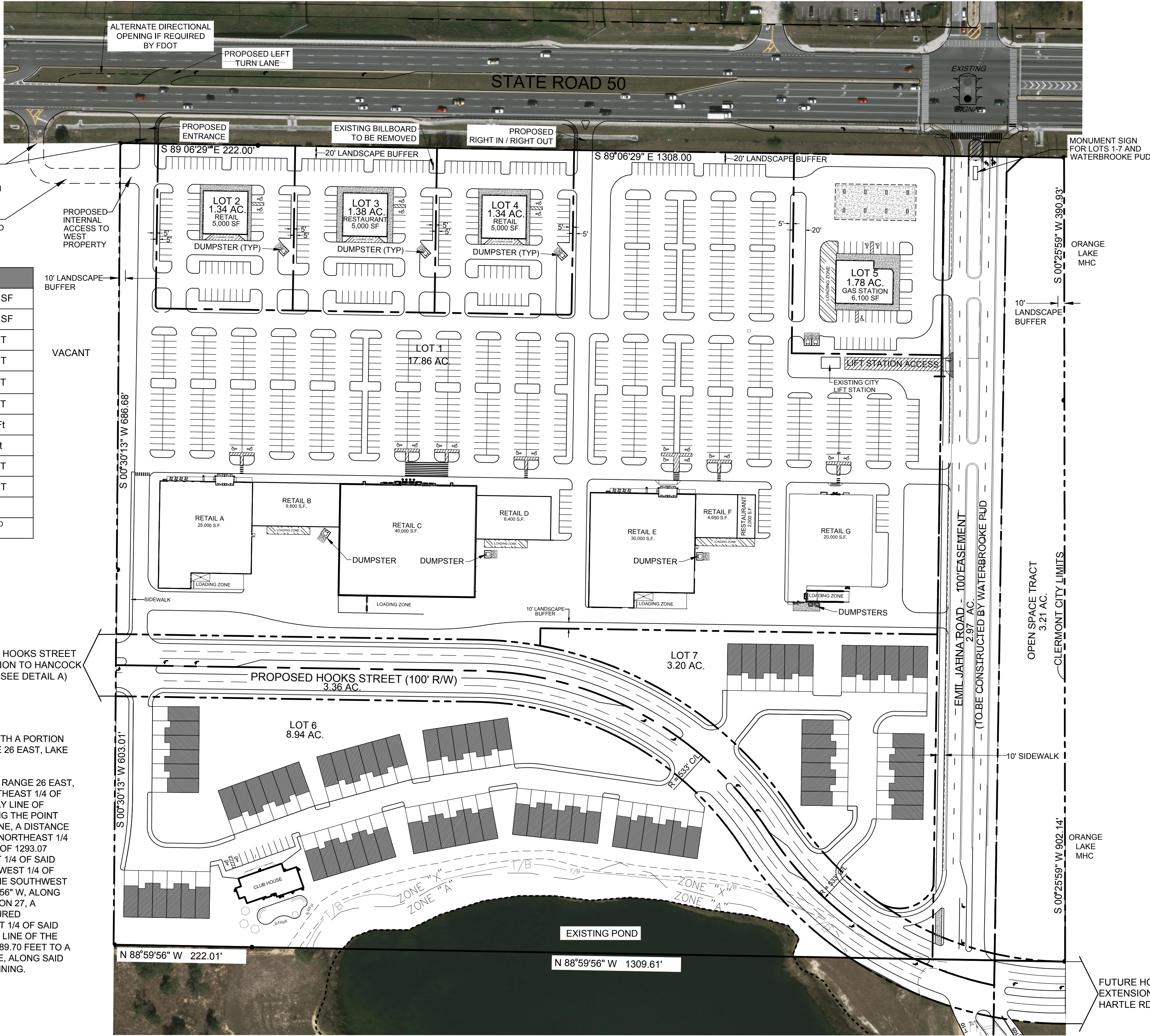
MULTIFAMILY USES	
MINIMUM LOT AREA	1,800 SF
MINIMUM LIVING AREA	1,000 SF
MINIMUM LOT WIDTH	20 FT
MINIMUM LOT DEPTH	90 FT
MIN. FRONT BUILDING SETBACK	15 FT
MIN. FRONT PORCH SETBACK	10 FT
MIN. FRONT GARAGE SETBACK	20 FT
MINIMUM SIDE YARD SETBACK*	5 FT
SETBACK FROM SIDE STREET	15 FT
MIN. REAR YARD SETBACK	20 FT
ALL OTHER APPLICABLE REQUIREMENTS OF THE CITY OF CLERMONT R-3 ZONING CODE APPLY	
* - DOES NOT APPLY TO INTERIOR SIDE YARDS OF ATTACHED TOWNHOMES	

PARKING TABLE SECTION 98-14(b)	
USE	MIN. REQUIRED
SINGLE FAMILY	2 PER DWELLING UNIT
RETAIL BUSINESS	1 PER 200 SF OF FLOOR SPACE
RESTAURANTS AND LOUNGES	1 PER 50 SF OF FLOOR AREA DEVOTED TO PATRON USE
	1 FOR EACH FOUR (4) EMPLOYEES

OVERALL DESCRIPTION
THAT PORTION OF THE EAST 222.00 FEET OF THE SE 1/4 OF NW 1/4 TOGETHER WITH A PORTION OF THE SW 1/4 OF NE 1/4, ALL LYING IN SECTION 27, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH 1/4 CORNER OF SECTION 27, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, RUN S 00°30'12" W, ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 27, A DISTANCE OF 1363.52 FEET TO A POINT ON THE RIGHT OF WAY LINE OF STATE ROAD 50, PER F.D.O.T. RIGHT OF WAY MAP SECTION 11070-2505, THIS BEING THE POINT OF BEGINNING; THENCE RUN S 89°06'29" E, ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 1308.00 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 27; THENCE RUN S 00°25'59" W, ALONG SAID EAST LINE, A DISTANCE OF 1293.07 FEET, TO THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 27, THENCE RUN N 88°58'56" W, ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 27, A DISTANCE OF 1309.61 FEET TO THE SOUTHWEST CORNER OF SAID SOUTHWEST 1/4 OF THE NORTHEAST 1/4; THENCE RUN N 88°58'56" W, ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 27, A DISTANCE OF 222.01 FEET TO A POINT, 222.00 FEET, WESTERLY OF, WHEN MEASURED PERPENDICULAR TO THE WEST LINE OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 27; THENCE RUN N 00°30'12" E, ALONG A LINE PARALLEL WITH THE WEST LINE OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 27, A DISTANCE OF 1289.70 FEET TO A POINT ON THE AFORESAID SOUTH RIGHT OF WAY LINE; THENCE RUN S 89°06'29" E, ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 222.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 45.38 ACRES, MORE OR LESS.



PARKING TABULATION								
TENANT	BLDG AREA SF	PATRON %	PATRON FLOOR AREA SF	AREA PER PARKING SPACE	PATRON SPACES REQUIRED	EMPLOYEES	EMPLOYEE SPACES REQUIRED	TOTAL SPACES REQUIRED
LOT 1 - RETAIL	137,850	-	-	200	-	-	-	690
LOT 1 - REST.	2,000	50	1,000	50	20	8	2	22
LOT 2 - RETAIL	5,000	-	-	200	-	-	-	25
LOT 3 - REST.	5,000	50	2,500	50	50	16	4	54
LOT 4 - RETAIL	5,000	-	-	200	-	-	-	25
LOT 5 - RETAIL	6,100	-	-	200	-	-	-	31
								755

ENGINEER
JASON P. MAHONEY, P.E.
FL LIC. #05163

RECORD DRAWING
THIS RECORD DRAWING IS BASED ON THE RESULTS OF A LIMITED NUMBER OF CONSTRUCTION SURVEYING RELEVANT DATA, AND WITHOUT GUARANTEE, THE ENGINEER HAS REVIEWED THE RECORD DRAWING TO THE BEST OF HIS KNOWLEDGE.

THE SHOPS AT WATERBROOKE
AT
STATE ROAD 50 & EMIL JAHNA ROAD
CITY OF CLERMONT, FLORIDA
FOR
UP FIELDGATE US INVESTMENTS - CLERMONT HILLS LLC

REZONING PLAN

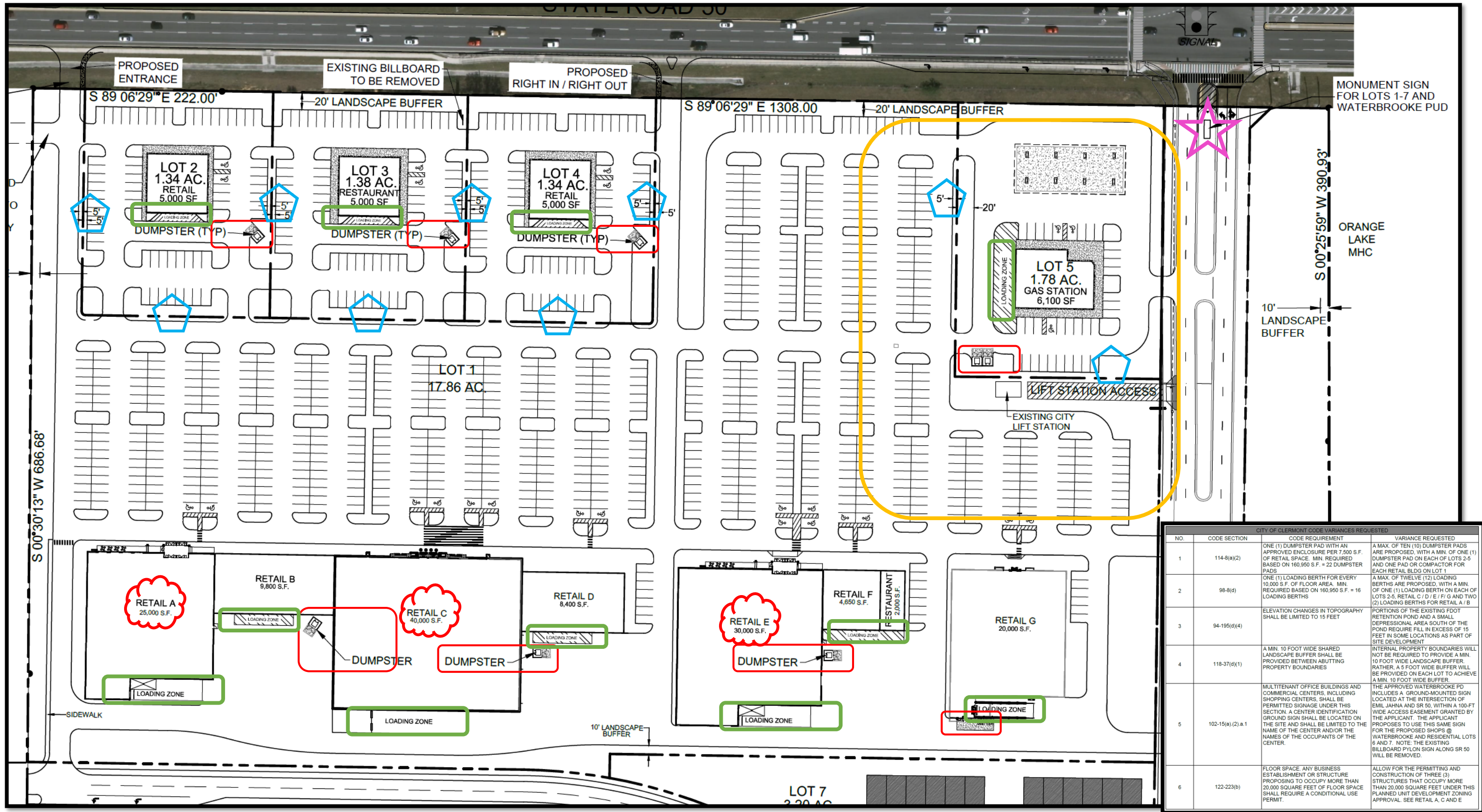
LOCHRANE
Consulting Engineers - Surveyors
An NVIS Company
251 SOUTH BERRY AVENUE • ORLANDO, FL 32830
PH: (407) 946-1117 • FAX: (407) 946-1947
WWW.LOCHRANE.COM
CERTIFICATE OF PROFESSIONAL ENGINEERING

JOB #:
PJL MGR:
DESIGNER:
CHECKED:
DATE: Oct 19, 2017

REVISIONS
NO. DATE

SHEET
C1.0

The Shops at WaterBrooke Waivers



Waiver 1 – Dumpster pad per building

Waiver 2 – Loading Berths

Waiver 3 – Elevations changes greater than 15 feet

Waiver 4 – Shared 10 foot Landscape Buffer

Waiver 5 – Multi-tenant Sign

Waiver 6 – Three buildings greater than 20,000 square feet { }



2 PRIMARY / ENTRY ELEVATION - PART 2
1/16" = 1'-0"



1 PRIMARY / ENTRY ELEVATION - PART 1
1/16" = 1'-0"

THE SHOPS
AT WATERBROOKE
SR 50 & EMIL JAHNA RD. CLERMONT FL
CONCEPT ELEVATION DESIGN

ELEVEN
18
ARCHITECTURE
A WOMEN'S BUSINESS ENTERPRISE



Florida Department of Transportation

RICK SCOTT
GOVERNOR

719 S. Woodland Blvd.
Deland, FL 32720

JIM BOXOLD
SECRETARY

January 11, 2017

RE: Relocation of Pond
State Road No.: 50
County: Lake

To whom it may concern:

The Florida Department of Transportation has received a request to consent to the rezoning land classification of the Department's property Parcel 2722260001-000-032000 intersection of SR 50 and Emil Jahna Rd in Lake County. While the Department does not have the legal authority to consent to such rezoning requests, this letter is to advise you that we have no objection to this rezoning and will take no action to prohibit or otherwise block your attempt to rezone this property.

We are currently entertaining a request from a private company, UP Fieldgate US Investments – Clermont Hills, LLC, wherein the DOT will convey the existing DOT Pond as described on the attached Exhibit "A". The new pond will be on the adjacent parcel and shared as a joint use pond with the DOT upon approval and completion of construction and certification.

Todd Moynihan
Property Management Administrator
Florida Department of Transportation – District 5
(386) 943-5082
todd.moynihan@dot.state.fl.us

EXHIBIT A

LEGAL DESCRIPTION

FROM NW COR OF NE 1/4 RUN S 0-37-50 W ALONG SAID W LINE OF |
NE 1/4 A DIST OF 1288.52 FT TO CENTERLINE OF SR 50, S |
89-06-32 E ALONG SAID CENTERLINE 557.74 FT, S 0-53-28 W 75 |
FT TO A POINT ON THE S R/W LINE OF SR 50 FOR POB, S 0-53-31 |
W 325 FT, S 89-06-29 E 549.99 FT, N 0-53-31 E 325 FT, W |
ALONG S R/W LINE OF SR 50 TO POB |
ORB 3153 PG 2149 |

PROPERTY APPRAISER ALTERNATE KEY: 3868854



**CITY OF CLERMONT
REZONING
APPLICATION**

DATE: 8/23/17

FEE: \$542.⁰⁰
+ cost of advertisement

PROJECT NAME (if applicable): The Shops at Waterbrooke

APPLICANT: UP Fieldgate US Investments - Clermont Hills LLC

CONTACT PERSON: Paul "JJ" Johnson, Jr.

Address: 301 E. Pine Street, Suite 250

City: Orlando State: Florida Zip: 32801

Phone: (407) 622-6751 Fax: (866) 440-1211

E-Mail: jj.johnson@sloaneandjohnson.com

OWNER: UP Fieldgate US Investments - Clermont Hills LLC

Address: 3201 E. Colonial Drive

City: Orlando State: Florida Zip: 32803

Phone: (407) 896-1132 Fax: _____

Address of Subject Property: State Road 50, Clermont, FL

Legal Description (include copy of survey): Refer to Plot Plan

Acres: 45.38 Land Use: Commercial
(City verification required)

Present Zoning: UE Proposed Zoning: PUD
(City verification required)



**CITY OF CLERMONT
REZONING
APPLICATION**
Page 2

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

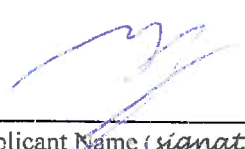
What are you proposing to do that would require a rezoning?

Commercial Shopping Center and Residential Development

Paul "JJ" Johnson, Jr.

Applicant Name (print)

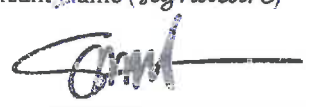
X


Applicant Name (signature)

Scott Fish

Owner Name (print)

X


Owner Name (signature)

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

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. 2017-49

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

Southwest corner of Highway 50 and Emil Jahna Road
Alternate Key 3868854 and 3868851

LEGAL DESCRIPTION

OVERALL DESCRIPTION

THAT PORTION OF THE EAST 222.00 FEET OF THE SE $\frac{1}{4}$ OF NW $\frac{1}{4}$ TOGETHER WITH A PORTION OF THE SW $\frac{1}{4}$ OF NE $\frac{1}{4}$, ALL LYING IN SECTION 27, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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From: Urban Estate
To: Planned Unit Development

This request will be considered by the Planning & Zoning Commission on Tuesday, November 7, 2017 at 6:30 p.m.

A public meeting to consider the request will be held before the City Council on Tuesday, November 28, 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
October 31 and November 14, 2017