

City of Clermont
MINUTES
PLANNING AND ZONING COMMISSION
September 5, 2023

CALL TO ORDER

Chairman Krzyminski called the meeting of the Planning and Zoning Commission to order on Tuesday, September 5, 2023 at 6:30 p.m.

MEMBERS PRESENT: Chairman Krzyminski, Vice-Chair Niemiec, Member Grube, Member Guerrero, Member McAllister, and Member Matthew Norton

MEMBER ABSENT: Member Colby

ALSO PRESENT: City Attorney Mantzaris, Development Services Director Henschel, Planning Manager Kruse, Senior Planner McGruder, and Planning Coordinator Heard

PLEDGE OF ALLEGIANCE

MINUTES - None

REPORTS FROM THE COMMISSION

No reports from the Commissioners.

Development Services Director Henschel welcomed new Planning Coordinator Heard to the team.

NEW BUSINESS

Item 1 - Resolution 2023-023R Volkswagen of Clermont Conditional Use Permit (CUP)

Planning Manager Kruse presented as follows:

The applicant, Merideth Nagel, Esq., is requesting a Conditional Use Permit (CUP) to allow for automotive services and sales use and a building over 20,000 square feet in the C-2 General Commercial District. The property is located northwest of the US 27 and SR 50 intersection, adjacent to the Crown Lounge, south of Highland Avenue. The future land use is Commercial and the property consists of 8.6 +/- acres. The site is currently vacant and it used to have direct access to US 27 from Highland Avenue, which was closed due to the construction of the improved interchange at US 27 and SR 50. The primary access points to the site are Millholland Street and Almond Street, with a secondary access point from the frontage road via Highland Avenue. The property was formerly the site of the Clermont Motor Lodge and EMS station. This area has been undergoing a transformation from residential uses to commercial uses over the last several years.

The applicant is requesting the site to be used for a Volkswagen dealership. The dealership will utilize approximately six (6) acres of the southern portion of the site and the northern 1.9 acres will be donated to the City. In addition, the applicant has acquired the ½ acre site adjacent to Wendy's and would like to use this site for a display area that fronts on SR 50.

Planning Manager Kruse advised a handout was provided to the Board with revisions to the proposed resolution and explained the revisions as outlined below.

SECTION 2: LAND USE

1. This permit is for up to a single 33,000 square foot building to be used for automotive services and sales use. The site may also consist of a car wash building. Supporting ancillary uses to the car dealership may include and is not limited to; delivery, display and storage of new and pre-owned automobiles, vehicle charging stations and energy products, related parts and accessories, and for related general office purposes. The parcel located on SR 50 may have a glass display unit, no larger than 300 square feet, along with up to 3 additional display pads as shown in Exhibit B. No more than 4 vehicles may be displayed on the outparcel at one time. The property may also be developed with any other permitted uses allowed in the C-2 General Commercial zoning district. The outparcel may have one monument sign no larger than 8 feet high by 8 feet wide, with a maximum copy area of 32 square feet per side.
10. Any form of non-permitted advertisement consisting of, but not limited to flags, banners, inflatables or lighting is prohibited.
11. The use of the outparcel, adjacent to SR 50, shall only be used for a display area for the automotive dealership that is on the main parcel. If the dealership ceases to remain in operation for a period longer than 180 days, then the outparcel will no longer be available for display and will only be permitted for C-2 General Commercial uses.

Planning Manager Kruse further explained the applicant has conducted a Traffic Impact Analysis (TIA) that indicated traffic from the proposed use would generate less than 100 peak hour two-way next trips. The current road access points were studied through field investigations as well for physical load demands placed upon the existing road network, and it was concluded that several of the roads needed additional improvements. The applicant has agreed to fully fund and improve these road segments, consisting of a partial rebuild of Bloxam Avenue and Almond Street along with overlays of Millholland Street and Almond Street. These improvements will provide the necessary road support for the dealership operation along with users in the vicinity.

The granting of this conditional use permit is consistent with the Commercial Future Land Use designation in the comprehensive plan. The proposed use will not be detrimental to the health, safety or general welfare of persons residing or working the vicinity. The applicant is improving the current conditions of the road network, which would be an improvement to those residing or working in the vicinity. The proposed use will comply with the regulations of the Land Development Code, such as landscaping, architectural guidelines, and stormwater retention. This particular location has experienced the loss of a direct US 27 access point via Highland Avenue, in which has made it challenging for commercial projects to be viable at this location. The proposed dealership would be a destination for specific users, and this particular location would be considered desirable. Staff has reviewed the application and supporting material and recommends approval of Resolution 2023-023R with added revisions as requested.

Merideth Nagel, Esq., Merideth Nagel, PA, Applicant, stated this site has been vacant for some time due to numerous challenges such as lack of access to and from the site. She explained various surrounding road improvements the developer will be funding along with donating approximately 22 percent (1.9 acres) of the property to the City. She provided the economic impact this will have in the city.

The floor was opened for public comments. With no speakers present, the floor was closed.

Commissioner Norton stated he is excited about this use on the parcels and appreciates the road improvements that are being proposed. He questioned how this dealership would impact the surrounding community with regards to buffering, lighting, road improvements, and the land donation. Planning Manager Kruse explained the landscaping will be required according to the LDC, photometric plans will be required, Public Works is working with the road improvements; and further, Development Services Director Henschel stated the City does not currently have any plans for the donated parcel.

Commissioner McAllister indicated she is happy to see this type of use on these parcels instead of condominiums. She asked about the signage off of State Road 50 and whether it will be electronic. Planning Manager Kruse confirmed the sign will not be electronic.

Commissioner Grube asked whether the stop sign at Almond Street and Bloxam Avenue will remain as that is a recurring issue. Planning Manager Kruse indicated he is unable to answer, because road improvements are handled by Public Works. Ms. Nagel promised that the developer will do what is required by the traffic study.

Vice-Chair Niemiec asked for clarification on the sign and whether there will be lights on the sign, because lights are electronic. Planning Manager Kruse explained lights are permissible on signage and are not considered electronic signage. Vice-Chair Niemiec further asked if there will be a light in the display. Ms. Nagel explained it will be lighted at night to show not only the display, but also to light up the parking spaces. Vice-Chair Niemiec described current conditions on State Road 50 at this vicinity. He further inquired why road improvements were not part of the previous proposed condominium project. Planning Manager Kruse explained the condominium project was a residential use which would not have exceeded the weight limit. Vice-Chair Niemiec stated he is very happy about this proposed project.

Commissioner Guerrero stated he is looking forward to this project and had no questions.

Chairman Krzyminski asked where the main entrance to the dealership will be. Ms. Nagel explained traffic will likely turn onto Millholland Street north to Almond Street. Chairman Krzyminski stated his concern of noise from the service department and asked where that is located. Ms. Nagel indicated the service department will be inside with external landscape buffering.

Vice-Chair Niemiec inquired of the hours of operation for the service department. Ms. Nagel stated 7 am to 6 pm.

MOTION TO RECOMMEND APPROVAL of Resolution 2023-023R Conditional Use Permit (CUP) for Volkswagen of Clermont as presented by staff; Moved by Commissioner McAllister, Seconded by Commissioner Guerrero. Motion passed 6-0 with Commissioner Colby absent.

Item 2 - Resolution 2023-028R – Intuitive Emergency Clinic Conditional Use Permit (CUP)

Senior Planner McGruder presented as follows:

The applicant is requesting a Conditional Use Permit (CUP) to allow a 24 hour emergency clinic to be located in the vacant CVS Building, located at 4405 South US Highway 27, at the intersection of Hartwood Marsh Road and US Highway 27. The future land use designation is Commercial and the current zoning is C-2 General Commercial. The Land Development Code, Section 125-337, requires a conditional use permit for a hospital based off campus emergency department that provides emergency services and care. The property is currently developed with the existing building, landscaping and infrastructure for the site.

The proposed facility provides emergency services that are distinct from a hospital under the statutory definitions for the State of Florida. The clinic will be required to provide a detailed plan to handle any emergency transfers requiring air and/or ground patient transport services. The facility will be licensed as a Hospital-based off campus Emergency Department of the UF Health Leesburg Hospital.

Staff has reviewed the CUP application in accordance to Sec. 86-144 (d) of the Land Development Code. The proposed intensity, character and type of development is in compliance with the Clermont Comprehensive Plan goals, objective and policies for Commercial land use. A traffic impact analysis has been completed, and it has been determined the proposed project would provide a reduction in trip generation, therefore, would be considered a “de minimis” impact on the transportation network. Staff recommends approval of Resolution 2023-028R.

Tara Tedrow, Esq., Lowndes Law, Applicant, explained numerous benefits of this proposed CUP such as a significant decrease in traffic, location with the projected nearby growth, and situational acuity care provided by the facility.

The floor was opened for public comments. With no speakers present, the floor was closed.

Commissioner Guerrero asked whether this is proposed as an emergency room or urgent care. Ms. Tedrow explained it is called a Hospital Based Off-Campus Emergency Department, which encompasses both and is tailored to the needs of the patients.

Vice-Chair Niemiec stated he is glad to see this vacant building may be of good use; and further, indicated he is concerned with the location with regards to the surrounding roadways and ambulances accessing the site. Ms. Tedrow explained a traffic study was not required because this project shows a reduction in traffic.

Commissioner Grube asked what the projected staffing would be. Ryan Solstice, LPG Urban & Regional Planners LLC, stated currently this site is anticipated to have 14 beds with 16 employees. He further explained pedestrian accesses will be provided with the expansion of Hartwood Marsh Road.

Commissioner McAllister asked if there will be a triage for care, and stated she sees more ambulances leaving for transport than arriving. Ms. Tedrow answered there is a proposed triage; and further, confirmed ambulances will be transporting out more so than brining patients to the facility. Discussion ensued regarding transporting of patients. Commissioner McAllister stated she is happy to see the vacant building being used.

Commissioner Norton asked if the Conceptual Plan in the packet is the site plan and shared his concerns regarding pedestrian accessibility and safety. Mr. Solstice explained those types of pedestrian recommendations can be made from staff.

Chairman Krzyminski asked how air flight would work at this location and whether 24-hour security guards are included in the 16 count employee number. Ms. Tedrow explained a patient would be transported to a nearby area where air flight can land, and security is included in the 16 count employee number.

MOTION TO RECOMMEND APPROVAL of Resolution 2023-023R Conditional Use Permit (CUP) for the Intuitive Emergency Clinic; and further, requested staff to work with the applicant to incorporate pedestrian areas, crosswalks and traffic calming; Moved by Commissioner Norton.

Senior Planner McGruder explained once this CUP is approved it will go back to staff for site plan review, and staff will make sure that the pedestrian accesses are ADA compliant.

Seconded by Commissioner Guerrero. Motion passed 6-0 with Commissioner Colby absent.

Item 3 – Ordinance 2023-027 Parking Code Amendment, Section 115-14

Development Services Director Henschel presented as follows:

Staff is proposing an amendment to the city parking code. This amendment will clear up a misconception regarding parking requirements within the Central Business District (CBD) zoning district. Staff recommends removing an asterisk in Section 115-14 that indicates parking is not required for multi-use developments within the Central Business District of Downtown. This was never the intent of the code. It was placed in the Land Development Code (LDC) in 2018 as part of an overall parking code amendment. The way it was implemented into the code has been misleading. Removing the asterisk has also necessitated a few adjustments in the parking table as well.

The floor was opened for public comments. With no speakers present, the floor was closed.

Commissioner Norton asked for clarification regarding parking within the CBD. Development Services Director Henschel explained this amendment is for new developments within the CBD.

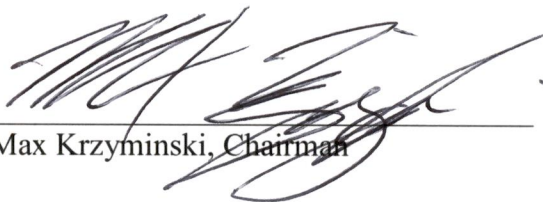
MOTION TO RECOMMEND APPROVAL of Ordinance 2023-027 LDC Amendment for Chapter 115 Parking Code; Moved by Commissioner McAllister, Seconded by Vice-Chair Niemiec. Motion passed 6-0 with Commissioner Colby absent.

UNFINISHED BUSINESS - None

DISCUSSION OF NON-AGENDA ITEMS - None

ADJOURNMENT

Chairman Krzyminski adjourned the meeting at 7:22 p.m.



Max Krzyminski, Chairman

ATTEST:



Kathy Heard, Planning Coordinator