

City of Clermont
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PLANNING AND ZONING COMMISSION
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The meeting of the Planning & Zoning Commission was called to order Tuesday February 4, 2014 at 7:00 p.m. by Chairman Nick Jones. Other members present were Carlos Solis, Herb Smith, Harry Mason, Bernadette Dubuss, and Thomas Spencer. Also in attendance were Barbara Hollerand, Planning and Zoning Director, Curt Henschel, Senior Planner, John Kruse, Senior Planner, Dan Mantzaris, City Attorney, and Rae Chidlow, Administrative Assistant.

MINUTES of the Planning and Zoning Commission meeting held January 7, 2014 were approved as written.

REPORTS

City Attorney Dan Mantzaris discussed the procedures and expectations of the Commissioners of the Planning and Zoning Commission.

Chairman Nick Jones stated that Items 2 through 4 will be tabled to the March 4, 2014 Planning and Zoning meeting.

Bernadette Dubuss made a motion to postpone Items Nos. 2, 3, and 4 to the March 4, 2014 Planning and Zoning meeting; seconded by Thomas Spencer. The vote was unanimous to postpone the items.

1. REQUEST FOR REZONING

DEVELOPMENT NAME: Walgreens

OWNER/APPLICANT: The Ferber Company

REQUESTED ACTION: Request for a rezoning to change the zoning from R-2 Medium Density Residential and C-1 Light Commercial to C-2 General Commercial Zoning District

Planner John Kruse presented the following staff report:

The applicant is requesting to rezone these parcels from R-2 residential (Bumgarner Parcel) and C-1 commercial (Boudreau Parcel) to C-2 General Commercial in order to permit the construction of a new Walgreens stand alone store at the southwest corner of SR 50 and Bloxam Ave. These parcels (Exhibit 2), in conjunction with the parcels on the corner (north of these sites) that consist of Papa John's Pizza, the abandoned Citgo service station, the Music Station, and the existing home behind the Music Station, will be redeveloped into the new Walgreens store and site. This store will replace the existing Walgreens in the shopping plaza to the east. The proposed new store will be approximately 15,000 square feet and will be developed to City's Land Development Code.

The parcels are located in the Commercial Future Land Use Category (Exhibit 3), as depicted on

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the City's Future Land Use Map 1.1. Surrounding the parcels to the north, east, and south is the Commercial Land Use Category. To the west, the Land Use Category is Medium Density Residential. The Commercial Future Land Use Category, as stated in Policy 1.9.1 of the City's Comprehensive Plan, allows general retail sales and services. The proposed Walgreens Store would be consistent with this policy and permissible in this Future Land Use Category.

The current zoning to the north and east of these parcels is C-2, General Commercial, as shown in Exhibit 3, from the City's Zoning Map. The rezoning of these parcels would be a logical extension, especially from the north, to allow full use of the property. The rezoning to the C-2 zoning district would allow redevelopment of the parcels in the area to the fullest extent permitted under the existing Commercial Future Land Use Category. The rezoning would continue to complete the infill of parcels designated in this area under the Commercial Future Land Use. Under Section 122-223 of the Land Development Code, the C-2 zoning district permits retail businesses. The proposed Walgreens Store would be consistent with this section of the code.

The proposed rezoning of the parcels to C-2 would be consistent with this request and the area as a whole. The rezoning would provide for an opportunity to redevelop this area into a more appropriate use, as permitted under the Commercial Future Land Use Category. Therefore, staff recommends approval of this request based upon the information presented.

John Lapointe, 5910 W. Kennedy Blvd., Tampa, stated that the rezoning of the two parcels south of Magnolia Street is consistent with the comprehensive plan and the future land use map.

Jason Crews, 151 Sawgrass Corners Dr., Ponte Vedra Beach, stated that he was present to answer any questions.

Commissioner Harry Mason asked what the plan is for ingress and egress. He asked if the closing of Magnolia Street is part of the development.

Mr. Kruse stated that it is his understanding that the right-of-way will be vacated as a portion of the redevelopment of the corner of SR 50 and Bloxam Ave.

Commissioner Harry Mason asked if there is a plan to widen Bloxam Ave. to include a turning lane for the development.

Mr. Kruse stated that is premature at this moment and the widening will be looked at as the development goes through site review.

Commissioner Harry Mason stated that it is not premature when you are asking to rezone and you don't know if the road is wide enough to access the development.

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Chairman Nick Jones stated that staff has stringent regulations regarding improvements to property being developed. He stated that the issue before them is the rezoning and they are not commissioned to address site review issues.

City Attorney Dan Mantzaris stated that the rezoning determines whether the proposed zoning is consistent with the city's comprehensive plan, the neighbors, and the surrounding zoning. He stated that the access issue is premature because that is a development issue that will come before the site review committee. He stated that just because Council approves a rezoning, that doesn't mean that something gets built on that property. He stated it's the appropriate use for it and the property still has to meet all the requirements to be able to development which is where the ingress and egress will be discussed.

Commissioner Harry Mason asked if there will be landscaping buffers around the property.

Mr. Mantzaris stated that the city code requires a buffer between commercial and residential properties.

Mr. Kruse stated that there will be a ten foot buffer.

Commissioner Carlos Solis asked who owns Magnolia Street.

Mr. Kruse stated that the city owns it and they will be reimbursed for the recent improvements that were made to Magnolia Street.

Commissioner Carlos Solis asked that if Magnolia Street is abandoned then will it revert to the property owner.

Mr. Mantzaris stated that Magnolia Street will belong to the property owner.

Chairman Nick Jones stated that when the Florida Department of Transportation did the improvements to SR 50, they eliminated the curb cuts within 25 feet of the corner. He stated that they have the potential to make a considerable improvement to this parcel of property. He stated that the comprehensive plan is consistent with the request and no one is present to object to this request.

Commissioner Harry Mason asked if Magnolia Street has adequate drainage.

City Planner Curt Henschel stated that the utility department recently did the drainage improvement and resurfaced the road. He stated that is why the city is looking for reimbursement of the improvements because it was done so recently.

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Commissioner Carlos Solis moved to recommend approval of the rezoning; seconded by Commissioner Bernadette Dubuss. The vote was 5-1 to recommend approval for the rezoning to City Council, with Commissioner Harry Mason opposing.

2. REQUEST FOR SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT

DEVELOPMENT NAME: Citrus Tower Apartments and Office

3. REQUEST FOR REZONING

DEVELOPMENT NAME: Citrus Tower Apartments and Office

4. REQUEST FOR CONDITIONAL USE PERMIT

DEVELOPMENT NAME: Citrus Tower Apartments and Office

There being no further business, the meeting was adjourned at 7:22 pm.

Nick Jones, Chairman

ATTEST:

Rae Chidlow – Administrative Assistant