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PLANNING AND ZONING COMMISSION
March 4, 2014

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The meeting of the Planning & Zoning Commission was called to order Tuesday March 4, 2014 at 7:00 p.m. by Chairman Nick Jones. Other members present were Herb Smith, Harry Mason, and Thomas Spencer. Also in attendance were Barbara Hollerand, Planning and Zoning Director, Curt Henschel, Planning Manager, John Kruse, Senior Planner, Dan Mantzaris, City Attorney, and Rae Chidlow, Planning Specialist.

MINUTES of the Planning and Zoning Commission meeting held February 4, 2014 were approved as written.

REPORTS

Chairman Nick Jones stated that Pig on the Pond is this weekend.

1. REQUEST FOR SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT

DEVELOPMENT NAME: Citrus Tower Apartments and Office
APPLICANT: Ridge Professional Group

2. REQUEST FOR REZONING

DEVELOPMENT NAME: Citrus Tower Apartments and Office
APPLICANT: Ridge Professional Group

3. REQUEST FOR CONDITIONAL USE PERMIT

DEVELOPMENT NAME: Citrus Tower Apartments and Office
APPLICANT: Ridge Professional Group

Senior Planner John Kruse presented the staff report for items 1, 2, and 3 as follows:

The applicant and owner, Daljit and Satinder Gill, are requesting a future land use amendment to change from Lake County Regional Office to the City's Residential/Office Land Use category. The 8.53-acre parcel is located along the west side of Citrus Tower Boulevard, halfway between Steve's Road to the south and Hooks Street to the north. The City of Clermont owns property directly to the north that was purchased for the new police station. The City also has a half acre site that partially adjoins the applicant's property to the south. The additional property owner to the south is Lost Lake Reserve LC and the property is currently vacant. To its west is Wilma Lake in unincorporated Lake County along with existing storm water retention basins used for existing developments in the area. This future land use application is being submitted along with requests for annexation, rezoning to the R-3 Residential/Professional zoning classification, a conditional use permit to allow an apartment community that has a higher density than 8 units per acre (applicant is requesting 12 units per acre), street right-of way/easement closing petition

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for an unused easement, and a variance for grading and filling of the site that exceeds the 10 feet requirement. As defined in the City's comprehensive plan, Policy 1.7.1 allows the following: Residential/Office. The residential/office category is intended to provide for a mixture of predominantly residential uses, while allowing for professional offices that are consistent with the general character of the adjacent residential uses. Based on current land use trends, the City estimates that the mix of uses in the residential/office category will be 65 percent residential and 35 percent non-residential. The maximum intensity for office development shall be 0.25 FAR. The FAR shall not be applied to the residential portion of a mixed-use development.

The applicant and owner, Daljit and Satinder Gill, are also requesting a rezoning change from Urban Estate ("RA" Ranchette District in the County) to R-3 Residential/Professional zoning designation upon approval of annexation into the City of Clermont. A small scale-comprehensive plan amendment change to Residential/Office is also requested. The current zoning in the area along with the future land use designations would allow the R-3 Residential/Professional zoning designation

The Citrus Tower Apartments and Professional Office project is a proposed multi-family development consisting of 92 apartments and outparcel used for professional office. The apartments will consist of four 2 and 3 story buildings arranged so that the parking is not adjacent to Citrus Tower Boulevard and is located between the four apartment buildings. The total land area of the project is 8.53 +/- acres. Of this, the apartment complex will consist of 7.7 +/- acres. With the proposed 92 apartment units on the 7.7 +/- acres, this provides for a total density of 12 units per acre. The remaining 1.0 +/- acre will be developed for professional office use. The conditional use permit request is based upon the development proposal consisting of multi-family apartments having 12 or more units and professional office uses in the R-3 zoning district. Sec. 122-184 (a) of the Land Development Code requires a conditional use permit for these uses in the R-3 zoning district.

The applicant has indicated the proposed project will provide a transition between the higher intensity commercial, non-residential uses to the north and the single family residential subdivision to the south. The multi-family project with limited professional office use and appropriate buffering would provide a step down of intensities. The site has city utilities adjoining the property. The major challenge in developing the site is severe topography changes, with significant fall from northeast to southwest of over 100 feet in relief (225' to 123'). The applicant proposes to overcome this relief change through grading, slopes, and walls that meet city standards. However, the applicant will be seeking a variance request for grading and filling of the site since existing elevation changes will exceed ten feet in developing the site.

Staff feels this use is consistent with the uses in the area and recommends approval of the proposed small scale comprehensive plan amendment, rezoning, and conditional use permit requests.

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Dave Carter, 137 5th St. NW, Winter Haven, stated that he is representing Mr. Gill. He stated that there is a significant slope on the site, however they have presented a site plan to staff that shows a step down grading. He stated that parking will be in the center of the site. He stated that they have completed a traffic study showing the peak trips.

Commissioner Harry Mason asked if there has been any sinkhole activity on the property.

Mr. Carter stated that he does not know of any sinkhole activity on this site. He stated that they will be required to do geotechnical borings to make sure the surface is suitable.

Chairman Nick Jones asked what the height of the retaining walls will be on the property.

Mr. Carter stated that the way they have designed the site there will be six foot retaining walls, but there will be areas where the fill may exceed the 10 foot fill for the six foot walls.

Diane Castro, 2454 Linkwood Ave., stated that she knows they said the applicant has done the traffic study; however, Beazer Homes will be building 109 homes off of Steve's Road. She stated that Steve's Road is only two lanes and she would like for the Commission to take that into consideration.

Chairman Nick Jones asked if there were any plans to widen or improve Steve's Road.

Planning Manager Curt Henschel stated that there are plans to improve the road near the Beazer Homes property; however, he does not know that the improvements will continue all the way to Citrus Tower Boulevard.

Mary Jo Pfeiffer, 789 W. Montrose St., asked about the impact of the schools in the area.

Mr. Carter stated that they have contacted the school board about the process, and they will have to meet concurrency on the school system.

Commissioner Herb Smith asked if the zoning for the assisted living facility was the same, and are they allowed 12 units per acre as the request for Citrus Tower Apartments.

Mr. Henschel stated that Crane's View Lodge has its own conditional use permit and being they are an assisted living facility, their density is much higher than 12 units per acre. He stated that to the south, the Lost Lake Reserve Apartments are right at 12 units per acre.

Josephine Keller, 2458 Linkwood Ave., stated that Real Life Christian Center is adding to their property along with the Beazer Homes which will be adding a lot more traffic to the area.

Commissioner Herb Smith stated that he feels there are too many apartments on the acreage.

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Chairman Nick Jones asked what the mix was of one, two, and three bedroom units and how many parking spaces.

Mr. Kruse stated that there are 24 three bedroom units, 68 two bedroom units, and there are 196 parking spaces.

Commissioner Harry Mason asked if there was only one entrance to the property.

Mr. Kruse stated that there are two entrances to the property.

Commissioner Thomas Spencer moved to recommend approval of the small-scale comprehensive plan amendment; seconded by Commissioner Harry Mason. The vote was 3-1 to recommend approval for the small-scale comprehensive plan amendment to City Council, with Commissioner Herb Smith opposing.

Commissioner Harry Mason moved to recommend approval of the rezoning to not exceed 10 units per acre; seconded by Commissioner Herb Smith. The vote was 3-1 to recommend approval for the rezoning to City Council, with Commissioner Thomas Spencer opposing.

Commissioner Harry Mason moved to recommend approval of the conditional use permit to not exceed 10 units per acre; seconded by Commissioner Herb Smith. The vote was 3-1 to recommend approval for the conditional use permit to City Council, with Commissioner Thomas Spencer opposing.

4. REQUEST FOR CONDITIONAL USE PERMIT

DEVELOPMENT NAME: Kingdom Revelation Ministries

APPLICANT: Kingdom Revelation Ministries

Planning Manager Curt Henschel presented the staff report as follows:

The applicant is requesting a Conditional Use Permit to establish a house of worship in the C-2 zoning district. The applicant/church proposes to occupy a 28,000 square foot office/retail building available at 290 Citrus Tower Blvd. The church plans to utilize the upper floor for administrative offices, a nursery for kids during services, and for smaller assemblies on Wednesday evenings and Sundays. The first floor will be used for assemblies/gatherings (approx. 7,000 square feet), and will also retain the existing 7,400 square feet for general retail and commercial sales.

Chris Dutruch, 1585 Kennesaw Dr., stated that the use of this building is to operate offices during the week and small assemblies on Wednesday evenings. He stated that their Sunday congregation will continue to meet at the Celebration of Praise location until they can do

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something different in the future. He stated that the Citrus Tower Boulevard location will probably only be utilized Monday through Saturday. He stated that this property has been vacant for a while, and it will fit what they need for the next few years.

Commissioner Thomas Spencer stated that he is a member of the church and is also involved in this ministry; however, he does not have any financial gain of the project.

Commissioner Harry Mason asked what are the “other associated ministries” that are mentioned in the staff report.

Mr. Dutruch stated that if there were smaller congregations that would like to meet at the Citrus Tower Boulevard location on Sundays, they would like to be able to accommodate them.

Commissioner Thomas Spencer moved to recommend approval of the conditional use permit; seconded by Commissioner Herb Smith. The vote was unanimous to recommend approval for the conditional use permit to City Council.

5. REQUEST FOR CONDITIONAL USE PERMIT

DEVELOPMENT NAME: Erika’s Tea Room & Gifts

APPLICANT: Leila Shanoff

Senior Planner John Kruse presented the staff report as follows:

The applicant, Leila Shanoff, is requesting a Conditional Use Permit to allow a restaurant and gift shop in the Central Business District. The applicant desires to operate an English style tea room and gift shop. The proposed location is an existing building located at 787 West Montrose Street. The building is a single story structure with an interior square footage of 1,925 square feet. The front portion of the building, approximately 20 percent, will be used for the gift shop, while the remaining areas will be used for food prep and patron use in the restaurant. The applicant estimates seating of up to 60 patrons. The hours of operation will be normal business hours of surrounding businesses, open daily. The applicant has indicated that no type of frying equipment will be used at the facility, with cooked food prep limited to the use of a stove/oven.

Under Sec. 122-243 of the Land Development Code, the Central Business District permits retail businesses. The gift shop would be permitted under this section of the code. Under Sec. 122-244(a)(11) of the LDC, restaurants are permitted in the Central Business District through a Conditional Use Permit. The restaurant aspect of this proposal has warranted the Conditional Use Permit request by the applicant. Section 122-247(b)(2), Off-street parking, states “existing nonresidential structures, no additional parking spaces shall be required for a change in use to another nonresidential use, provided the square footage remains the same.” The applicant is not changing square footage of the existing structure.

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The restaurant and gift shop are consistent with the area as a whole and would provide a business that is unique to the downtown area. The conditional use permit would provide the applicant an opportunity to redevelop this site into a more appropriate use, as permitted under the Central Business District and Downtown Mixed Use land use category, therefore, staff recommends approval of this request based upon the information presented.

Leila Shanoff, stated that she has been a business woman for 35 years in banking. She stated that she feels that Clermont would be a perfect location. She stated that tea rooms are unique and flourish in many small towns. She stated that she does everything herself, along with the help of her daughter Erika.

Mary Jo Pfeiffer, 789 W. Montrose St., stated that Erika's Tea Room will be next door to her existing business in downtown Clermont and she welcomes her.

Commissioner Harry Mason moved to recommend approval of the conditional use permit; seconded by Commissioner Thomas Spencer. The vote was unanimous to recommend approval for the conditional use permit to City Council.

There being no further business, the meeting was adjourned at 7:51 pm.

Nick Jones, Chairman

ATTEST:

Rae Chidlow – Administrative Assistant