

**City of Clermont
MINUTES
PLANNING AND ZONING COMMISSION
AUGUST 2, 2016**

Page 1

The meeting of the Planning and Zoning Commission was called to order Tuesday, August 2, 2016 at 6:30 p.m. by Chairman Nick Jones. Other members present were Carlos Solis, Judy Proli, Cuqui Whitehead, Tony Hubbard, and Jack Martin. Also in attendance were James Kinzler, Assistant City Manager, Barbara Hollerand, Development Services Director, Jim Hitt, CRA/Mobility Director, Curt Henschel, Planning Manager, John Kruse, Senior Planner, Dan Mantzaris, City Attorney, and Rae Chidlow, Planning Specialist.

REPORTS

Commissioner Whitehead stated that she will not be able to attend the September meeting.

Department Director Hollerand stated that the September Planning and Zoning meeting will be held on Monday, September 12, 2016.

Assistant City Manager Kinzler presented the three Florida Recreational Development Assistance Program (FRDAP) grant opportunities for Victory Pointe.

1. REQUEST FOR CONDITIONAL USE PERMIT

REQUEST: To allow a church facility in the M-1 Industrial zoning district.

PROJECT: Calvary Chapel

Senior Planner Kruse stated that this item has been withdrawn.

2. REQUEST FOR CONDITIONAL USE PERMIT

REQUEST: To allow an existing automotive dealership in the C-2 General Commercial zoning district.

PROJECT: Napleton

Senior Planner Kruse presented the staff report as follows:

The owner, Napleton/Clermont Motors LLC, is requesting a Conditional Use Permit for the existing automotive dealership and vacant property to the north. The property is approximately 15 acres with 5 acres used for the existing automotive dealership and an additional 10 acres that the dealership would like to expand on, mainly for inventory parking and stormwater pond. The property was recently annexed into the City with a designation of C-2 General Commercial with the understanding that any expansion would require a Conditional Use Permit.

The project consists of an existing 20,000 square foot building with a proposed building expansion of 28,956 square feet. The total building square footage is 48,956 square feet, as shown on the plan prepared by Germana Engineering and Associates, LLC, dated 07-01-16 Preliminary-Concept Plan. In addition, the owner will be adding 300 inventory parking stalls to the rear of the project area. The stormwater pond will be relocated further back on the property

**City of Clermont
MINUTES
PLANNING AND ZONING COMMISSION
AUGUST 2, 2016**

Page 2

and redesigned to treat the additional impervious surface on the site. The site will be required to meet the Land Development Code and proceed through site plan review.

Staff recommends approval of Resolution 2016-29.

Chris Germana, 1120 W. Minneola Ave., stated that they are wanting to enlarge the service area of the facility. He stated that it will free up some parking for customers, create a new inventory area, and enhance the landscape features to give more curb appeal to this facility.

Commissioner Solis stated that he is in agreement with the improvements. He stated that it is hard to get in and out of that dealership.

Commissioner Whitehead asked if the landscaping will be enhanced.

Mr. Germana stated that there are landscape islands in the parking area. He stated that there is a large tree area and a wetland in the back of the property so they will not build in the rear of the property.

Commissioner Whitehead asked if the entrance into the facility will be enlarged.

Mr. Germana stated that the entrance will remain the same, however there will be improvements to the front of the facility. He stated that the inventory will be displaced to the rear and right side of the site to open up the front area.

Commissioner Whitehead moved to recommend approval of the conditional use permit; seconded by Commissioner Solis. The vote was unanimous to recommend approval.

3. REQUEST FOR CONDITIONAL USE PERMIT

REQUEST: To allow a multifamily development with more than 12 units, and up to 12 units per acre.

PROJECT: Mason's Ridge

Planning Manager Henschel presented the staff report as follows:

The Mason's Ridge project is a proposed multi-family development consisting of 102 apartments located at the southwest corner of Pitt Street and Grand Highway. The parcel is zoned C-2 general commercial with a future land use of residential / office. The C-2 zoning allows for multifamily uses (with an approved Conditional Use Permit) provided the development follows the R-3 (Residential/Professional) zoning district regulations. The applicant is also proposing to maximize the allowable density of 12 units per acre that is allowable under the Comprehensive Plan with an approved Conditional use permit.

**City of Clermont
MINUTES
PLANNING AND ZONING COMMISSION
AUGUST 2, 2016**

Page 3

The proposed units will be two stories tall and fall under the city's maximum height requirement of 45 feet (units proposed will be approximately 24 feet tall).

The 8.5-acre parcel remains vacant, and is topographically challenged with approximately 60 feet of fall from the west property line down to Grand Highway.

The applicant will also be proposing two variances that will go along with the final Conditional Use Permit. One variance is needed for grading on the parcel, and the second allows wall heights greater than 6 feet. These two variances will be reviewed and considered by City Council.

Staff recommends approval of Resolution 2016-30 to allow 12 units per acre for the project, not to exceed an overall unit count of 102 units.

Tim Green, 4070 United Ave., Mt. Dora, stated that he concurs with staff's recommendation. He stated that this is a difficult site. He stated that the commercial along Highway 27 is not included in the density calculations and will not be developed at this time.

Commissioner Martin asked about the wall height.

Mr. Green stated that the wall will be stepping down due to the slope of the property.

Commissioner Proli asked what type of tenants are they expecting to rent to.

Sonya Montgomery, 153 Nautica Mile Dr., stated that the rent will be based on the current market. She stated that it won't be low income, however it will be affordable. She stated that they will be luxury townhomes.

Commissioner Proli stated that more developers are putting in multi-family units rather than single family. She stated that this will impact schools, traffic, and water consumption. She stated that she is concerned about the aesthetics of the building.

Ms. Montgomery stated that they are focused on the aesthetics of the property. She stated that what is on the drawing is a rough draft. She stated that it will be a green building and will be a walkable community.

Commissioner Whitehead asked about handicap parking.

Mr. Green stated that the grading on the property is needed for the handicap challenges for this site. He stated that the density meets the City's comprehensive plan for that location.

**City of Clermont
MINUTES
PLANNING AND ZONING COMMISSION
AUGUST 2, 2016**

Page 4

Terri Wrights, 734 S. Grand Highway, Hillside Villas, stated that the traffic on Grand Highway has increased so much that it is hard for her to get in and out of her complex. She stated that she is not in agreement with this application.

Mark Swanson, 14446 S. Grand Highway, stated that his father purchased his home in 1958. He stated that he lives directly across the street from this site. He stated that people walk through his yard already and the amount of theft in the area has increased. He stated that there has been an increase in traffic on Grand Highway. He stated that he is not in agreement with this project.

John Songer, 14334 S. Grand Highway, stated that his property floods from the road. He stated that the schools are already overcrowded. He stated that several cars have been rear ended by traffic on Grand Highway.

Robin Livesay, 14320 S. Grand Highway, stated that her children walked to school, but her grandchildren can't walk due to traffic. She asked how many accidents have happened at Grand Highway and Pitt Street. She stated that she asks that they consider the residents and is opposed to the project.

Carol McDaniel, 14424 S. Grand Highway, stated that even though there is a four-way stop at Grand Highway and Pitt Street, the cars drive 50 mph up to the stop sign. She stated that theft has been bad in the area. She stated that the woods are a nice buffer for them.

Lynda Smith, 14340 S. Grand Highway, stated that she has lived in her home for 23 years now. She stated that she likes the old Clermont and the hills. She stated that the traffic and accidents have been bad on Grand Highway. She asked how the water on the site will be retained. She has concerns with her house being flooded.

Ryan Livesay, 14320 S. Grand Highway, stated that he has been rear ended recently. He stated that they have lived in this location since 1992 and have been burglarized three times in the last three years.

Terri Wrights, 734 S. Grand Highway, owns Terri Wrights Household Services, and she stated that she will be moving her business to another area.

Mr. Green stated that there would be landscaping around the retention pond. He stated that the entrance will be on Pitt Street, not Grand Highway. He stated that there will be sidewalks included in the improvements to the site, so that should help with children walking to school. He stated that the comprehensive plan allows 12 units per acre for this site, and they will comply with what is allowed.

Ms. Montgomery stated that when speaking to staff, they agreed to make the community walkable and bikeable. She stated that all the residents' concerns will be taken into consideration.

**City of Clermont
MINUTES
PLANNING AND ZONING COMMISSION
AUGUST 2, 2016**

Page 5

Duane Booth, BESH, 902 Sinclair Ave., stated that the stormwater pond will have to be flat. He stated that the variances that will be requested are due to stormwater and handicap accessibility for the site. He stated that the project will contain its stormwater runoff and there will not be any additional runoff from this site.

Commissioner Solis stated that the owners have a right to ask to develop their property. He stated that the applicant is asking for what the City allows for that property. He stated that he will look at the concerns of the residents and the rights of property owner.

Commissioner Proli stated that she has empathy for the surrounding residents. She stated that it is okay for land owners to build, but not to create a large impact on the existing residents.

Commissioner Whitehead stated that crime has increased in this area. She stated that she does not like apartments, but this is their property not hers.

Commissioner Hubbard stated that he agrees with Commissioner Solis. He stated that he is concerned about traffic. He stated that the traffic study should have already been done.

City Attorney Mantzaris stated that a traffic study will have to be done prior to beginning work, however, it is not required for the submittal of the conditional use permit.

Commissioner Martin asked what are currently allowed permitted uses.

City Attorney Mantzaris read from the code the permitted uses allowed for that site.

Mr. Henschel stated that a traffic study has been submitted, however the Metropolitan Planning Organization has not provided their final report to the City.

Commissioner Proli asked why C-2 zoning would be allowed near a residential area and for a site with the topography that exists for that site.

Mr. Henschel stated that the comprehensive plan has been approved by City Council and the state that allows the use of the property.

Mr. Mantzaris stated that zoning and comprehensive plans do not take into consideration the topography of an area.

Chairman Jones stated that the biggest impact is the traffic.

Commissioner Martin moved to recommend approval of the conditional use permit; seconded by Commissioner Solis. The vote was 3-3, since the vote was a tie, the action moves forward to City Council as a denial. Commissioners Martin, Solis and Jones in favor; Commissioners Proli, Whitehead and Hubbard opposing.

**City of Clermont
MINUTES
PLANNING AND ZONING COMMISSION
AUGUST 2, 2016**

Page 6

4. REQUEST FOR LAND DEVELOPMENT CODE AMENDMENT

REQUEST: To amend Chapter 98 Parking and Vehicular Use Areas to allow city on-street 8' x 22" parallel parking spaces.

CRA/Mobility Director Hitt presented Ordinance 2016-31.

Carol McDaniel, 14424 S. Grand Highway, stated that as the roads get smaller, business owners who driver larger vehicles and pull trailers will have issues with the smaller lanes and parking spaces.

Commissioner Whitehead moved to recommend approval of the code change; seconded by Commissioner Solis. The vote was unanimous to recommend approval.

5. REQUEST FOR LAND DEVELOPMENT CODE AMENDMENT

REQUEST: To amend the Code of Ordinances to create a Downtown and Waterfront Entertainment District section.

CRA/Mobility Director Jim Hitt presented Ordinance 2016-33.

Robin Livesay, 14320 S. Grand Highway, stated that she likes the idea, however she used to go to the events but downtown is so crowded now. She stated that you have to park so far away in order to attend these events.

Commissioner Whitehead moved to recommend approval of the code change; seconded by Commissioner Proli. The vote was unanimous to recommend approval.

6. REQUEST FOR COMPREHENSIVE PLAN AMENDMENT

REQUEST: To allow for a text amendment to the Future Land Use Element to add language regarding Planned Unit Development zoning.

Senior Planner Kruse presented the staff report as follows:

In September 2015, the City Council voted to adopt a new zoning designation, Planned Unit Development (PUD). Previously, projects would apply for a Conditional Use Permit for a Planned Unit Development. This process caused some confusion and challenges, particularly when annexing properties under the Interlocal Service Boundary Agreement (ISBA) that had a PUD zoning in place from Lake County. After making this change to the Land Development Code, it became apparent afterwards that there were four places in the Future Land Use Element that were inconsistent with this code change. The language in the Future Land Use Element stated that when projects had densities higher than eight units per acre, a CUP was required.

**City of Clermont
MINUTES
PLANNING AND ZONING COMMISSION
AUGUST 2, 2016**

Page 7

There was no mention of the new PUD zoning designation, which would permit densities higher than eight units per acre. Therefore, in order to eliminate these discrepancies, the addition of “or a Planned Unit Development (PUD) zoning” was added to these four areas of the text. An underlined and highlighted version of the Future Land Use Element has been provided for review indicating the four areas of insertion.

Staff recommends approval of Ordinance No. 2016-32 to add language to the Future Land Use Element that includes the adopted Planned Unit Development zoning designation in the Land Development Code.

Commissioner Martin moved to recommend approval of the comprehensive plan amendment; seconded by Commissioner Whitehead. The vote was unanimous to recommend approval.

There being no further business, the meeting was adjourned at 8:27 pm.

Nick Jones, Chairman

ATTEST:

Rae Chidlow – Planning Specialist