



**CITY OF CLERMONT
PLANNING AND ZONING COMMISSION AGENDA
6:30 PM, Tuesday, May 1, 2018
City Hall – 685 W. Montrose Street, Clermont, FL**

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

MINUTES

April 3, 2018 Planning and Zoning Minutes

REPORTS

NEW BUSINESS

Item 1 - Resolution No. 2018-12

Fifty West Realty Conditional Use Permit

Consider Conditional Use Permit to allow for a professional office building to occupy more than 20,000 square feet of floor space for vacant parcel located on the north side of State Road 50 between Toyota of Clermont and Don Mealey Chevrolet.

Item 2 - Resolution No. 2018-11

7-11 East Ave. Convenience Store/Gas Station

CUP

Table to June 5, 2018

The applicant is requesting a Conditional Use Permit to allow a 3,000 square foot convenience store with 8 fueling islands and 16 pump stations for property located at the southwest corner of State Road 50 and East Ave.

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 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.

City of Clermont
MINUTES
PLANNING AND ZONING COMMISSION
April 3, 2018

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The meeting of the Planning & Zoning Commission was called to order 3, April, 2018 at 6:30 p.m. by Chairman Cuqui Whitehead. Other members present were Herb Smith, David Colby, Julie Santos, Max Krzyminski and Tony Hubbard. Curt Henschel Planning Manager, John Kruse, Senior Planner, Regina McGruder, Senior Planner, Dan Mantzaris, Legal Counsel for the City, were also in attendance.

MINUTES of Planning and Zoning Commission meeting held on March 6, 2018 were approved as written.

Commissioner Santos requested verbiage in March 6, 2018 minutes be changed as a discrepancy on her title Chairman Santos be changed to Commissioner Santos.

REPORTS:

Chairman Whitehead congratulated her husband on his 76th birthday.

No further reports were made.

REQUEST:

Item # 1: Consider ordinance to change future land use from Lake County Regional Commercial to City of Clermont Industrial for Property located at the Northeast Corner of Hancock Road and Trade Avenue.

Item # 2: Consider ordinance to change the zoning from Lake County Master Planned Development to City of Clermont M-1 Industrial for property located at the Northeast corner of Hancock Road and Trade Avenue.

Item # 3: Consider a request for a conditional Use Permit to allow for two building occupancy more than 20,000 square feet of floor space and a total floor area greater than 100,00 square feet for vacant property located on the Northeast corner of Hancock Road and Trade Avenue.

APPLICANT: *Goodman Comprehensive Plan Amendment*
Goodman Commerce Center Rezoning
Goodman Commerce Conditional Use Permit

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

Item 1:

The applicant, is requesting a small scale comprehensive plan amendment for the subject property. The vacant parcel is approximately 9.40 +/- acres. The applicant would like to develop the property and have City services available. The City of Clermont has adequate public facilities and services with sufficient capacities to maintain the level of service standards concurrent with the impacts of proposed project.

The small scale comprehensive plan amendment would change the Future Land Use from Lake County Regional Commercial to the City Industrial. The City's Industrial Future Land Use allows a maximum intensity of 1.0 Floor Area Ratio. The proposed development is consistent with the comprehensive plan policies for the Industrial land use category.

Policy 1.10.2: Uses allowed in the industrial category include manufacturing, assembling, and distribution activities; warehousing and storage activities; general commercial activities; and other similar land uses which shall be regulated through appropriate land development regulations. Heavy metal fabrication, batch plants, salvage yards, chemical or petroleum manufacturing or refining, rubber or plastic manufacturing or other uses generating potentially harmful environmental or nuisance impacts shall be prohibited.

Staff recommends approval of Ordinance No. 2018-17, small scale comprehensive plan amendment to change the future land use from Lake County Regional Commercial to City Industrial land use.

Item 2:

The applicant, is requesting a rezoning of the subject property. This request is being heard concurrently with requests for annexation, small scale comprehensive plan amendment, and a conditional use permit. Upon annexation, the applicant is requesting to change the current zoning of the property from Lake County M-P Master Planned to City M-1 Industrial zoning; this will allow development of two warehouse/flex-space and commercial building.

The proposed M-1 Industrial zoning is consistent with the surrounding properties and the City's Comprehensive Plan. The maximum Impervious Surface Coverage is 80 percent. The property adjacent to the South was recently annexed into the City and has C-2 zoning to allow a residential mini storage facility. The property located to the North has PUD zoning with M-1 Industrial uses. The proposed development is consistent with the adjacent parcels and compatible with the uses and improvements of the surrounding areas.

Staff has reviewed the rezoning application and believes that M-1 Industrial zoning is consistent with the comprehensive plan policies and objectives and compatible with the surrounding area. The warehouse/flex space use has a very low trip generation rate for traffic impact and the City has adequate public infrastructure facilities to support the development. Staff recommends approval of Ordinance No. 2018-17 rezoning subject parcel to City M-1 Industrial.

Item 3:

The applicant, is requesting a Conditional Use Permit to allow two warehouse/commercial buildings with more than 20,000 square feet of floor space and to allow a total floor area greater than 100,000 square feet in the M-1 Industrial zoning district. The Land Development Code, Section 122-264 requires a conditional use permit for any building structure that occupies more than 20,000 square feet and for any establishment that occupy more than 100,000 total square feet. The proposed project will include construction of two warehouse/flex space buildings, one building will have a maximum of 63,000 square feet and one building will have a maximum of 44,400 square feet, for a combined total floor area of 107,400 square feet. The proposed development will be required to comply with the Land Development Regulations for M-1 Industrial zoning and meet the City's Architectural Standards.

The site shall be developed in substantial accordance with the conceptual plan prepared by LINN Engineering and Design Inc. No outside storage is permitted. All manufacturing and commercial uses shall be conducted within a completely enclosed building.

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 Conditional Use Permit to allow construction of two warehouse/flex space and commercial buildings occupying more than 20,000 square feet and to allow a combined maximum total floor area of 107,400 square feet in the M-1 zoning district with the conditions contained in Resolution No. 2018-08.

Applicant, Eric Lagecy, Ligon Engineering and Design 711 executive Drive, Winter Park, FL, introduced himself, but had no further comments.

Chairman Whitehead opened the floor to the public. There was no one present to speak. Chairman Whitehead immediately closed to public portion of the hearing, and returned it to the Board.

Chairman Whitehead entertained motion for item 1. Commissioner Hubbard moves to approve the requested motion; it was seconded by Commissioner Colby. The vote was unanimous for approval. 6-0

Chairman Whitehead entertained motion for item 2. Commissioner Hubbard moves to approve the requested motion; it was seconded by Commissioner Colby. The vote was unanimous for approval. 6-0

Chairman Whitehead entertained motion for item 3. Commissioner Smith moves to approve the requested motion; it was seconded by Commissioner Hubbard. The vote was unanimous for approval. 6-0

REQUEST:

Item # 4: Consider ordinance to change the future land use from Medium Density Residential to Downtown Mixed Use for property located at the southeast corner of Lake Ave. and Minneola Ave.

Item # 5: Consider ordinance to change the change the zoning from R-3 Residential/ Professional to Central Business District for 0.52 acres located at the southeast corner of Lake Ave. and Minneola Ave.

APPLICANT: *607 & 619 Lake Ave Comprehensive Plan Amendment
607 & 619 Lake Ave Rezoning*

Senior Planner, John Kruse, presented the staff report as follows:

Item 4:

The applicants, OMBS LLC and Hunters Trace LLC, are seeking a small-scale comprehensive plan amendment and a rezoning for the property that is approximately 0.52 +/- acres in size.

The property is located east of the Clermont City Center parking lot, southeast of the Minneola Ave. and Lake Ave. intersection. The OMBS property had a residential structure that was removed in the past few years and will be redeveloped in the near future. The Hunters Trace property currently has a structure that is being used and may be redeveloped in the future.

The future land use is currently Medium Density Residential. The applicants desire a change to Downtown Mixed Use. The Downtown Mixed Use is adjacent to the property on two sides, the west and the south. The conversion would make a logical expansion of the Downtown Mixed Use to the north and east. This change would be a natural progression outward of the uses allowed in the Downtown Mixed Use.

Item 5:

The applicants are also seeking a rezoning from R-3 Residential/Professional District to Central Business District on the property. The Central Business District zoning is currently adjacent to the property on the west and south. This change would be an orderly outward movement of the Central Business District. The zoning change would provide greater development potential on the property and expand the Central Business District. The Central Business District would also be consistent with the requested Downtown Mixed Use future land.

Since the requested change promotes an orderly expansion and is supported by the Comprehensive Plan, staff recommends approval of Ordinance 2018-12 for a small-scale comprehensive plan amendment to change the future land use from Medium Density Residential to Downtown Mixed Use.

Since the zoning change would encourage greater opportunities for redevelopment and new development in the Central Business District and is consistent with the overall intent of the Downtown Master Plan, staff recommends approval of Ordinance 2018-13 to rezone the parcels from R-3 Residential/Professional to Central Business District.

Applicant Jason Stringfellow, 1455 West Lake Shore Drive, Clermont, FL, introduced himself, but had no further comments

Chairman Whitehead opened the floor to the public.

Mark Graff, 1944 Brantley Circle, believes it is great to have others invest in downtown.

Kevin McKenna resident to 562 W. Minneola, Clermont, FL, states he does not feel like it's appropriate to have zoning change. He stated no notification was made on location. States multiple policies are being violated, and this construction will negatively impact the area and should not be approved.

Chairman Whitehead is requested clarification on properties.

John Kruse clarified.

Joy Beck, resident to 445 W. Minneola Avenue, Clermont, states she is unhappy on the future look on location. Believes current aesthetic looks should be preserved. Agrees with previous resident's points.

Whitehead asks applicant if he would like to respond.

Mr. Stringfellow responds by clarifying the intentions of current property. Would like to divide the lot into three 5,000 square foot parcels. He intends to preserve the current look. Has a site plan that could be subject to change.

Dan Mantzaris requested it be presented as it is stated it is part of the packet.

Mr. Stringfellow presents site plan, but clarifies their site plan could change.

Commissioner Hubbard asks Mr. Kruse if there is any geographic boundary to the master plan.

Mr. Kruse stated there was not.

Commissioner Santos asked Stringfellow if the current apartment complex could possibly be affected.

Mr. Kruse responded no.

Commissioner Santos asked if there would be less units with this change.

Mr. Stringfellow agreed.

Commissioner Smith asked if the residents issue is due to the house.

Resident Kevin McKenna asked why change the zoning to mixed used? He believes changing it will open doors to potential commercial property. Believes Lake Minneola would be affected not Lake Ave.

Commissioner Smith responded that due to space the lots cannot be changed.

Commissioner Santos asked if there is any legal ability on changing the owners mind on the direction of the potential location?

Mr. Mantzaris stated that there is no legal ability to change the owners mind on the potential construction. He also stated the current agenda only requests a changed to downtown mixed used, not other issues.

Chairman Whitehead agrees with residents' concerns, but she trusts the city will not allow the heritage be changed.

Commissioner Santos asks Mr. Kruse what can currently be built under R-3?

Mr. Kruse responds with multi-units being build. Anything under 3,000 square feet has to be taken through committee.

Chairman Whitehead entertained motion for item 4. Commissioner Hubbard moves to approve the requested motion; it was seconded by Commissioner Colby. The vote was unanimous for approval. 6-0

Chairman Whitehead entertained motion for item 5. Commissioner Hubbard moves to approve the requested motion; it was seconded by Commissioner Colby. The vote was unanimous for approval. 6-0

REQUEST:

Item # 6: Consider ordinance to change the future land use from Medium Density Residential to Downtown Mixed Use for .20 +/- acre parcel located northwest of the intersection of Montrose Street and 10th Street.

Item # 7: Consider an ordinance to rezone 0.62 +/- acre from Central Business District and R-3 Residential Professional to Planned Unit Development (PUD) for condominiums located northwest of the intersection of 10th Street and Montrose.

APPLICANT: *Victory Pointe, LLC Comprehensive Plan Amendment*
Victory Pointe, LLC Rezoning

Senior Planner, John Kruse, presented the staff report as follows:

Item 6:

This request is being heard concurrently with a request for a rezoning. The applicant is requesting a small-scale comprehensive plan amendment for the subject property located northwest of the intersection of Montrose Street and 10th street. The property is approximately 0.20 +/- acre in size. The property is currently vacant and the applicant desires to develop the property with the adjoining property, which already has the Downtown Mixed Use future land use in place.

The small-scale comprehensive plan amendment would change the Future Land Use from Medium Density Residential to the Downtown Mixed Use designation. This property adjoins the City's Victory Pointe project and is contiguous on two sides with the Downtown Mixed Use future land use. The highest and best use of the property would be served by the Downtown Mixed Use future land use and the Downtown Master Plan.

Since the requested change promotes infill and is consistent with the Comprehensive Plan, staff recommends approval of Ordinance 2018-18 for a small-scale comprehensive plan amendment to change the future land use from Medium Density Residential to Downtown Mixed Use.

Item 7:

The applicant is requesting a change from the R-3 Residential/Professional District and CBD Central Business District to a Planned Unit Development (PUD). The property is almost 7/10's of an acre in size and is currently vacant. The applicant has indicated that they would like to construct 17 single-family condos. The applicant would like to utilize the recent increase in density in the Downtown Mixed Use future land use in order to develop the lot.

The project contains the five mandatory components for density greater than 12 dwelling units per acre, as indicated in Section 122-249. The items meeting these requirements are: (1) the project will be condominium ownership (or fee simple ownership); (2) the construction will consist of durable, high-quality materials, (3) the use of urban design/architecture is incorporated into the site, (4) pedestrian connection and improvements are incorporated into the project, and (5) a trail connection from the project to the adjoining City property. The project is located adjacent to the Victory Pointe Wetlands Park and overlooks Triathlon Beach. The project is being developed in a manner to promote walkability and increased residential opportunities and density in the downtown area. One of the key elements of the Downtown and Waterfront Master

Plan is to maximize the number of people who come downtown, by living, which this project would achieve.

The applicant has provided a conceptual site plan, prepared by Germana Engineering and Associates, LLC., dated 03/29/2018, showing the layout of the building and parking on the site. The project will consist of one four-story building with a total of 17 condominium units. Level 1 will consist of understructure parking, storage for bicycles, elevator entrance and two stair wells. Levels 2, 3 & 4 will consist of the two bedroom condos. The proposal is for residential use only with no commercial aspects proposed. The applicant would also like to have the ability to have a roof top amenity for the owners as well.

The applicant understands that the site will be challenging to develop and the very nature of the PUD zoning allows flexible development designs. The property slopes down from Montrose Street towards the Victory Pointe Master Stormwater Project. The applicant is requesting cut and fill up to 15 feet. This is mainly due to the construction of the understructure garage feature of the project on the first level. In order to provide parking under the structure and allow parking to operate efficiently, the parking stall widths have been reduced to 8 and ½ feet wide and 18 feet deep. The applicant is requesting retaining wall height up to 10 feet to deal with the grades on the site and to construct the understructure parking garage. The overall height of the structure from the lowest point to the highest point is sixty-two (62) feet. Again, this is due to the grade change, a portion of the building being constructed into the ground, and an architectural feature of the building. The landscaping that is being proposed will vary due to the availability of planting width and utility placement. The project will provide a connection to downtown via a pedestrian connection at the City's property on the Victory Pointe Master Stormwater Project. In addition, the project will connect into the City's Victory Pointe Master Stormwater System for their stormwater requirements.

Staff has reviewed the applicant's proposal and believes the proposed use at this location is compatible with the uses in the area. Staff believes the project is in accordance with the vision of the Downtown and Waterfront Master Plan and meets the Comprehensive Plan. Staff believes the proposal meets the standards in regards to Section 122-315, Review Criteria for a PUD. Therefore, staff recommends approval of Ordinance 2018- 19 for a PUD to be developed in substantial accordance with the conceptual plan prepared by Germana Engineering and Associates, LLC., dated 03/29/2018.

Applicant Mark Graff, 1944 Brantley Circle, Clermont, had no further comments, but available to answer questions.

Chairman Whitehead opened the floor to the public.

Nancy Stuperidge, 330 W. Minneola Ave, Clermont, owner of 1015 Montrose St in Clermont. Stated area is passage park. Development projects should be consistent with Master Plan. Concern is that there is not enough pedestrian circulation. Also, believes Montrose is going to be

a primary road gateway from the west for current businesses. Believes orientation isn't too specific, is distressed due to recyclables and bicycles being visible. Concerned that ordinance is being presented as PUD, and is able to be deviated. Concerned about rooftop and it now being a 5 story building. Wants ordinance language changed, as is not specific enough.

Mr. Graff addresses rooftop issues. Stated rooftop may or may not be created. There would be no structure built. Dumpster would be fenced out so it would not be visible to eye.

Ms. Stuperidge responded by raising pedestrian access concern. Questioned if any plans for striping of the street or speed bumps would be created.

Mr. Mantzaris stated rooftop concern will require specification since it is a PUD.

Michelle Pines, resident to 1430 ____ street, Clermont, stated that 122-57 should be abided. Believes constant changes affected the city abiding procedures. Comprehensive plan should not be changed. The applicants need to change their code, and city not change their code.

Chairman Whitehead brought discussion back to board.

Commissioner Smith states building looks aesthetically appealing.

Commissioner Santos asks if it is violating any code?

Mr. Mantzaris states that PUD deviates the height on the building.

Mr. Kruse states changes and current CBD requirements. There is no violation on comprehension plan.

Commissioner Hubbard agrees with Commissioner Smith on building being aesthetically appealing.

Commissioner Krzyminski agrees with current requests.

Chairman Whitehead has done research on property. Believes Graff is doing great on current development of building.

Chairman Whitehead entertained motion for item 6. Commissioner Hubbard moves to approve the requested motion; it was seconded by Commissioner Smith. The vote was unanimous for approval. 6-0

Chairman Whitehead entertained motion for item 7. Commissioner Smith moves to approve the requested motion; it was seconded by Commissioner Colby. The vote was unanimous for approval. 6-0

There being no further business, the meeting was adjourned at 7:35 pm.



CITY OF CLERMONT

AGENDA ITEM

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Meeting Date		
Tuesday, May 1, 2018		
Agenda Item Name		
Resolution No. 2018-12 <i>Fifty West Realty Conditional Use Permit</i>		
Requested Action		
Recommend approval of Resolution No. 2018-12		
Staff Report		
The applicant, is requesting a Conditional Use Permit to allow for a professional office and multi-use building to occupy more than 20,000 square feet of floor space. The office building is an outparcel located within the Plaza Collina Planned Unit Development. The zoning of subject property requires any structure occupying more than 20,000 square feet of floor space shall require a Conditional Use Permit. The vacant parcel is approximately 2.0 acres+/- and will be located between the Toyota of Clermont and Don Mealey Chevrolet Dealerships. The proposed site plan will allow construction for a single building not to exceed 35,000 square feet, professional office and multi-use building. 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 for a single building not to exceed 35,000 square feet, professional office and multi-use building with the conditions contained in Resolution 2018-12.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Resolution 2018-12 CUP FINAL	Resolution 2018-12 CUP FINAL.pdf	
2. Fifty West Realty Maps	Fifty West Realty Maps.pdf	
3. 17-033 CUP Site Plan	17-033 CUP SP.pdf	
4. CUP-Application2017	CUP-Application2017.pdf	

5. FIFTY WEST CUP AD

FIFTY WEST CUP AD.pdf



**CITY OF CLERMONT
RESOLUTION NO. 2018-12**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE PERMIT TO ALLOW A SINGLE BUILDING TO OCCUPY MORE THAN 20,000 SQUARE FEET OF FLOOR SPACE

WHEREAS, the granting of this Conditional Use Permit will not adversely affect the officially adopted Comprehensive Plan of the City; such use will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity; the proposed use will comply with the regulations and conditions specified in the codes for such use; and the proposed use may be considered desirable at the particular location.

WHEREAS, this Conditional Use Permit request is only for a single building to be constructed on the lot described in the legal description and will also be governed under the existing Resolution No., 2015-08, Plaza Collina Mixed Use Planned Unit Development.

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held May 1, 2018 recommended approval of this Conditional Use Permit to allow for a single building occupying more than 20,000 square feet of floor space; at the following location:

LOCATION:

Vacant land (2.00 acres +/-) on the north side of SR 50
between Toyota of Clermont and Don Mealey Chevrolet
Portion of Alternate Key #3906281

The City Council deems it advisable in the interest of the general welfare of the City of Clermont, Lake County, Florida to grant this Conditional Use Permit.

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

This application for a Conditional Use Permit to allow for a single building occupying more than 20,000 square feet of floor space; be granted subject to the following conditions:

CONDITIONAL USE PERMIT CONDITIONS:

Section 1. General Conditions

1. The conditions as set forth in this Conditional Use Permit shall be legally binding upon any heirs, assigns and successors in title or interest.
2. No expansion of the use or additions to the facility shall be permitted except as approved by another Conditional Use Permit.



**CITY OF CLERMONT
RESOLUTION NO. 2018-12**

3. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.
4. The structure shall be inspected by the Fire Inspector for life safety requirements and all requirements must be met prior to any Certificate of Occupancy being issued.
5. The structure shall be inspected by the Building Inspector and all building code violations must be corrected prior to a Certificate of Occupancy being issued.
6. The final Certificate of Occupancy shall not be issued until each of the stated conditions has been met and all impact fees have been paid per City standards.
7. If any of the stated conditions are violated, the applicant understands and agrees that the City Council may revoke this Conditional Use Permit by resolution.
8. The Conditional Use Permit must be executed and filed in the office of the City Clerk within 90 days of its date of grant by the City Council or the Permit shall become null and void.
9. The applicant shall record in the Public Records of Lake County within 90 days of its date of approval by the City Council, a short-form version of this Conditional Use Permit as provided by the City or a form acceptable to the City, to provide notice to all interested parties, the assigns, successors and heirs of the developer/applicant and all future owners of the above-referenced property that the real property described above is subject to the terms and conditions of the Conditional Use Permit.
10. No business can occupy any portion of the building(s) after construction and final Certificate of Occupancy, unless the proposed business has applied for and obtained a Local Business Tax Receipt from the Development Services Department.
11. The property shall be developed in substantial accordance with the Conceptual Site Plan prepared by McCoy & Associates, dated April 2, 2018. Any new development on the subject property must be submitted for site plan review and approved by the Site Review Committee prior to the issuance of a zoning clearance or other development permits. The conceptual site plans submitted with the Conditional Use Permit application are not the approved construction plans.
12. This permit shall become null and void if substantial construction work has not begun within two (2) years of the date of this Conditional Use Permit is executed and signed by the permittee. "Substantial construction work" means the commencement and continuous prosecution of construction of required improvements ultimately finalized at completion.



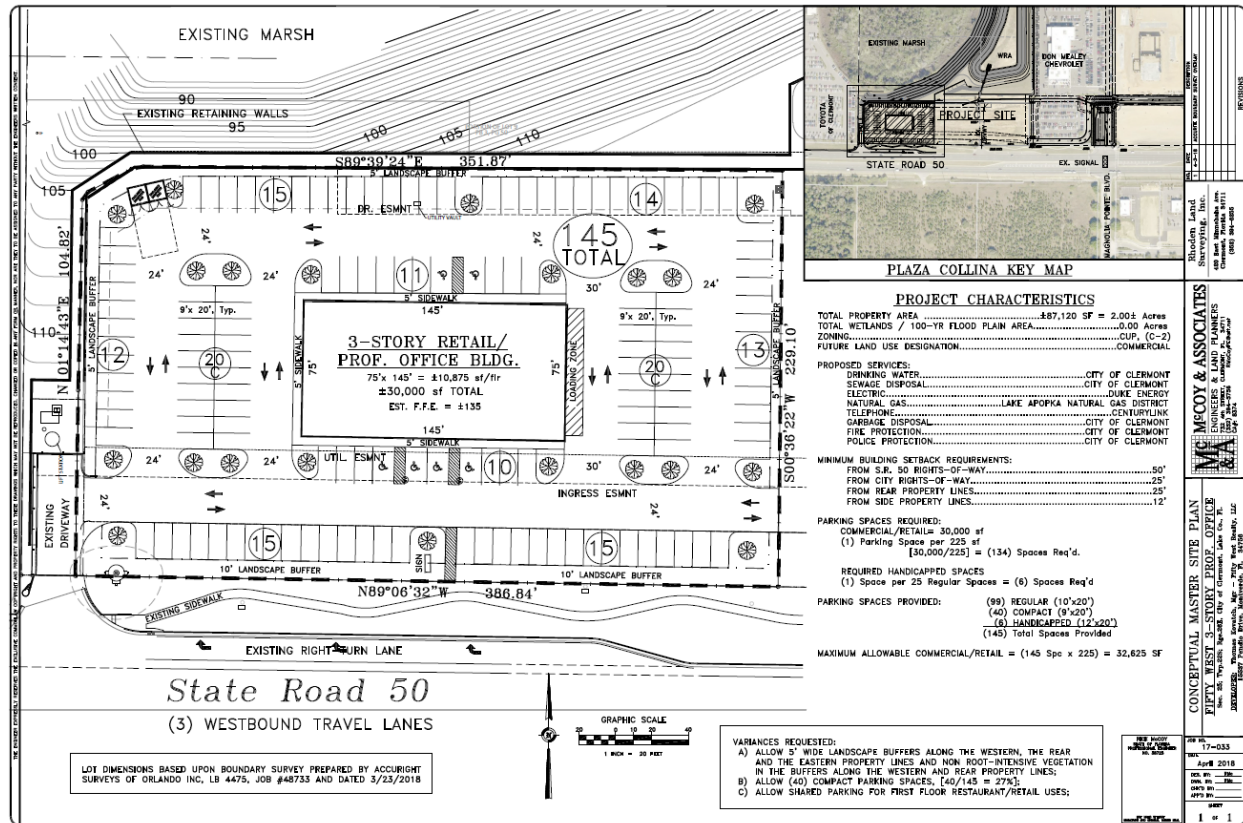
CITY OF CLERMONT
RESOLUTION NO. 2018-12

Section 2 – Land Use

1. This Conditional Use Permit is for a single building not to exceed 35,000 square feet of floor area on the area described in the legal description.
2. The site shall comply with the conditions contained in Resolution No. 2015-08, Plaza Collina Mixed Use Planned Unit Development.
3. The site shall be developed according to the City of Clermont Land Development Codes, Building Regulations and must meet the City of Clermont Architectural Standards.

CITY OF CLERMONT RESOLUTION NO. 2018-12

Conceptual Site Plan:



Legal Description:

A PORTION OF LOT 9, MAP OF SECTION 25, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE HIGHLANDS COMPANY, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 50, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 25, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA; RUN THENCE S00°40'13"W, ALONG THE WEST LINE OF SAID SECTION 25, A DISTANCE OF 1183.68 FEET TO THE NORTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 50 (WEST COLONIAL DRIVE); THENCE S89°06'32"E, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 34.00 FEET FOR A POINT OF BEGINNING; THENCE LEAVING SAID NORTH RIGHT-OF-WAY LINE RUN N 00°41'19"E A DISTANCE OF 209.49 FEET; THENCE RUN N64°13'54"E A DISTANCE OF 33.42 FEET; THENCE S89°40'04"E A DISTANCE OF 356.44 FEET; THENCE S00°41'19"W A DISTANCE OF 227.96 FEET TO SAID NORTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 50 (WEST COLONIAL DRIVE); THENCE N89°06'32"W ALONG SAID NORTH RIGHT-OF-WAY LINE FOR A DISTANCE OF 386.35 FEET TO THE POINT OF BEGINNING.

CONTAINS 87,125 SQUARE FEET OR 2.00 ACRES, MORE OR LESS.



CITY OF CLERMONT
RESOLUTION NO. 2018-12

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 22nd day of May, 2018.

CITY OF CLERMONT

Gail L. Ash, Mayor

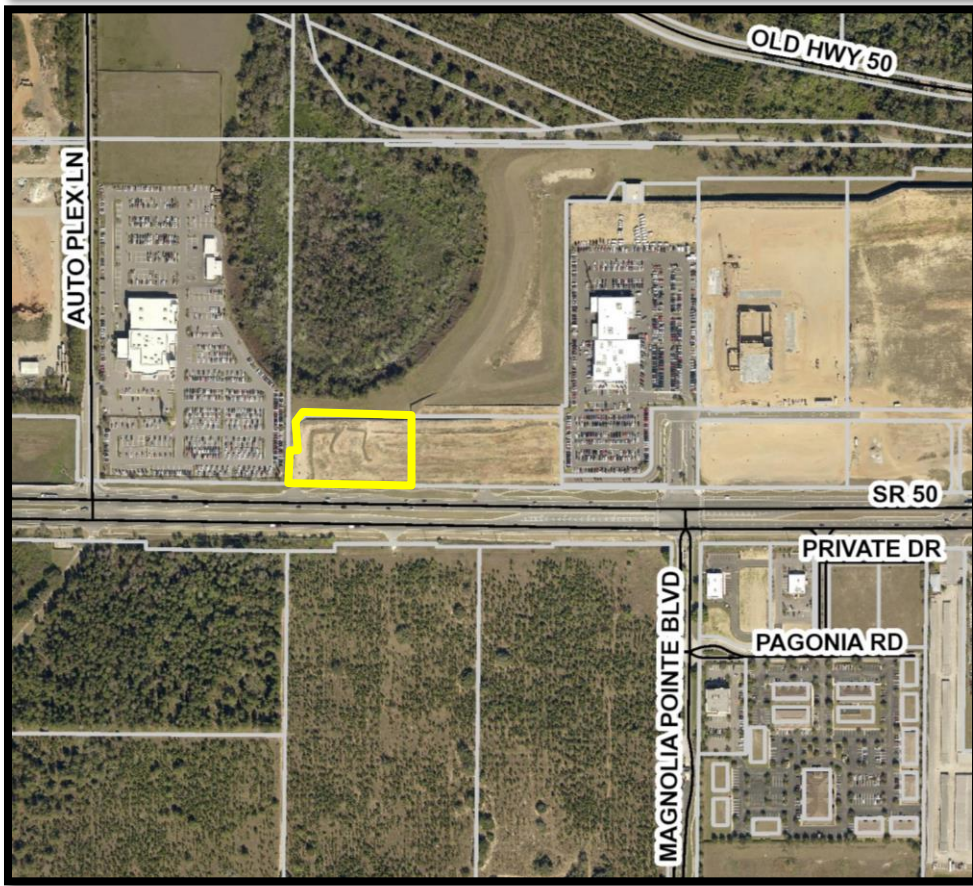
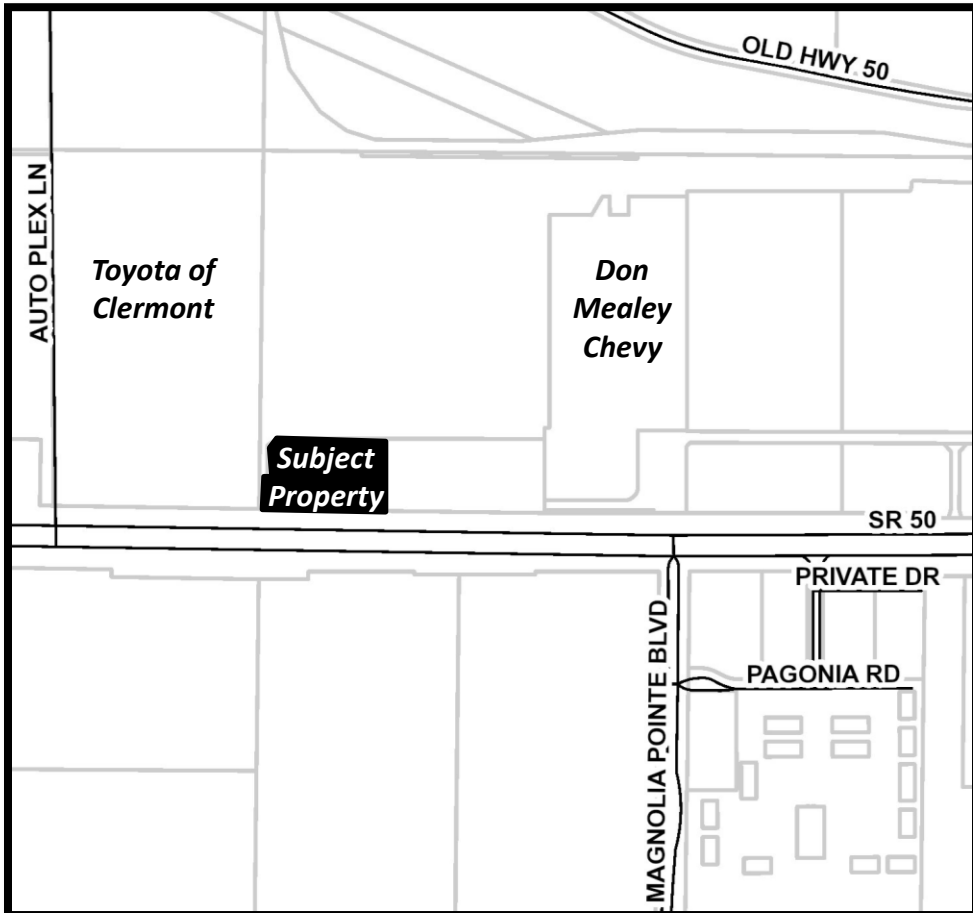
ATTEST:

Tracy Ackroyd Howe, City Clerk

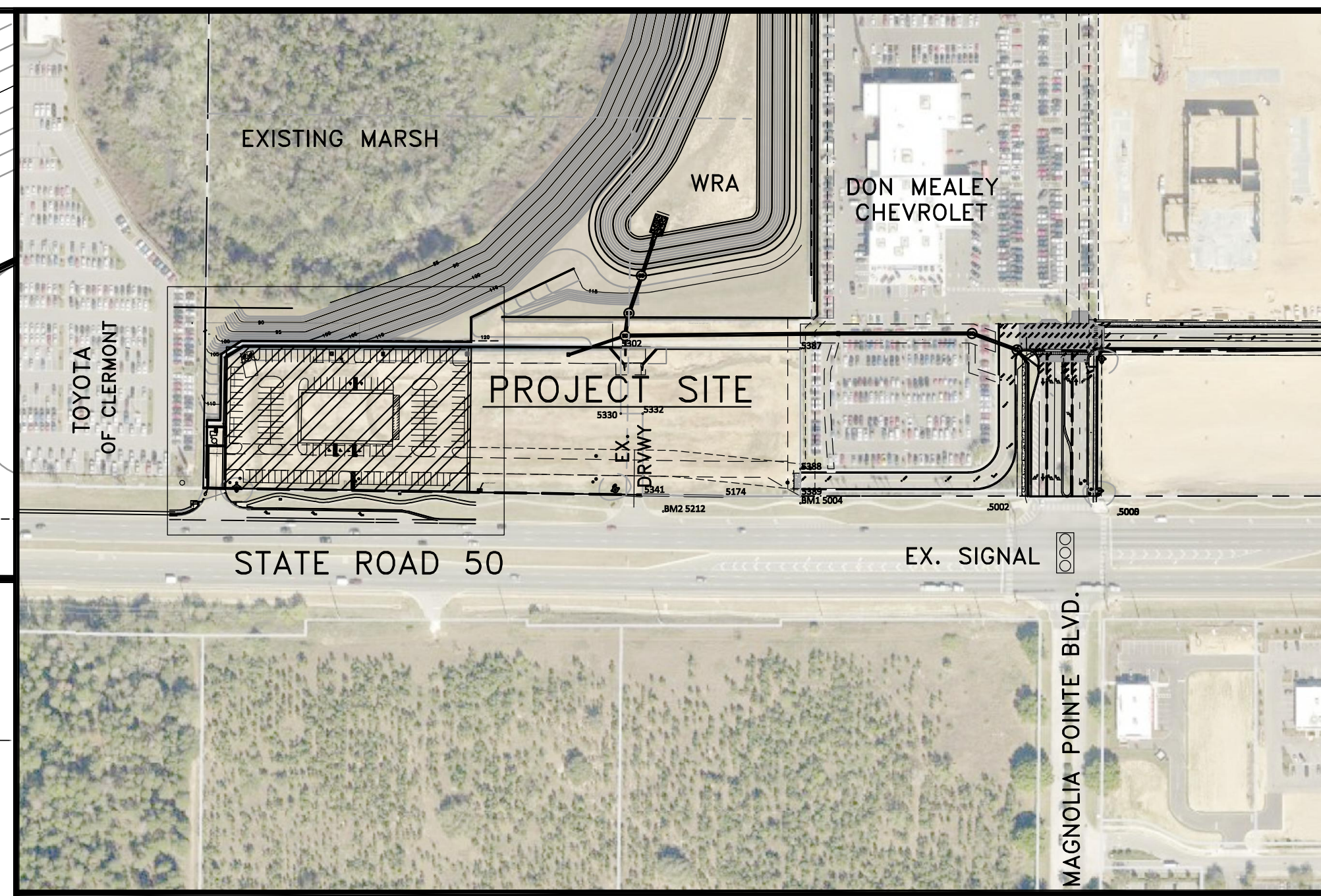
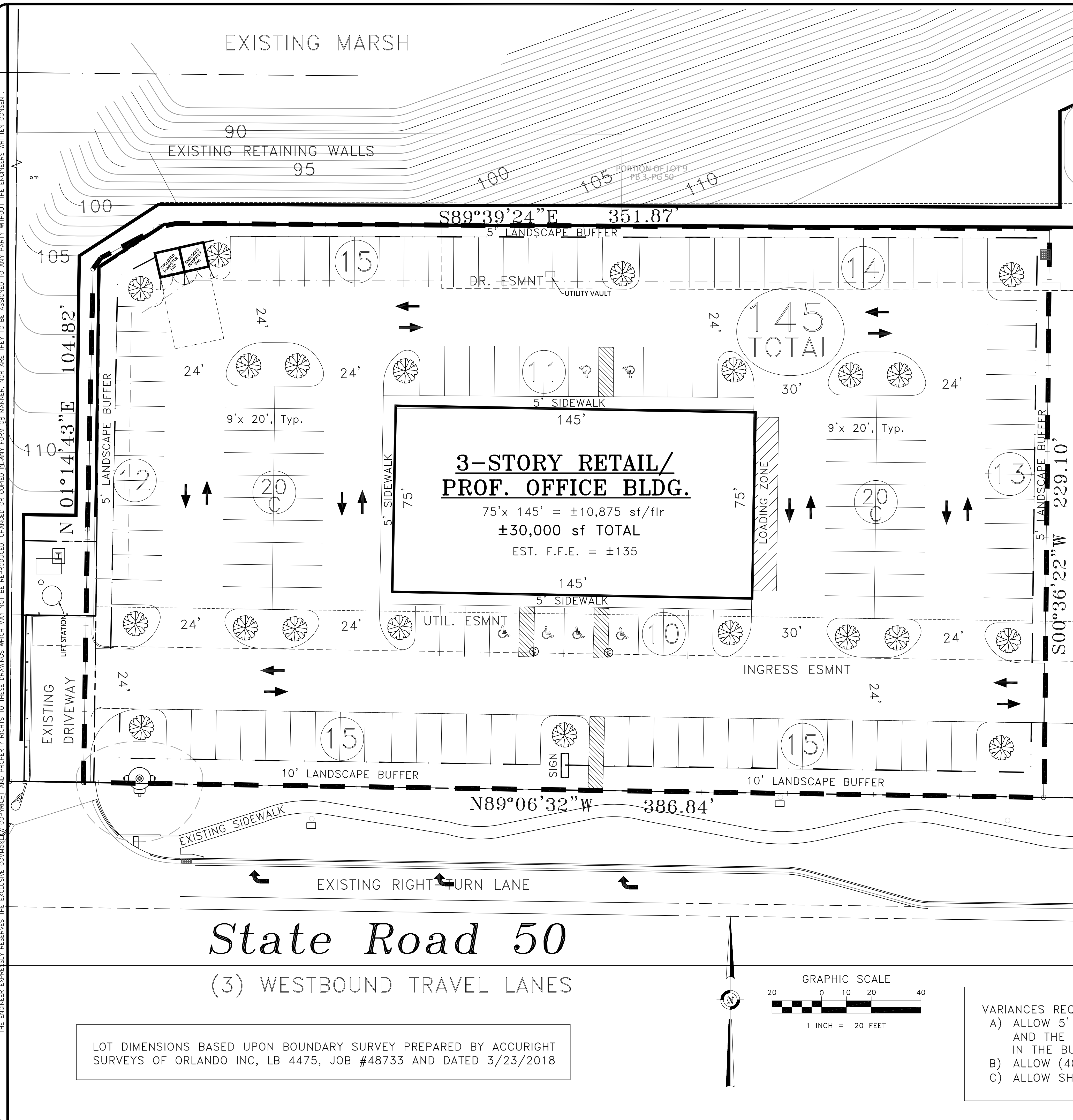
Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Exhibit - Location Map – Fifty West Realty



THE ENGINEER EXPRESSLY RESERVES THE EXCLUSIVE COMMON-LAW COPYRIGHT AND PROPERTY RIGHTS TO THESE DRAWINGS WHICH MAY NOT BE REPRODUCED, CHANGED OR COPIED IN ANY FORM OR MANNER, NOR ARE THEY TO BE ASSIGNED TO ANY PARTY WITHOUT THE ENGINEER'S WRITTEN CONSENT.



PLAZA COLLINA KEY MAP

PROJECT CHARACTERISTICS

TOTAL PROPERTY AREA±87,120 SF = 2.00± Acres
TOTAL WETLANDS / 100-YR FLOOD PLAIN AREA.....0.00 Acres
ZONING.....CUP, (C-2)
FUTURE LAND USE DESIGNATION.....COMMERCIAL

PROPOSED SERVICES:

DRINKING WATER.....	CITY OF CLERMONT
SEWAGE DISPOSAL.....	CITY OF CLERMONT
ELECTRIC.....	DUKE ENERGY
NATURAL GAS.....	LAKE APOKA NATURAL GAS DISTRICT
TELEPHONE.....	CENTURYLINK
GARBAGE DISPOSAL.....	CITY OF CLERMONT
FIRE PROTECTION.....	CITY OF CLERMONT
POLICE PROTECTION.....	CITY OF CLERMONT

MINIMUM BUILDING SETBACK REQUIREMENTS:

FROM S.R. 50 RIGHTS-OF-WAY.....	50'
FROM CITY RIGHTS-OF-WAY.....	25'
FROM REAR PROPERTY LINES.....	25'
FROM SIDE PROPERTY LINES.....	12'

PARKING SPACES REQUIRED:

COMMERCIAL/RETAIL= 30,000 sf
(1) Parking Space per 225 sf
[30,000/225] = (134) Spaces Req'd.

REQUIRED HANDICAPPED SPACES
(1) Space per 25 Regular Spaces = (6) Spaces Req'd

PARKING SPACES PROVIDED:

(99) REGULAR (10'x20')
(40) COMPACT (9'x20')
(6) HANDICAPPED (12'x20')
(145) Total Spaces Provided

MAXIMUM ALLOWABLE COMMERCIAL/RETAIL = (145 Spc x 225) = 32,625 SF

Rhoden Land Surveying, Inc. 420 East Minnehaha Ave. Clermont, Florida 34711 (352) 394-6255	
REVISIONS	
NO.	DATE
1	4-2-18
DESCRIPTION ACCURITE BOUNDARY SURVEY OVERLAY	
McCOY & ASSOCIATES ENGINEERS & LAND PLANNERS 122 S. 4th STREET, CLERMONT, FL 34711 (352) 394-5756 CA# 8374	
CONCEPTUAL MASTER SITE PLAN FIFTY WEST 3-STORY PROF. OFFICE Sec. 25; Twp. 22S; Rge. 28E, City of Clermont, Lake Co., FL. DEVELOPER: Thomas Kovatch, Mgr - Fifty West Realty, LLC 15537 Pendio Drive, Montverde, FL 34756	
JOB NO.	17-033
DATE	April 2018
DES. BY:	RMc
DWN. BY:	RMc
CHK'D BY:	
APP'D BY:	
SHEET 1 OF 1	

RICK McCOY
STATE OF FLORIDA
PROFESSIONAL ENGINEER
NO. 38725

NOT VALID WITHOUT
SIGNATURE AND ORIGINAL RAISED SEAL



CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
FILING INSTRUCTIONS

1. Prior to submitting an application, a meeting with the Development Services Director is required. Call 394-4083 to schedule a meeting.
2. After meeting with the Planning Manager, the applicant shall prepare and submit 6 sets of preliminary site plans for review by the Site Review Committee (SRC) (if required). The preliminary site plan shall clearly depict the proposed project, showing the location and dimensions of the site, topographic features including floodplains and wetlands, all existing and proposed structures, architectural elevations (all sides), signs, driveways, parking areas and landscaping, etc.
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** The site plan submitted with the CUP application is not the final site plan approved for construction. After the CUP is approved by the Council, site plans and the site review application shall be submitted to the Site Review Committee for review and approval, pursuant to Chapter 86 of the City of Clermont's Land Development Regulations. Construction can commence only after the final site plans have been approved and a zoning clearance has been issued.*



CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
FILING INSTRUCTIONS

Page 2

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1. Proof of ownership, i.e. tax receipt, deed, or Lake County Property record card.
2. A complete legal description and survey of the subject property.
3. A preliminary site plan clearly depicting the proposed project, showing the location and dimensions of the site, topographic features including floodplains and wetlands, all existing and proposed structures, architectural elevations (all sides), signs, driveways, parking areas and landscaping, etc. Maximum size for plans is 11" x 17" (two full size copies for detail as needed, depending on type of CUP)
4. One PDF copy of the Site Plan on disk, as directed by City staff. This will depend if the project borders a Lake County right-of-way.
5. Plans for the provision of services and infrastructure, and if required, traffic studies, Transportation Proportionate Fair Share information, or School Concurrency information.
6. Landscape plans in conformance with Chapter 118 of the Code. (see #3 above)
7. Original signature application

APPLICATION FEE: \$845.00, plus the cost of the advertisement

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
--



CONDITIONAL USE PERMIT (CUP)
APPLICATION

DATE: _____

FEE: \$845
+ cost of advertisement

PROJECT NAME (if applicable): _____

APPLICANT: _____

CONTACT PERSON: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____

E-Mail: _____

OWNER: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____

Address of Subject Property: _____

General Location: _____

Legal Description (include copy of survey): _____

Land Use (City verification required): _____

Zoning (City verification required): _____

CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
APPLICATION
Page 2

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

CITY OF CLERMONT
Cristina Andres
P.O. BOX 120219
CLERMONT, FL 34712

Account Number: 7101866
Order Number: 10075879
Phone: (352) 241-7331
Date: 04/17/18
Ad Taker: liana.rickman

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
LEGAL NOTICE Notice is hereby given that the City of Clermont will consider a	04/24/2018	05/15/2018	\$182.28

LEGAL NOTICE

Notice is hereby given that the City of Clermont will consider a request for a Conditional Use Permit to allow a single building to occupy more than 20,000 square feet of floor space in the C-2 General Commercial zoning district.

Tracy Ackroyd Howe, MMC
City Clerk

Ad No: 10075879
April 24, 2018 &
May 15, 2018

LOCATION

Vacant land (2.00 acres +/-) on the north side of SR 50 between Toyota of Clermont and Don Mealy Chevrolet
Portion of Alternate Key #3906281

A complete legal description may be obtained in the Development Services Department located at 685 W. Montrose Street, Clermont, FL 34711.

This request will be considered by the Planning & Zoning Commission on Tuesday, May 1, 2018 at 6:30pm.

A public meeting to consider the request will be held before the City Council on Tuesday, May 22, 2018 at 6:30pm.

All meetings will be held in City Hall located at 685 West Montrose Street.

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

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

Persons with disabilities who need assistance should contact the City Clerk's office, (352) 241-7331, at least 48 hours prior to the public hearings.

Payment Info	
Ad Price	\$182.28
Tax	\$0.00
Sub Total	\$182.28
Prepaid Amount	\$0.00
Balance Due	\$182.28

Exhibit - Location Map
7-Eleven @ SR 50 and East Ave.

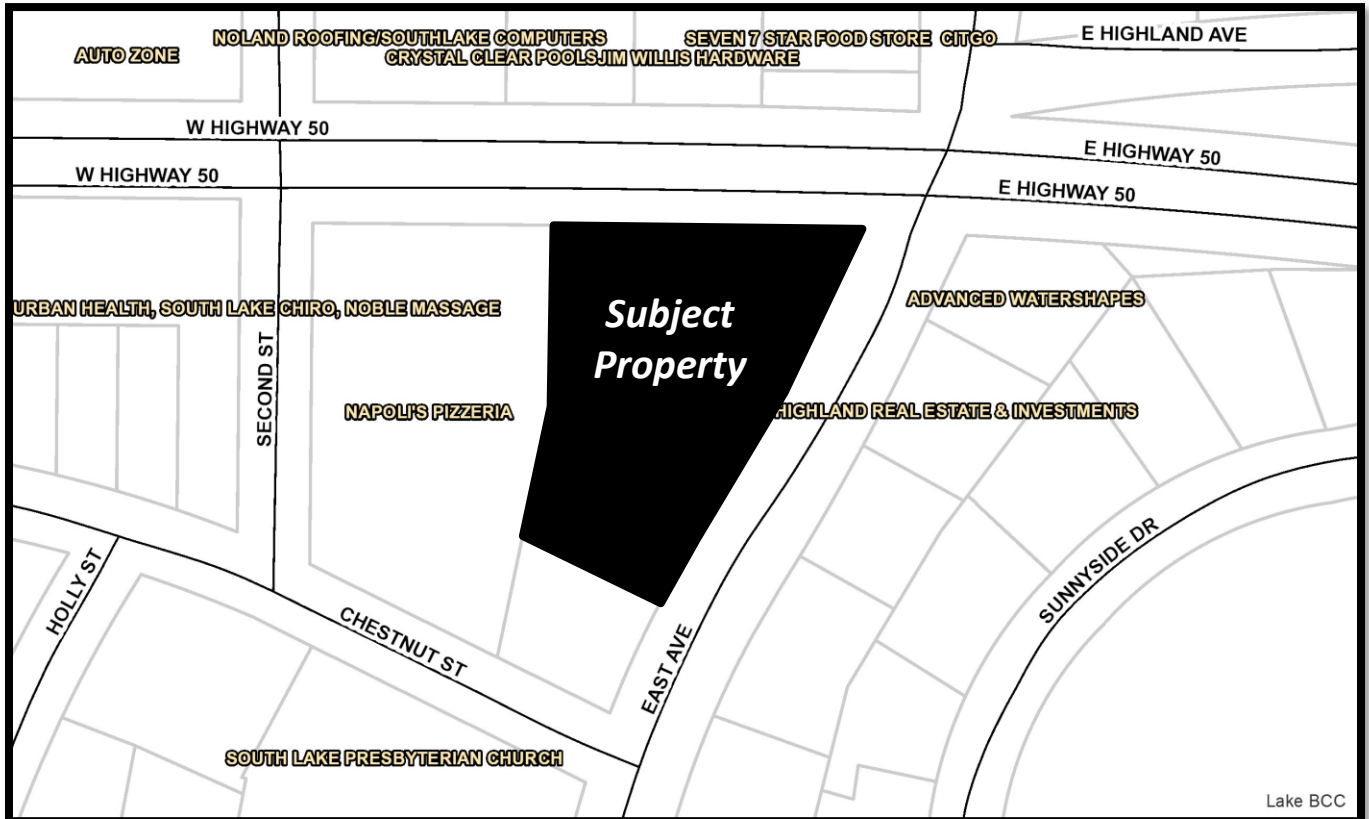
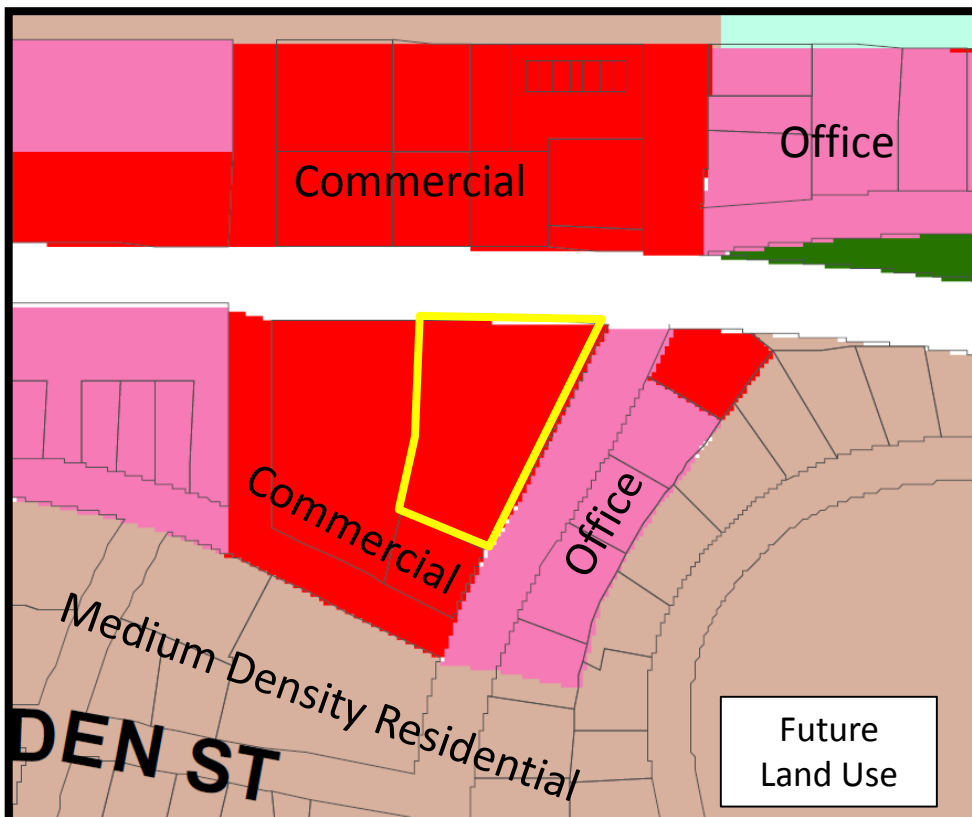
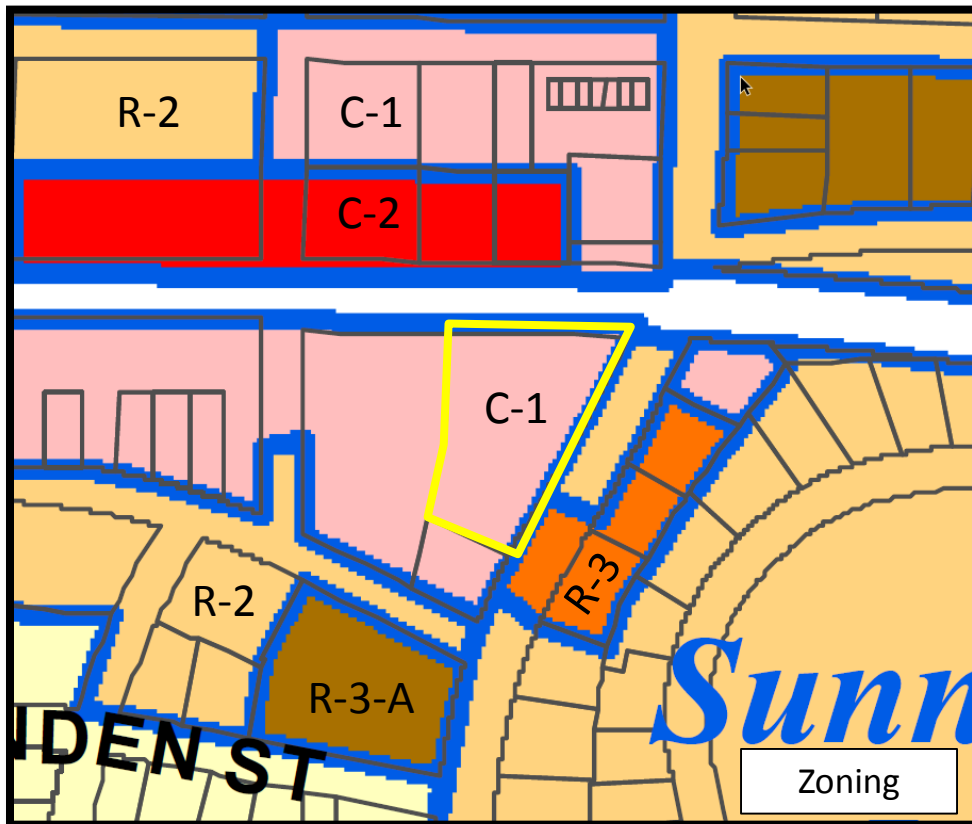


Exhibit – Zoning and Future Land Use Map
7-Eleven @ SR 50 and East Ave





**CONDITIONAL USE PERMIT (CUP)
APPLICATION**

DATE: 3/21/2018

FEE: \$845
+ cost of advertisement

PROJECT NAME (if applicable): 7-Eleven SR 50 East Avenue (Pre-app 1/3/18)

APPLICANT: S&ME, Inc.

CONTACT PERSON: Jason Bullard

Address: 1615 Edgewater Drive - Suite 200

City: Orlando State: Florida Zip: 32804

Phone: (407) 975-1273 Fax:

E-Mail: jbullard@smeinc.com

OWNER: Salvatore's, Inc.

Address: 151 W Highway 50

City: Clermont State: Florida Zip: 34711

Phone: Fax:

Address of Subject Property: WEST HIGHWAY 50 CLERMONT FL 34711

General Location: The property is located at the southwest corner of S.R. 50 and East Avenue.

Legal Description (include copy of survey): See Attached Survey.

Land Use (City verification required): C-1 Light Commercial

Zoning (City verification required): Commercial

CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
APPLICATION
Page 2



CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
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**CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
FILING INSTRUCTIONS**

Page 2

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6. Landscape plans in conformance with Chapter 118 of the Code. (see #3 above)
7. Original signature application

APPLICATION FEE: \$845.00, plus the cost of the advertisement

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
--



March 30, 2018

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

Reference: 7-Eleven 104331 - S.R. 50 and East Ave. – Conditional Use Justification Letter

Dear Mr. Henschel:

This letter is in reference to the Conditional Use Permit application for the proposed 7-Eleven facility (convenience store with fuel pumps) located at the southwest corner of West S.R. 50 and East Avenue. The subject parcel, 24-22-25030000800100, is zoned C-1 Light Commercial. Within the C-1 Light Commercial zoning district convenience store and fuel sales uses are allowed as a conditional use. The proposed 7-Eleven facility would include a ±3,109 square foot convenience center and sixteen (16) fueling stations.

The existing surrounding parcels have uses and zoning classifications that are consistent and compatible with this request and proposed use. Immediately west of the site is zoned Light Commercial and is being used for a Restaurant. North of the subject parcel, directly across S.R. 50 there is a Light Commercial parcel currently being used as a convenience store with fueling stations. The other three parcels north of S.R. 50 are General commercial with various retail uses. The southeast corner of the intersection of S.R. 50 and East Avenue is zoned Light Commercial and is used for retail. Along East Avenue adjacent to the site the parcels are zoned R-3 Residential/Professional district. They are developed with residential and office uses.

The subject parcel is located on the southwest corner of West State Road 50 and East Avenue. State Road 50 is an Urban Principal Arterial road. East Ave is an Urban Major Collector road. The proposed development of the subject parcel is compatible with the roadway classifications and existing development along the roadways. The roadways support the siting of a convenience store with gas pumps as they are both high-volume commercial corridors and the subject parcel is located at a commercial node, intersections of the two corridors. The proposed development of a 7-Eleven facility (convenience store with fuel pumps) at the subject parcel is consistent with current C-1 Light Commercial zoning and is also compatible with the existing development uses.

Sincerely,



S&ME, Inc.

Jason Bullard, P.E.
Senior Project Manager

Florida Department of State

DIVISION OF CORPORATIONS



Department of State / Division of Corporations / Search Records / Detail By Document Number /

Detail by Entity NameFlorida Profit Corporation
SALVATORE'S, INC.**Filing Information**

Document Number	P02000030525
FE/EIN Number	03-0416921
Date Filed	03/14/2002
Effective Date	03/13/2002
State	FL
Status	ACTIVE
Last Event	REINSTATEMENT
Event Date Filed	03/31/2005

Principal Address151 W HIGHWAY 50
CLERMONT, FL 34711 UN

Changed: 04/01/2012

Mailing Address5660 CR 561
CLERMONT, FL 34714

Changed: 04/28/2008

Registered Agent Name & AddressTIRRI, ANTHONY
5660 COUNTY ROAD 561
CLERMONT, FL 34714

Name Changed: 03/31/2005

Address Changed: 04/29/2010

Officer/Director Detail**Name & Address**

Title D

TIRRI, JEAN
150 carr sector central
carolina, pr 00979 PR

Title ST

TIRRI, ANTHONY
5660 CR 561
CLERMONT, FL 34714

Annual Reports

Report Year	Filed Date
2015	04/28/2015
2016	08/31/2016
2017	04/24/2017

Document Images

04/24/2017 -- ANNUAL REPORT	View image in PDF format
08/31/2016 -- ANNUAL REPORT	View image in PDF format
04/28/2015 -- ANNUAL REPORT	View image in PDF format
03/21/2014 -- ANNUAL REPORT	View image in PDF format
02/24/2013 -- ANNUAL REPORT	View image in PDF format
04/01/2012 -- ANNUAL REPORT	View image in PDF format
01/22/2011 -- ANNUAL REPORT	View image in PDF format
04/29/2010 -- ANNUAL REPORT	View image in PDF format
04/27/2009 -- ANNUAL REPORT	View image in PDF format
04/28/2008 -- ANNUAL REPORT	View image in PDF format
04/30/2007 -- ANNUAL REPORT	View image in PDF format
04/27/2006 -- ANNUAL REPORT	View image in PDF format
03/31/2005 -- REINSTATEMENT	View image in PDF format
03/11/2003 -- ANNUAL REPORT	View image in PDF format
03/14/2002 -- Domestic Profit	View image in PDF format

March 23rd, 2018

S&ME, Inc.
1615 Edgewater Drive, Ste. 200
Orlando, FL 32804

RE: Letter of Authorization
Salvatore's, INC.

1043321-7-Eleven Clermont
Clermont, FL
Parcel ID: 24-22-25-030000800100

To Whom It May Concern:

I am authorizing Creighton Construction & Development. ("Creighton") and S&ME, Inc.(S&ME), as agent for Owner, to communicate and submit all required information as necessary in obtaining governmental approvals and permits for the above-referenced project.

Please note that S&ME is expressly prohibited from entering into any agreements on behalf of Owner, or any of its affiliates, that bind Owner financially, with the exception of standard application and permit costs, or that convey or restrict property rights.

Any reproduced copy of this signed original shall be deemed to be an original counterpart of this Letter of Authorization.

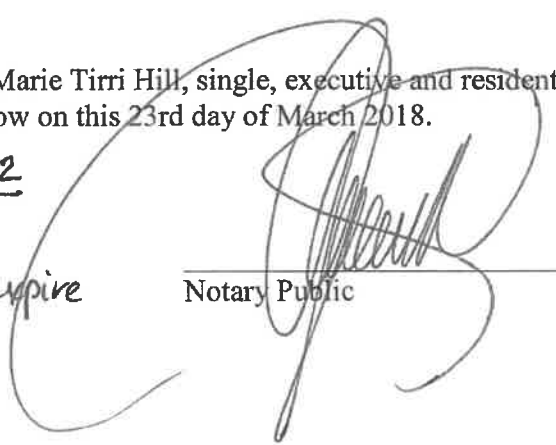
Sincerely,


Salvatore's, Inc.
Jean Tirri
President

Sworn to me by Jean Marie Tirri Hill, single, executive and resident of Carolina, Puerto Rico, whom I personally know on this 23rd day of March 2018.

AFF. # 8402

My Commission expire
never.



Notary Public



Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

CITY OF CLERMONT
Cristina Andres
P.O. BOX 120219
CLERMONT, FL 34712

Account Number: 7101866
Order Number: 10075878
Phone: (352) 241-7331
Date: 04/17/18
Ad Taker: liana.rickman

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
LEGAL NOTICE Notice is hereby given that the City of Clermont will consider a	04/24/2018	05/15/2018	\$173.52

LEGAL NOTICE

City Clerk

Notice is hereby given that the City of Clermont will consider a request for a Conditional Use Permit to allow a convenience store with fuel sales in the C-1 Light Commercial zoning district.

Ad No: 10075878
April 24, 2018 &
May 15, 2018

LOCATION

Southwest corner of SR 50
and East Avenue
Alternate Key #1619432

A complete legal description may be obtained in the Development Services Department located at 685 W. Montrose Street, Clermont, FL 34711.

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Tracy Ackroyd Howe, MMC

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Tax	\$0.00
Sub Total	\$173.52
Prepaid Amount	\$0.00
Balance Due	\$173.52