

City of Clermont
MINUTES
PLANNING AND ZONING COMMISSION
August 1, 2023

Chairman Max Krzyminski called the meeting of the Planning & Zoning Commission to order on Tuesday, August 1, 2023 at 6:30 p.m. Members present were: Jane McAllister, Dieter Grube, David Colby, Vincent Niemiec and Ariel Guerrero. Also, present for City staff was City Attorney Jack Morgeson, Planning Director Curt Henschel, Planning Manager John Kruse, Senior Planner Regina McGruder, and Planning Coordinator Rae Chidlow.

MINUTES:

MOTION TO APPROVE the June 6, 2023 minutes of the Planning & Zoning Commission made by Commissioner Colby; seconded by Commissioner Guerrero. Passed 6-0 with Commissioner Norton absent.

REPORTS FROM THE COMMISSION:

Chairman Krzyminski stated he attended the Red, White, and BOOM! July 4th Celebration, which had a very good turnout.

Planning Director Henschel announced tonight is Planning Coordinator Chidlow's last meeting as this is her last week with the City. Chairman Krzyminski wished her well and thanked her for her service.

NEW BUSINESS

Item #1: Ordinance No. 2023-020 – Sidewalk Café Permit LDC Amendment

Planning Director Henschel presented as follows:

City Staff is proposing a text amendment to the Land Development Code, Section 125-526 Sidewalk Cafe permits. The proposed changes will add language to clarify and enforce additional standards and criteria requirements for the permit. The amendment will add the language that private trash containers are required for each permit, and the City will not be responsible for trash collection relating to the sidewalk cafe permits. The property owner or business occupant will be responsible for picking up and collecting trash in a timely manner. The current code does not have any existing language regarding trash collection for sidewalk cafe permits. Staff recommends approval of the proposed changes represented in Ordinance 2023-020, Sidewalk Cafe permits.

Commissioner Guerrero stated this amendment is a good idea; however, he would like to see language pertaining to trash cans having lids.

Commissioner McAllister asked why "(5) All furniture shall be stored inside the establishment whenever the business is closed" is being removed from the ordinance.

Planning Director Henschel explained many businesses currently leave the furniture outside and there have been no issues.

Action:

MOTION TO APPROVE Ordinance No. 2023-021 was made by Commissioner Guerrero, seconded by Commissioner Niemiec.

Chairman Krzyminski asked whether the Board would like staff to add a lid with the trash containers.

AMENDED MOTION TO APPROVE Ordinance No. 2023-021 with a condition to add language that the trash containers have lids was made by Commissioner Guerrero, seconded by Commissioner Niemiec. Passed 6-0 with Commissioner Norton absent.

Item #2: Ordinance No. 2023-024 – Lennar Swap Comprehensive Plan Amendment

Planning Manager John Kruse presented as follows:

The applicant, VHB, has requested an amendment to the Future Land Use Map. The applicant is requesting the City to designate the property with a future land use category consistent with Land Uses within the Wellness Way Urban Service Area (WWUSA) upon annexation. The subject site is approximately 247 acres in size. The property has historically been used for agricultural purposes. The applicant has three pending requests before the City of Clermont. These include: (1) Annexation, (2) Comprehensive Plan Amendment, and (3) Rezoning to a Planned Unit Development (PUD).

Due to the required review by the State of Florida Department of Economic Opportunity (DEO) for the amendment to the Comprehensive Plan, this application is being presented to the Planning and Zoning Commission and the City Council to make a recommendation for transmittal. If transmitted, then DEO and other State agencies will review and render their comments prior to a public hearing on the adoption of this amendment. The anticipated adoption hearing will be in October of 2023.

The property has two (2) existing Future Land Use designations in unincorporated Lake County. The western portion, approximately 56 acres, is Multi Use W District, and the eastern portion, approximately 191 acres, is Neighborhood District. The County adopted Wellness Way Future Land Uses identical to the City of Clermont with the goal of having a consistent development plan within the WWUSA.

The Wellness Way Comprehensive Plan Amendment was originally adopted by the City on February 28, 2023, and Lake County on June 6, 2023. Upon annexation, the property will receive the same Future Land Use Designation, Multi Use W District and Neighborhood District, within the City of Clermont as it currently exists in Lake County.

The residential density and non-residential capacity for the project will be governed by the City's Comprehensive Plan Policy 2.3.2: Future Land Use Categories Capacity Allocation tables. The applicant has requested a rezoning to a Planned Unit Development requesting up to 699 dwelling units and up to 229,000 square feet of non-residential uses. The City is not recognizing these entitlement numbers at this time. The PUD will be considered by City Council during the adoption phase of the Comprehensive Plan Amendment to ensure that the proposed development density and intensity is in compliance with Policy 2.3.2. In addition, the development standards for the PUD will be required to meet the Wellness Way Design Guidelines that were adopted by the City on June 28, 2022.

The subject property is located entirely within the City of Clermont Utility Service Area and is adjacent to the City limits. The project is located within the City's JPA and ISBA boundary, and the City can provide adequate public facilities and services.

The application is consistent with Objective 2.3, Policy 2.3.1 and 2.3.2, of the City of Clermont Comprehensive Plan. Staff supports the applicant's request for a change from Lake County Multi Use W District and Lake County Neighborhood District to the City of Clermont Multi Use W District and City of Clermont Neighborhood District and recommends transmittal of the comprehensive plan change.

Erika Hughes, VHB, stated that she concurs with staff's recommendation, and they would appreciate the Board's support in recommending approval.

Commissioner McAllister asked if this is part of the Wellness Way and whether there are wetlands within the proposed development.

Planning Manager Kruse stated it is within the Wellness Way boundaries; and further, there are some wetlands on the property. This Planned Unit Development (PUD) will be brought to this board at a later time.

Commissioner McAllister objected to the 15 foot wetlands buffer stating it should be no less than 25 feet.

Commissioner Grube asked if the goal is to annex into the city.

Planning Manager Kruse answered in the affirmative.

Commissioner Niemiec agreed with Commission McAllister on the wetlands buffer setback.

Chairman Krzyminski asked if the utilities are completed and the completion of Five Mile Road.

Planning Manager Kruse advised he is unaware of where the utilities are currently at; and further, that Five Mile Road will stay a clay road for public use.

Chairman Krzyminski further asked for an update on the status of the Olympus development.

Planning Manager Kruse provided the current status.

Discussion ensued on the infrastructure, road construction and traffic study.

Erika Hughes stated they appreciate comments and policies, which they will implement through the PUD; and further, they intend to work with staff and follow the guidelines and standards of the Wellness Way area that the City has adopted.

Action:

MOTION TO APPROVE Ordinance No. 2023-021 was made by Commissioner Colby, seconded by Commissioner Grube. Passed 5-1 with Chairman Krzyminski opposing and Commissioner Norton absent.

With no further comments, Chairman Krzyminski adjourned the meeting at 6:53 P.M.



Max Krzyminski, Chairman

ATTEST:

